

**MINUTES OF SPECIAL MEETING
SEMINOLE IMPROVEMENT DISTRICT**

The special meeting of the Board of Supervisors of the Seminole Improvement District was held on Wednesday, April 20, 2016 at 10:01 a.m. at the Seminole Improvement District Office, 4005 Seminole-Pratt Whitney Road, Loxahatchee, Florida.

Present and constituting a quorum were:

Scott Massey	President
Janet Kroll	Vice President
Jared Stern	Secretary/Treasurer

Also present were:

Kenneth Cassel	District Manager
Robert Diffenderfer	District Counsel
John Carter	Minto
Chris Johns	Lewis, Longman, Walker
Pam Booker	Audience Member

The following is a summary of the minutes and actions taken during the April 20, 2016 SID Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Cassel called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Consideration of Engagement Letter with DPFG for Services Related to the Conversion Plan

Mr. Cassel stated the Board was previously presented with a potential of a conversion plan drafted by DPFG for consideration. A few revisions are needed to the plan, but DPFG needs to be engaged to move forward with this task.

Mr. Diffenderfer stated the conversion plan can move forward for a public hearing upon approval by this Board.

On MOTION by Ms. Kroll seconded by Mr. Massey with all in favor DPFG was engaged for conversion plan services.
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FOURTH ORDER OF BUSINESS

Approval of Elector-Initiated Combined Conversion and Incorporation Plan (Resolution 2016-7) and Authorization to Hold Public Hearing

Mr. Cassel stated he read through the proposed conversion plan and made several notes, which he has reviewed with Ms. Gallo.

- Acreage adjustments within Tables 8 and 12 as well as the appendix in Table 9.
- Some of the costs will be split after looking at Appendix 15 in order for them to be easier to identify.
- SID financials will be updated as the plan goes forward.
- Any issues will be clarified before the final adoption.

Ms. Kroll asked if there are any conflicts with regard to her voting on any of the resolutions being presented for consideration today.

Mr. Diffenderfer confirmed there are no conflicts because she has previously disclosed the nature of her employment relationship with the majority landowner. There is a provision in Chapter 112, which deals with special district supervisors. The law provides that an officer of an independent special tax district created on a one acre, one vote basis, is not prohibited from voting in this capacity. He suggested both Ms. Kroll and Mr. Stern fully disclose their employment relationship.

Ms. Kroll and Mr. Stern both disclosed they are employed by Minto Communities.

Mr. Diffenderfer stated there is a conflicting employment relationship prohibition in Chapter 112, which has set an exemption for 298 districts. He reviewed Section 112.313(7)(a)(1) where everyone in 298 districts are basically involved with the landowners. If there was a prohibition, no one could govern.

Ms. Kroll questioned if disclosure should be made every time resolutions like this will be considered. Mr. Diffenderfer suggested an annual disclosure during the Landowners' Election.

Mr. Diffenderfer reviewed the following:

- A petition was received from the landowners at the last meeting.
- The petitions were presented to the Palm Beach Supervisor of Elections, who has certified the District received the requisite number of petitions from qualified electors within the District. The written certification has been provided for the District's records.

- Resolution 2016-7 approves the proposed elector-initiated combined conversion and incorporation plan and authorized a public hearing to be held within 30 days of this approval.
- Modifications to the plan can be made within 60 business days after the final public hearing.
- There is no minimum population requirement to begin this process.
- The conversion plan relates to the special district boundary. The legislative boundary of SID does not include the M2 Canal, which was acquired later. It will continue to be owned by SID and function as it does currently.
- Ms. Kroll asked how they can avoid running into the same challenges neighboring municipalities have had. Mr. Diffenderfer responded the way the proposed charter is written, the City is not allowed to get into the business of doing what SID currently does until SID no longer exists as a special district.
- The proposed charter is similar to Wellington's charter in terms of governance and structure. It is also similar to Loxahatchee Groves where the City is prohibited from creating its own police force or fire department without a referendum changing the charter.

Mr. Diffenderfer reviewed the process related timeline.

- A date needs to be picked for the public hearing.
- The conversion plan needs to be made available at the District Office once it is approved and also needs to be posted on the District website.
- A summary of the plan needs to be published in the paper for four consecutive weeks before a public hearing can be held. The first notice can be published starting April 25, 2016. The last notice would be published on May 16, 2016. The public hearing can be scheduled for May 18, 2016.
- There is a requirement of a seven day advanced notice before the public hearing is held.
- Mr. Stern asked if revisions will be included in the conversion plan prior to it becoming available. Mr. Diffenderfer responded they have five days to post it after it is approved and he prefers a clean copy be posted.

- The special election to vote on the referendum qualifies for a mailed ballot, which will be less expensive to the District. The Supervisor of Elections concurs that it is a better option to do mailed ballots. It may be possible to have the election date be June 20, 2016.

On MOTION by Mr. Stern seconded by Mr. Massey with all in favor, Resolution 2016-7 approving the proposed elector-initiated combined conversion and incorporation plan and authorizing a public hearing on May 18, 2016 at 10:00 a.m. at the current meeting location, was adopted.

FIFTH ORDER OF BUSINESS

Resolution 2016-6, Authorizing Mailed Ballots for Special Election

Mr. Diffenderfer stated the Palm Beach County Supervisor of Elections recently did a mailed ballot for an annexation in Royal Palm Beach. Ms. Bucher's written ballot plan has to be approved by the Secretary of State in Tallahassee. She has taken the plan they created previously with the Secretary of State's comments and revised it to fit the District's election. The requirements of notice for the mailed ballots are outlined in the statute. There needs to be a published notice in the third and fifth week before the election. Ms. Bucher will have to close the books on the election and set a date to mail out the ballots in advance of the election.

Mr. Stern asked what the timing is to certify the election, given it is not going to be in a precinct.

Mr. Diffenderfer responded the books will close 28 or 29 days prior to the election. The ballots will go out shortly after that. She will collect them and on June 20, 2016 she will convene the County Canvassing Board as required by the Secretary of State. They will be opened, counted and certified that day.

Mr. Stern asked if there was ever a prior referendum within SID.

Mr. Diffenderfer responded there was one in the early 2000s when the powers of the District were changed to be given ad valorem taxing power.

On MOTION by Mr. Massey seconded by Mr. Stern with all in favor Resolution 2016-6, authorizing the use of a mail ballot election for the purposes of the referendum election to be conducted pursuant to Section 165.0615 regarding municipal conversion, was adopted.

SIXTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Massey requested notification if there are any changes to the dates.

Mr. Stern asked for a redlined version of the plan to see what changes are made.

SEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Ms. Kroll seconded by Mr. Massey with all in favor the meeting was adjourned.



Kenneth Cassel
Assistant Secretary



Scott Massey
President