

**SOUTHERN HILLS  
PLANTATION III  
COMMUNITY DEVELOPMENT  
DISTRICT**

**May 9, 2022**

**BOARD OF SUPERVISORS  
REGULAR MEETING  
AGENDA**

**Southern Hills Plantation III  
Community Development District**

**OFFICE OF THE DISTRICT MANAGER**

**2300 Glades Road, Suite 410W • Boca Raton, Florida 33431**

**Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-free: (877) 276-0889**

May 2, 2022

<p><b><u>ATTENDEES:</u></b> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>
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Board of Supervisors  
Southern Hills Plantation III Community Development District

Dear Board Members:

The Board of Supervisors of the Southern Hills Plantation III Community Development District will hold a Regular Meeting on May 9, 2022, at 10:00 a.m., at Southern Hills Plantation Clubhouse, 4200 Summit View Drive, Brooksville, Florida 34601. The agenda is as follows:


1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Resolution 2022-01, Amending the General Fund Portion of the Budget for Fiscal Year 2020/2021; and Providing for an Effective Date
4. Consideration of Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
5. Consideration of Resolution 2022-03, Designating a Date, Time, and Location for Landowners' Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date
6. Consideration of Resolution 2022-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date
7. Acceptance of Unaudited Financial Statements as of March 31, 2022
8. Approval of August 9, 2021 Public Hearing and Regular Meeting Minutes
9. Other Business
10. Staff Reports

- A. District Counsel: *KE Law Group, PLLC*
  - 2021 Legislative Updates
    - I. Stormwater Management Needs Analysis
      - Draft Letter to State of Florida
    - II. Prompt Payment Policy
      - Consideration of Resolution 2022-05, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date
- B. District Engineer: *Coastal Engineering Associates, Inc.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
  - I. 0 Registered Voters in District as of April 15, 2022
  - II. NEXT MEETING DATE: June 13, 2022 at 10:00 A.M.
    - QUORUM CHECK

JIM KNIERIM	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
ROBERT NELSON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
ELLEN JOHNSON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
GRADY MIARS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
MARGARET BLOOMQUIST	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 11. Supervisors' Requests
- 12. Adjournment

If you have any questions or comments, please contact me directly at (239) 464-7114.

Sincerely,  
  
 Chesley E. Adams, Jr.  
 District Manager  
 District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**  
**CALL IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 229 774 8903**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**3**

**RESOLUTION 2022-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT AMENDING THE GENERAL FUND PORTION OF THE BUDGET FOR FISCAL YEAR 2020/2021; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Board of Supervisors (hereinafter referred to as the “Board”) of the Southern Hills Plantation III Community Development District (hereinafter referred to as the “District”), adopted a Budget for Fiscal Year 2020/2021; and

**WHEREAS**, the Board desires to amend the General Fund portion of the budget previously approved for the Fiscal Year 2020/2021.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT:**

Section 1. The Fiscal Year 2020/2021 Budget is hereby amended in accordance with Exhibit “A” attached hereto; and

Section 2. This resolution shall become effective immediately upon its adoption, and be reflected in the monthly and Fiscal Year End September 30, 2021 Financial Statements and Audit Report of the District.

**PASSED AND ADOPTED** this 9th day of May, 2022

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

**EXHIBIT "A"**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
AMENDED GENERAL FUND BUDGET  
FISCAL YEAR 2021  
EFFECTIVE NOVEMBER 30, 2021**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
AMENDED GENERAL FUND BUDGET  
FISCAL YEAR 2021  
EFFECTIVE NOVEMBER 30, 2021**

	FY 2020 Actual	FY 2020 Original Budget	Budget to Actual Variance	Proposed Amendment Increase/ (Decrease)	FY 2021 Amended Budget
<b>REVENUES</b>					
Developer contribution	\$ 110,068	\$ 61,340	\$ (48,728)	\$ 72,932	\$ 134,272
Total revenues	<u>110,068</u>	<u>61,340</u>	<u>(48,728)</u>	<u>72,932</u>	<u>134,272</u>
<b>EXPENDITURES</b>					
<b>Professional &amp; administrative</b>					
Legislative					
Supervisor fees	1,800	3,000	1,200	(1,200)	1,800
Financial & Administrative					
Management	15,000	15,000	-	-	15,000
Engineering	155	1,000	845	(845)	155
Audit	-	3,200	3,200	(3,200)	-
Insurance: public officials liability	-	3,200	3,200	(3,200)	-
Legal advertising	1,064	325	(739)	739	1,064
Bank fees	-	150	150	(150)	-
Annual district filing fee	175	200	25	(25)	175
Contingencies	668	1,500	832	5,418	6,918
ADA website compliance	409	210	(199)	199	409
Repayment plan SHP CDD 1	16,459	-	(16,459)	16,459	16,459
Website	705	705	-	-	705
Postage	120	400	280	(280)	120
Legal counsel					
District counsel	6,282	4,000	(2,282)	2,282	6,282
Total professional & administrative	<u>42,837</u>	<u>32,890</u>	<u>(9,947)</u>	<u>16,197</u>	<u>49,087</u>
<b>Field operations</b>					
Electric utility services					
Street lights	8,701	7,200	(1,501)	1,501	8,701
Stormwater control					
Lake/pond bank maintenance	-	500	500	(500)	-
Aquatic maintenance	3,349	500	(2,849)	2,849	3,349
Other physical environment					
Entry & walls maintenance	904	250	(654)	654	904
Landscape maintenance	15,262	15,000	(262)	262	15,262
Holiday lighting	2,153	-	(2,153)	2,153	2,153
Irrigation repairs & maintenance	5,581	3,000	(2,581)	2,581	5,581
Landscape replacement	14,925	2,000	(12,925)	12,925	14,925
Total field operations	<u>50,875</u>	<u>28,450</u>	<u>(22,425)</u>	<u>22,425</u>	<u>50,875</u>
Total expenditures	<u>93,712</u>	<u>61,340</u>	<u>(32,372)</u>	<u>38,622</u>	<u>99,962</u>
Excess/(deficiency) of revenues					
over/(under) expenditures	16,356	-	(16,356)	34,310	34,310
Fund balances - beginning	(34,310)	-	34,310	(34,310)	(34,310)
Fund balances - ending	<u>\$ (17,954)</u>	<u>\$ -</u>	<u>\$ 17,954</u>	<u>\$ -</u>	<u>\$ -</u>



**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**4**

**RESOLUTION 2022-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2022/2023 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has heretofore prepared and submitted to the Board of Supervisors of Southern Hills Plantation III Community Development District (the "Board") a proposed operating budget for Fiscal Year 2022/2023; and

**WHEREAS**, the Board has considered the proposed budget and desires to set the required public hearing thereon.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT:**

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2022/2023 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set for the following date, hour and location:

DATE: September 12, 2022

HOUR: 10:00 A.M.

LOCATION: Southern Hills Plantation Clubhouse  
4200 Summit View Drive  
Brooksville, Florida 34601

3. **TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT.** The District Manager is hereby directed to submit a copy of the proposed budget to the City of Brooksville and Hernando County, Florida at least 60 days prior to the hearing set above.

4. **POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two days before the budget hearing date as set forth in Section 2, and shall remain on the website for at least 45 days.

5. **PUBLICATION OF NOTICE.** Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED this 9th day of May, 2022.**

ATTEST:

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

**Exhibit A: Fiscal Year 2022/2023 Budget**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
FISCAL YEAR 2023  
PROPOSED BUDGET**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
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**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2023**

	Fiscal Year 2022				Adotped Budget FY 2023
	Adopted Budget FY 2022	Actual through 3/31/2022	Projected through 9/30/2022	Total Actual & Projected	
<b>REVENUES</b>					
Developer contributions	\$ 89,466	\$ 47,962	\$ 59,468	\$ 107,430	\$ 85,120
Total revenues	89,466	47,962	59,468	107,430	85,120
<b>EXPENDITURES</b>					
<b>Professional &amp; administrative</b>					
Supervisors	3,000	-	3,000	3,000	3,000
Management/accounting/recording	15,000	7,500	7,500	15,000	15,000
Bank fees	150	-	150	150	150
Legal general counsel	4,000	1,195	2,805	4,000	4,000
Engineering	1,000	-	1,000	1,000	1,000
Audit	3,200	-	3,200	3,200	3,200
Postage	400	-	400	400	400
Legal advertising	325	92	233	325	325
Annual district filing fee	200	175	25	200	200
Insurance	3,200	-	3,200	3,200	3,200
Website	1,000	-	1,000	1,000	1,000
Repayment CDD I	12,344	861	-	861	-
Contingencies	1,500	548	952	1,500	1,500
Total professional & administrative	45,319	10,371	23,465	33,836	32,975
<b>Field operations</b>					
Street lights	3,118	3,983	4,000	7,983	8,000
Aquatic maintenance	545	1,008	1,500	2,508	3,000
Lake/pond bank maintenance	500	-	500	500	500
Entry & walls maintenance	595	-	595	595	595
Landscape maintenance	19,754	6,517	8,000	14,517	15,000
Holiday lighting	-	2,153	-	2,153	2,200
Irrigation maintenance and repairs	1,785	6,534	3,000	9,534	5,000
Landscape replacement plants, shrubs, trees	17,850	4,005	13,845	17,850	17,850
Total field operations	44,147	24,200	31,440	55,640	52,145
Total expenditures	89,466	34,571	54,905	89,476	85,120
Excess/(deficiency) of revenues over/(under) expenditures	-	13,391	4,563	17,954	-
Fund balance - beginning (unaudited)	-	(17,954)	(4,563)	(17,954)	-
Fund balance - ending (projected)	\$ -	\$ (4,563)	\$ -	\$ -	\$ -

\*Prior year funding collected in current fiscal year.

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

**Professional & administrative**

Supervisors	\$ 3,000
<p>Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors, not to exceed \$4,800 for each fiscal year.</p>	
Management/accounting/recording	15,000
<p><b>Wrathell, Hunt and Associates, LLC</b>, specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financings and operate and maintain the assets of the community.</p>	
Bank fees	150
<p>Bank charges and other miscellaneous expenses incurred during the fiscal year.</p>	
Legal general counsel	4,000
<p>Provides on-going general counsel legal representation and, in this arena, these lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, they provide service as "local government lawyers," realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments.</p> <p>Pursuant to the trust indenture, the District is paying for legal representation incurred by the trustee for foreclosure related matters that relate to the District. These services are being provided by Hopping, Green &amp; Sams.</p>	
Engineering	1,000
<p>Provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	3,200
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures. This audit is conducted pursuant to Florida State Law and the rules and guidelines of the Florida Auditor General.</p>	
Postage	400
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Legal advertising	325
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Annual district filing fee	200
<p>Annual fee paid to the Department of Economic Opportunity.</p>	
Insurance	3,200
<p>The District carries public officials and general liability insurance with policies written by Preferred Governmental Insurance Trust. The limit of liability is set at \$1,000,000 (general aggregate \$2,000,000) and \$1,000,000 for public officials liability.</p>	
Website	1,000
<p>To provide and maintain legally required District website.</p>	
Contingencies	1,500
<p>Cover banking related costs.</p>	



**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES (continued)**

**Field operations**

Street lights	8,000
Regular inspections, maintenance and repairs	
Aquatic maintenance	3,000
Monthly service of aquatic weed control	
Lake/pond bank maintenance	500
Treatments to prevent alge and weed growth on lake and pond banks.	
Entry & walls maintenance	595
Treatments to prevent weed growth between the pavement and gutters to prevent deterioration of asphalt.	
Landscape maintenance	15,000
Monthly service of landscape maintenance, including lawn care	
Holiday lighting	2,200
Irrigation maintenance and repairs	5,000
Regular inspection and any needed maintenance and/or repairs to the irrigation system	
Landscape replacement plants, shrubs, trees	17,850
Vegetation control of the plants, shrubs and trees at the curbsides	
Total expenditures	<u><u>\$ 85,120</u></u>

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**5**

**RESOLUTION 2022-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, Southern Hills Plantation III Community Development District (the "District") is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Hernando County, Florida; and

**WHEREAS**, the District's Board of Supervisors (the "Board") is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by provisions of Chapter 286, *Florida Statutes*; and

**WHEREAS**, the effective date of Hernando County Ordinance No. 678 creating the District (the "Ordinance") is August 2, 2004; and

**WHEREAS**, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing supervisors for the District on a date in November established by the Board, which shall be noticed pursuant to Section 190.006(2)(a), *Florida Statutes*.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The Board is currently made up of the following individuals.

<u>Seat Number</u>	<u>Supervisor</u>	<u>Term Expiration Date</u>
1	Jim Knierim	November 2022
2	Robert Nelson	November 2022
3	Ellen Johnson	November 2022
4	Grady Miars	November 2024
5	Margaret Bloomquist	November 2024

This year, Seats 1, 2 and 3, currently held by Jim Knierim, Robert Nelson and Ellen Johnson, respectively, are subject to election by landowners in November 2022. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

**SECTION 2.** In accordance with section 190.006(2), *Florida Statutes*, the meeting of the landowners to elect three (3) supervisors of the District, shall be held on the 14th day of November, 2022, at 10:00 a.m., at the Southern Hills Plantation Clubhouse, 4200 Summit View Drive, Brooksville, Florida 34601.

**SECTION 3.** The District's Secretary is hereby directed to publish notice of this landowners meeting and election in accordance with the requirements of Section 190.006(2)(a), *Florida Statutes*.

**SECTION 4.** Pursuant to Section 190.006(2)(b), *Florida Statutes*, the landowners' meeting and election is hereby announced by the Board at its May 9, 2022, meeting. A sample notice of landowners' meeting and election, proxy, ballot form and instructions were presented in at such meeting and are attached hereto as **Exhibit A**. Such documents are available for review and copying during normal business hours at the at the office of the District Manager, Wrathell, Hunt & Associates, LLC, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by emailing adamsc@whhassociates.com or calling (561) 571-0010.

**SECTION 5.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution or any part thereof.

**SECTION 6.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of May, 2022.

**ATTEST:**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A**

**NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT**

Notice is hereby given to the public and all landowners within Southern Hills Plantation III Community Development District (the "District"), in Hernando County, Florida, advising that a meeting of landowners will be held for the purpose of electing three (3) persons to the District Board of Supervisors. Immediately following the landowners' meeting, there will be convened a meeting of the Board of Supervisors for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE: November 14, 2022

TIME: 10:00 A.M.

PLACE: Southern Hills Plantation Clubhouse  
4200 Summit View Drive  
Brooksville, Florida 34601

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by emailing [adamsc@whhassociates.com](mailto:adamsc@whhassociates.com) or calling (561) 571-0010. At said meeting, each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting, the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting and the Board of Supervisors meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Manager's Office at (877) 276-0889, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

\_\_\_\_\_  
District Manager

Run Date(s): \_\_\_\_\_ & \_\_\_\_\_

**PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT**

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF  
SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT  
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **November 14, 2022**

TIME: **10:00 A.M.**

LOCATION: **Southern Hills Plantation Clubhouse  
4200 Summit View Drive  
Brooksville, Florida 34601**

Pursuant to Chapter 190, *Florida Statutes*, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), *Florida Statutes*.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

This year, three (3) seats on the Board will be up for election by landowners. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.



**LANDOWNER PROXY**

**SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT  
HERNANDO COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 14, 2022**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_ (“Proxy Holder”) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Southern Hills Plantation III Community Development District to be held at 10:00 a.m., on November 14, 2022 at the Southern Hills Plantation Clubhouse, 4200 Summit View Drive, Brooksville, Florida 34601, and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners’ meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners’ meeting prior to the proxy holder’s exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Legal Owner

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

**Total Number of Authorized Votes:** \_\_\_\_\_

NOTES: Pursuant to Section 190.006(2)(b), *Florida Statutes* (2019), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

**OFFICIAL BALLOT**

**SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT  
HERNANDO COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 14, 2022**

**For Election (3 Supervisors):** The two (2) candidates receiving the highest number of votes will each receive a four (4)-year term, and the one (1) candidate receiving the next highest number of votes will receive a two (2)-year term, with the term of office for the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Southern Hills Plantation III Community Development District and described as follows:

<b><u>Description</u></b>	<b><u>Acreage</u></b>
_____	_____
_____	_____
_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

**Attach Proxy.**

I, \_\_\_\_\_, as Landowner, or as the proxy holder of \_\_\_\_\_ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

<b>SEAT</b>	<b>NAME OF CANDIDATE</b>	<b>NUMBER OF VOTES</b>
1.	_____	_____
2.	_____	_____
3.	_____	_____

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**6**

**RESOLUTION 2022-04**

**A RESOLUTION OF THE SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES,  
TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD  
OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2022/2023  
AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Southern Hills Plantation III Community Development District (“District”) is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Hernando County, Florida; and

**WHEREAS**, the Board of Supervisors of the District (“Board”) is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, *Florida Statutes*; and

**WHEREAS**, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Economic Opportunity, a schedule of its regular meetings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
SUPERVISORS OF THE SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. ADOPTING REGULAR MEETING SCHEDULE.** Regular meetings of the District’s Board shall be held during Fiscal Year 2022/2023 as provided on the schedule attached hereto as **Exhibit A**.

**SECTION 2. FILING REQUIREMENT.** In accordance with Section 189.015(1), *Florida Statutes*, the District’s Secretary is hereby directed to file a schedule of the District’s regular meetings annually with Hernando County and the Florida Department of Economic Opportunity.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of May, 2022.

Attest:

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A**

<b>SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>Southern Hills Plantation Clubhouse, located at 4200 Summit View Drive, Brooksville, Florida 34601</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 3, 2022*</b>	<b>Regular Meeting</b>	<b>10:00 AM*</b>
<b>November 14, 2022</b>	<b>Landowners' &amp; Regular Meeting</b>	<b>10:00 AM</b>
<b>December 12, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>January 9, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>February 13, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>March 13, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>April 10, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>May 8, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>June 12, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>July 10, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>August 14, 2023</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>September 11, 2023</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>10:00 AM</b>

**Exceptions**

*\* October meeting is one week earlier to accommodate the Columbus Day holiday.*

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**7**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
MARCH 31, 2022**

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
MARCH 31, 2022**

	General Fund	Total Governmental Funds
<b>ASSETS</b>		
Wells Fargo	\$ 3,579	\$ 3,579
Due from Developer	6,194	6,194
Due from other governments	8	8
Accounts receivable	159,582	159,582
Allowance for uncollectable receivable	(159,582)	(159,582)
Deposits	1,190	1,190
Total assets	\$ 10,971	\$ 10,971
<b>LIABILITIES</b>		
Liabilities:		
Accounts payable	\$ 6,040	\$ 6,040
Accrued wages payable	800	800
Developer advance	2,500	2,500
Total liabilities	9,340	9,340
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Deferred receipts	6,194	6,194
Total deferred inflows of resources	6,194	6,194
<b>FUND BALANCES</b>		
Unassigned	(4,563)	(4,563)
Total fund balances	(4,563)	(4,563)
Total liabilities, deferred inflows of resources and fund balances	\$ 10,971	\$ 10,971



**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED MARCH 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Developer contribution	\$ 5,113	\$ 47,962	\$ 89,466	54%
Total revenues	<u>5,113</u>	<u>47,962</u>	<u>89,466</u>	54%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Legislative				
Supervisor fees	-	-	3,000	0%
Financial & Administrative				
Management	1,250	7,500	15,000	50%
Engineering	-	-	1,000	0%
Audit	-	-	3,200	0%
Insurance: public officials liability	-	-	3,200	0%
Legal advertising	92	92	325	28%
Bank fees	-	-	150	0%
Annual district filing fee	-	175	200	88%
Contingencies	62	548	1,500	37%
Repayment plan SHP CDD 1	-	861	12,344	7%
Website	-	-	1,000	0%
Postage	-	-	400	0%
District counsel	87	1,195	4,000	30%
Total professional & administrative	<u>1,491</u>	<u>10,371</u>	<u>45,319</u>	23%
<b>Field operations</b>				
Electric utility services				
Street lights	26	3,983	3,118	128%
Stormwater control				
Lake/pond bank maintenance	-	-	500	0%
Aquatic maintenance	87	1,008	545	185%
Entry & walls maintenance	-	-	595	0%
Landscape maintenance	1,273	6,517	19,754	33%
Holiday lighting	-	2,153	-	N/A
Irrigation repairs & maintenance	2,272	6,534	1,785	366%
Landscape replacement	1,045	4,005	17,850	22%
Total field operations	<u>4,703</u>	<u>24,200</u>	<u>44,147</u>	55%
Total other fees & charges	<u>4,703</u>	<u>24,200</u>	<u>44,147</u>	55%
Total expenditures	<u>6,194</u>	<u>34,571</u>	<u>89,466</u>	39%
Excess/(deficiency) of revenues over/(under) expenditures	(1,081)	13,391	-	
Fund balances - beginning	(3,482)	(17,954)	-	
Fund balances - ending	<u>\$ (4,563)</u>	<u>\$ (4,563)</u>	<u>\$ -</u>	

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**8**

**DRAFT**  
**MINUTES OF MEETING**  
**SOUTHERN HILLS PLANTATION III**  
**COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Southern Hills Plantation III Community Development District held a Public Hearing and a Regular Meeting on August 9, 2021, at 10:00 a.m., at Southern Hills Plantation Clubhouse, 4200 Summit View Drive, Brooksville, Florida 34601.

**Present at the meeting were:**

Robert Nelson	Vice Chair
Ellen Johnson	Assistant Secretary
Margaret Bloomquist	Assistant Secretary
Jim Knierim	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Jennifer Kilinski (via telephone)	District Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:00 a.m. Supervisors Nelson, Bloomquist, Johnson and Knierim were present. Supervisor Miars was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Ratification of Engagement with KE Law Group, PLLC**

• **Consideration of Fee Agreement**

Ms. Kilinski presented the KE Law Group, PLLC (KE Law) Joint Letter and Fee Agreement. As the letter indicated, she and five colleagues recently resigned from Hopping Green & Sams (HGS) and formed KE Law, solely focusing on representation of Special Districts; KE Law is fully-staffed. Asked if the fees are the same as they were with HGS, Ms. Kilinski stated the fees are within the same range except paralegal costs increased slightly; however, as the routine legal work would be performed by paralegals and contract attorneys, it would be more economical.

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**On MOTION by Mr. Knierim and seconded by Mr. Nelson, with all in favor, the Engagement Letter with KE Law Group, PLLC and Fee Agreement, were ratified and approved.**

**FOURTH ORDER OF BUSINESS**

**Public Hearing on the Adoption of the Fiscal Year 2021/2022 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2021-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams stated the primary change to the Fiscal Year 2022 budget was the addition of the repayment to Southern Hills Plantation CDD I (CDD I), through the Agreement that was entered into by both CDD I and CDDIII. The budget continues to be Developer-funded.

**Mr. Adams opened the public hearing.**

No members of the public spoke.

**Mr. Adams closed the public hearing.**

Mr. Adams presented Resolution 2021-06.

**On MOTION by Ms. Bloomquist and seconded by Mr. Knierim, with all in favor, Resolution 2021-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2021/2022 Funding Agreement**

Mr. Adams presented the Fiscal Year 2021/2022 Funding Agreement between the District and SH Venture II, LLC. The Agreement is consistent with those from prior years.

**On MOTION by Mr. Nelson and seconded by Ms. Bloomquist, with all in favor, the Fiscal Year 2021/2022 Funding Agreement, was approved.**

79 **SIXTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**  
80 **Statements as of June 30, 2021**

81  
82 Mr. Adams presented the Unaudited Financial Statements as of June 30, 2021. The  
83 financials were accepted.

84  
85 **SEVENTH ORDER OF BUSINESS** **Approval of May 10, 2021 Regular Meeting**  
86 **Minutes**

87  
88 Mr. Adams presented the May 10, 2021 Regular Meeting Minutes.

89  
90 **On MOTION by Ms. Bloomquist and seconded by Mr. Nelson, with all in favor,**  
91 **the May 10, 2021 Regular Meeting Minutes, as presented, were approved.**

92  
93  
94 **EIGHTH ORDER OF BUSINESS** **Other Business**

95  
96 There was no other business.

97  
98 **NINTH ORDER OF BUSINESS** **Staff Reports**

99  
100 **A. District Counsel: *KE Law Group, PLLC***

101 There was nothing further to report.

102 **B. District Engineer: *Coastal Engineering Associates, Inc.***

103 There was no report.

104 **C. District Manager: *Wrathell, Hunt and Associates, LLC***

- 105 • **NEXT MEETING DATE: September 13, 2021 at 10:00 a.m.**

- 106 ○ **QUORUM CHECK**

107 The next meeting will be held on September 13, 2021, unless cancelled.

108  
109 **TENTH ORDER OF BUSINESS** **Supervisors' Requests**

110  
111 There were no Supervisors' requests.

112  
113 **ELEVENTH ORDER OF BUSINESS** **Adjournment**

114  
115 **On MOTION by Mr. Knierim and seconded by Mr. Nelson, with all in favor, the**  
116 **meeting adjourned at 10:08 a.m.**

117

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122 \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**10A1**

[District letterhead]

\_\_\_\_\_, 2022

**Via U.S. and Electronic Mail**

[name]

[address]

[address]

Re: Stormwater Management Needs Analysis  
(Chapter 2021-194, Laws of Florida/HB53)

Dear \_\_\_\_\_:

I serve as the District Manager of the \_\_\_\_\_ Community Development District ("District"), a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes. I am writing regarding the new law requiring special districts that either own or operate stormwater management systems to create a 20-year needs analysis ("Needs Analysis") of such system(s), with the first analysis due to \_\_\_\_\_ County by June 30, 2022. While the District is authorized to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for stormwater management improvements, pursuant to its establishing ordinance and Section 190.012(1)(f), *Florida Statutes*, the District does not and/or will not own and/or operate a stormwater management system prior to the June 30, 2022, submission deadline. Consequently, the District will be unable to submit its Needs Analysis by the June 2022 deadline.

The District acknowledges and agrees that, upon transfer of a stormwater system from the construction to operation phase, the District will perpetually operate, maintain and fund the stormwater system and intends to fund such operational and maintenance activities through the annual levy of maintenance special assessments as authorized under Section 190.021(3), *Florida Statutes*. Moreover, the District agrees that, upon transfer of a stormwater system, the District will create and submit a Needs Analysis of such system(s).

If you have any questions or concerns, please do not hesitate to contact me at \_\_\_\_\_. Thank you for your patience as we work to improve our community.

Sincerely,

[name]

District Manager

cc: Chairperson, Board of Supervisors  
District Engineer  
District Counsel



**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**10A11**

**RESOLUTION 2022-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT ADOPTING PROMPT PAYMENT POLICIES AND PROCEDURES PURSUANT TO CHAPTER 218, *FLORIDA STATUTES*; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Southern Hills Plantation III Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Hernando County, Florida; and

**WHEREAS**, Chapter 218, *Florida Statutes*, requires timely payment to vendors and contractors providing certain goods and/or services to the District; and

**WHEREAS**, the Board of Supervisors of the District (“Board”) accordingly finds that it is in the best interest of the District to establish by resolution Prompt Payment Policies and Procedures as may be amended or updated from time to time for immediate use and application.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The Prompt Payment Policies and Procedures attached hereto as **Exhibit A** are hereby adopted pursuant to this Resolution as necessary for the conduct of District business. The Prompt Payment Policies and Procedures shall remain in full force and effect until such time as the Board may amend or replace them; provided, however, that as the provisions of Chapter 218, *Florida Statutes*, are amended from time to time, the attached Prompt Payment Policies and Procedures shall automatically be amended to incorporate the new requirements of law without any further action by the Board. The Prompt Payment Policies and Procedures hereby adopted supplant and replace any previously adopted Prompt Payment Policies and Procedures.

**SECTION 2.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of May, 2022.

ATTEST:

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

---

Secretary/Assistant Secretary

---

Chairperson, Board of Supervisors

**Exhibit A:** Prompt Payment Policies and Procedures

# **EXHIBIT A**

## **SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT**

### **Prompt Payment Policies and Procedures**

**In Accordance with the Local Government Prompt Payment Act  
Chapter 218, Part VII, *Florida Statutes***

**May 9, 2022**

**Southern Hills Plantation III Community Development District**  
**Prompt Payment Policies and Procedures**

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**I. Purpose**

In accordance with the Local Government Prompt Payment Act (Chapter 218, Part VII, *Florida Statutes*) (“PPA”), the purpose of the Southern Hills Plantation III Community Development District (“District”) Prompt Payment Policies and Procedures (“Policies & Procedures”) is to provide a specific policy to ensure timely payment to Vendors and Contractors (both hereinafter defined) providing goods and/or services to the District and ensure the timely receipt by the District of goods and/or services contemplated at the time of contracting. Please note that the PPA, like any statute or law, may be amended from time to time by legislative action. These Policies & Procedures are based on the statutory requirements as of the date identified on the cover page of this document. By this reference, as applicable statutory provisions subsequently change, these Policies & Procedures shall automatically be amended to incorporate the new requirements of law. These Policies & Procedures are adopted by the District to provide guidance in contracting matters. Failure by the District to comply with these Policies & Procedures shall not expand the rights or remedies of any Provider (hereinafter defined) against the District under the PPA. Nothing contained herein shall be interpreted as more restrictive on the District than what is provided for in the PPA.

**II. Scope**

These Policies & Procedures apply to all operations of the District, including Construction Services and Non-Construction Goods and Services, as applicable.

**III. Definitions**

**A. Agent**

The District-contracted architect, District-contracted engineer, District Manager, or other person, acting on behalf of the District, which is required by law or contract to review invoices or payment requests from Providers (hereinafter defined). Such individuals/entities must be identified in accordance with §218.735 (1), Fla. Stat., and further identified in the relevant agreement between the District and the Provider.

**B. Construction Services**

All labor, services, and materials provided in connection with the construction, alteration, repair, demolition, reconstruction, or other improvement to real property that require a license under parts I and II of Chapter 489, Fla. Stat.

**C. Contractor or Provider of Construction Services**

The entity or individual that provides Construction Services through direct contract with the District.

**D. Date Stamped**

Each original and revised invoice or payment request received by the District shall be marked electronically or manually, by use of a date stamp or other method,

which date marking clearly indicates the date such invoice or payment request is first delivered to the District through its Agent. In the event that the Agent receives an invoice or payment request, but fails to timely or physically mark on the document the date received, "Date Stamped" shall mean the date of actual receipt by the Agent.

**E. Improper Invoice**

An invoice that does not conform to the requirements of a Proper Invoice.

**F. Improper Payment Request**

A request for payment for Construction Services that does not conform to the requirements of a Proper Payment Request.

**G. Non-Construction Goods and Services**

All labor, services, goods and materials provided in connection with anything other than construction, alteration, repair, demolition, reconstruction, or other improvements to real property.

**H. Proper Invoice**

An invoice that conforms to all statutory requirements, all requirements of these Policies and Procedures not expressly waived by the District and any additional requirements included in the agreement for goods and/or services for which the invoice is submitted not expressly waived by the District.

**I. Proper Payment Request**

A request for payment for Construction Services which conforms to all statutory requirements, all requirements of these Policies & Procedures not expressly waived by the District and any additional requirements included in the Construction Services agreement for which the Payment Request is submitted not expressly waived by the District.

**J. Provider**

Includes any Vendor, Contractor or Provider of Construction Services, as defined herein.

**K. Purchase**

The purchase of goods, materials, services, or Construction Services; the purchase or lease of personal property; or the lease of real property by the District.

**L. Vendor**

Any person or entity that sells goods or services, sells or leases personal property, or leases real property directly to the District, not including Construction Services.

#### **IV. Proper Invoice/Payment Request Requirements**

##### **A. General**

Prior to Provider receiving payment from the District, Non-Construction Goods and Services and Construction Services, as applicable, shall be received and performed in accordance with contractual or other specifications or requirements to the satisfaction of the District. Provision or delivery of Non-Construction Goods and Services to the District does not constitute acceptance for the purpose of payment. Final acceptance and authorization of payment shall be made only after delivery and inspection by the Agent and the Agent's confirmation that the Non-Construction Goods and Services or Construction Services meet contract specifications and conditions. Should the Non-Construction Goods and Services or Construction Services differ in any respect from the specifications, payment may be withheld until such time as the Provider takes necessary corrective action. Certain limited exceptions which require payment in advance are permitted when authorized by the District Board of Supervisors ("Board") or when provided for in the applicable agreement.

##### **B. Sales Tax**

Providers should not include sales tax on any invoice or payment request. The District's current tax-exempt number is 85-8013183444C-7. A copy of the tax-exempt form will be supplied to Providers upon request.

##### **C. Federal Identification and Social Security Numbers**

Providers are paid using either a Federal Identification Number or Social Security Number. To receive payment, Providers should supply the District with the correct number as well as a proper Internal Revenue Service W-9 Form. The District Manager shall treat information provided in accordance with Florida law.

Providers should notify the District Manager when changes in data occur (telephone 561-571-0010) email: [adamsc@whhassociates.com](mailto:adamsc@whhassociates.com).

##### **D. Proper Invoice for Non-Construction Goods and Services**

All Non-Construction Goods and Services invoiced must be supplied or performed in accordance with the applicable purchase order (including any bid/proposal provided, if applicable) or agreement and such Non-Construction Goods and Services quantity and quality must be equal to or better than what is required by such terms. Unless otherwise specified in the applicable agreement, invoices should contain all of the following minimum information in order to be considered a Proper Invoice:

1. Name of Vendor
2. Remittance address
3. Invoice Date

4. Invoice number
5. The “Bill To” party must be the District or the Board, or other entity approved in writing by the Board of the District Manager
6. Project name (if applicable)
7. In addition to the information required in Section IV.D.1-6 above, invoices involving the *purchase of goods* should also contain:
  - a. A complete item description
  - b. Quantity purchased
  - c. Unit price(s)
  - d. Total price (for each item)
  - e. Total amount of invoice (all items)
  - f. The location and date(s) of delivery of the goods to the District
8. In addition to the information required in Section IV.D.1-6 above, invoices involving the *purchase of services* should also contain:
  - a. Itemized description of services performed
  - b. The location and date of delivery of the services to the District
  - c. Billing method for services performed (i.e., approved hourly rates, percentage of completion, cost plus fixed fee, direct/actual costs, etc.)
  - d. Itemization of other direct, reimbursable costs (including description and amount)
  - e. Copies of invoices for other direct, reimbursable costs (other than incidental costs such as copying) and one (1) of the following:
    - i. Copy of both sides of a cancelled check evidencing payment for costs submitted for reimbursement
    - ii. Paid receipt
    - iii. Waiver/lien release from subcontractor (if applicable)
9. Any applicable discounts
10. Any other information or documentation, which may be required or specified under the terms of the purchase order or agreement

**E. Proper Payment Request Requirements for Construction Services**

Payment Requests must conform to all requirements of Section IV, A-D above, unless otherwise specified in the terms of the applicable agreement or purchase order between the District and the Provider.

**V. Submission of Invoices and Payment Requests**

The Provider shall submit all Invoices and Payment Requests for both Construction Services and Non-Construction Goods and Services to the District’s Agent as provided in the purchase order or agreement, as applicable, and to the District Manager as follows:

Submit the invoice and/or payment request, with required additional material and in conformance with these Policies and Procedures, by mail, by hand delivery, or via email (Note: email is the preferred method for receipt of Non-Construction Goods and Services invoices).



- 1. Mailing and Drop Off Address**  
Southern Hills Plantation III Community Development District  
c/o Wrathell, Hunt & Associates, LLC  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431  
Attn: District Manager
- 2. Email Address**  
SouthernHillsPlantation3CDD@DistrictAP.com

## **VI. Calculation of Payment Due Date**

### **A. Non-Construction Goods and Services Invoices**

- 1. Receipt of Proper Invoice**  
Payment is due from the District forty-five (45) days from the date on which a Proper Invoice is Date Stamped.
- 2. Receipt of Improper Invoice**  
If an Improper Invoice is received, a required invoice is not received, or invoicing of a request for payment is not required, the time when payment is due from the District is forty-five (45) days from the latest date of the following:
  - a. On which delivery of personal property is fully accepted by the District;
  - b. On which services are completed and accepted by the District;
  - c. On which the contracted rental period begins (if applicable); or
  - d. On which the District and the Vendor agree in a written agreement that provides payment due dates.
- 3. Rejection of an Improper Invoice**  
The District may reject an Improper Invoice. Within ten (10) days of receipt of the Improper Invoice by the District, the Vendor must be notified that the invoice is improper and be given an opportunity to correct the deficient or missing information, remedy the faulty work, replace the defective goods, or take other necessary, remedial action.

The District's rejection of an Improper Invoice must:

- a. Be provided in writing;
- b. Specify any and all known deficiencies; and
- c. State actions necessary to correct the Improper Invoice.

If the Vendor submits a corrected invoice, which corrects the deficiencies specified in the District's written rejection, the District must pay the

corrected invoice within the later of: (a) ten (10) business days after date the corrected invoice is Date Stamped; or (b) forty-five (45) days after the date the Improper Invoice was Date Stamped.

If the Vendor submits an invoice in response to the District's written rejection which fails to correct the deficiencies specified or continues to be an Improper Invoice, the District must reject that invoice as stated herein.

**4. Payment of Undisputed Portion of Invoice**

If the District disputes a portion of an invoice, the undisputed portion shall be paid in a timely manner and in accordance with the due dates for payment as specified in these Policies & Procedures.

**B. Payment Requests for Construction Services**

**1. Receipt of Proper Payment Request**

The time at which payment is due for Construction Services from the District is as follows:

- a. If an Agent must approve the payment request before it is submitted to the District Manager, payment (whether full or partial) is due twenty-five (25) business days after the payment request is Date Stamped. The Provider may send the District an overdue notice. If the payment request is not rejected within four (4) business days after Date Stamp of the overdue notice, the payment request shall be deemed accepted, except for any portion of the payment request that is fraudulent, misleading or is the subject of dispute.

The agreement between the District and the Provider shall identify the Agent to which the Provider shall submit its payment request, or shall be provided by the District through a separate written notice no later than ten (10) days after contract award or notice to proceed, whichever is later. Provider's submission of a payment request to the Agent shall be Date Stamped, which shall commence the time periods for payment or rejection of a payment request or invoice as provided in this section.

- b. If, pursuant to contract, an Agent is not required to approve the payment request submitted to the District, payment is due twenty (20) business days after the payment request is Date Stamped unless such payment request includes fraudulent or misleading information or is the subject of dispute.

**2. Receipt and Rejection of Improper Payment Request**

- a. If an Improper Payment Request is received, the District must reject the Improper Payment Request within twenty (20) business days after the date on which the payment request is Date Stamped.
- b. The District's rejection of the Improper Payment Request must:
  - i. Be provided in writing;
  - ii. Specify any and all known deficiencies; and
  - iii. State actions necessary to correct the Improper Invoice.
- c. If a Provider submits a payment request which corrects the deficiency specified in the District's written rejection, the District must pay or reject the corrected submission no later than ten (10) business days after the date the corrected payment request is Date Stamped.

**3. Payment of Undisputed Portion of Payment Request**

If the District disputes a portion of a payment request, the undisputed portion shall be paid in a timely manner and in accordance with the due dates for payment as specified in this section.

**VII. Resolution of Disputes**

If a dispute arises between a Provider and the District concerning payment of an invoice or payment request, the dispute shall be resolved as set forth in §218.735, Fla. Stat., for Construction Services, and §218.76, Fla. Stat. for Non-Construction Goods and Services.

**A. Dispute between the District and a Provider**

If a dispute between the District and a Provider cannot be resolved following resubmission of a payment request by the Provider, the dispute must be resolved in accordance with the dispute resolution procedure prescribed in the construction contract, if any. In the absence of a prescribed procedure in the contract, the dispute must be resolved by the procedures specified below.

**B. Dispute Resolution Procedures**

- 1. If an Improper Payment Request or Improper Invoice is submitted, and the Provider refuses or fails to submit a revised payment request or invoice as contemplated by the PPA and these Policies and Procedures, the Provider shall, not later than thirty (30) days after the date on which the last payment request or invoice was Date Stamped, submit a written statement via certified mail to the Agent, copying the District Manager, specifying the basis upon which the Provider contends the last submitted payment request or invoice was proper.

2. Within forty-five (45) days of receipt by the Agent and District Manager of the disputed, last-submitted payment request or invoice, the Agent and/or District Manager shall commence investigation of the dispute and render a final decision on the matter no later than sixty (60) days after the date on which the last-submitted payment request or invoice is Date Stamped.
3. With regard to contracts executed on or after July 1, 2021, if the District does not commence the dispute resolution procedure within the time provided herein, a Provider may give written notice via certified mail to the Agent, copying the District Manager, of the District's failure to timely commence its dispute resolution procedure. If the District fails to commence the dispute resolution procedure within 4 business days after receipt of such notice, any amounts resolved in the Provider's favor shall bear mandatory interest, as set forth in section [218.735](#)(9), Florida Statutes, from the date on which the payment request or invoice containing the disputed amounts was Date Stamped. If the dispute resolution procedure is not commenced within 4 business days after receipt of the notice, the objection to the payment request or invoice shall be deemed waived. The waiver of an objection pursuant to this paragraph does not relieve a Provider of its contractual obligations.
4. Absent a written agreement to the contrary, if the Provider refuses or fails to provide the written statement required above, the Agent and/or District Manager is not required to contact the Provider in the investigation. In addition, and absent a written agreement to the contrary, if such written statement is not provided, the District may immediately contract with third parties to provide the goods and services subject to the dispute and deduct the costs of such third party purchases from amounts owed to the Provider.
5. The Board shall approve any decision of the District Manager to contract with a third party which would result in: 1) an expenditure above what is budgeted for the Construction Services or Non-Construction Services; or 2) an expenditure which exceeds the original contract amount for the Construction Services or Non-Construction Services by more than ten percent (10%) or Ten Thousand Dollars (\$10,000).
6. A written explanation of the final decision shall be sent to the Provider, via certified mail, within five (5) business days from the date on which such final decision is made. A copy of the written explanation of the final decision shall be provided to the Chairperson of the Board simultaneously with the certified mailing to the Provider.

7. If a Provider does not accept in writing the final decision within five (5) days after receipt by the Provider, the District may immediately contract with third parties to provide the goods and services subject to the dispute and deduct the costs of such third party purchases from amounts owed to the Provider. If the costs of the third party purchases exceed the amount the District owes to the Provider, the District may seek to recover such excess from the Provider in a court of law or as otherwise provided in an agreement between the District and the Provider. Nothing contained herein shall limit or affect the District's ability to enforce all of its legal and contractual rights and remedies against the Provider.

### **VIII. Purchases Involving Federal Funds or Bond Funds**

When the District intends to pay for a purchase with federal funds or bond funds, the District shall make such purchases only upon reasonable assurances that federal funds or bond funds sufficient to cover the cost will be received. When payment is contingent upon the receipt of bond funds, federal funds or federal approval, the public procurement documents and any agreement with a Provider shall clearly state such contingency. (§218.77, Fla. Stat.).

### **IX. Requirements for Construction Services Contracts – Project Completion; Retainage**

The District intends to follow the PPA requirements for construction project completion and retainage, including, but not limited to, §218.735 (7) and (8), Fla. Stat.

### **X. Late Payment Interest Charges**

Failure on the part of the District to make timely payments may result in District responsibility for late payment interest charges. No agreement between the District and a Provider may prohibit the collection of late payment interest charges allowable under the PPA as mandatory interest. (§218.75, Fla. Stat.).

#### **A. Related to Non-Construction Goods and Services**

All payments due from the District, and not made within the time specified within this policy, will bear interest, from thirty (30) days after the due date, at the rate of one percent (1%) per month on the unpaid balance. The Vendor must submit a Proper Invoice to the District for any interest accrued in order to receive the interest payment. (§218.735(9), Fla. Stat.).

An overdue period of less than one (1) month is considered as one (1) month in computing interest. Unpaid interest is compounded monthly. The term one (1) month means a period beginning on any day of a month and ending on the same day of the following month.

**B. Related to Construction Services**

All payments for Construction Services that are not made within the time periods specified within the applicable statute, shall bear interest from thirty (30) days after the due date, at the rate of one percent (1%) per month for contracts executed on or before June 30, 2021, and at the rate of two percent (2%) per month for contracts executed on or after July 1, 2021, or the rate specified by agreement, whichever is greater. §218.735(9), Fla. Stat. The Provider must submit a Proper Payment Request to the District for any interest accrued in order to receive the interest payment. An overdue period of less than one (1) month is considered as one (1) month in computing interest. (§218.74 (4), Fla. Stat.).

Unpaid interest is compounded monthly. The term one (1) month means a period beginning on any day of a month and ending on the same day of the following month.

**C. Report of Interest**

If the total amount of interest paid during the preceding fiscal year exceeds \$250, the District Manager is required to submit a report to the Board during December of each year, stating the number of interest payments made and the total amount of such payments. (§218.78, Fla. Stat.).

**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**10CI**



# Shirley Anderson

*Hernando County Supervisor of Elections*

16264 Spring Hill Drive  
Brooksville, FL 34604  
352-754-4125

April 18, 2022

Wrathell, Hunt and Associates, LLC  
2300 Glades Road, Suite 410 W  
Boca Raton, Florida 33431

RE: Southern Hills Plantation I & III  
Community Development District

Dear Ms. Gillyard:

As of April 18, 2022 there were 372 registered voters within the Southern Hills Plantation I Community Development District. There are no registered voters in Southern Hills Plantation III Community Development District.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Claudia Billotte  
Candidate Specialist  
Hernando County Supervisor of Elections  
16264 Spring Hill Drive Brooksville, FL 34604

Enclosure



**SOUTHERN HILLS PLANTATION III  
COMMUNITY DEVELOPMENT DISTRICT**

**10CII**

<b>SOUTHERN HILLS PLANTATION III COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>Southern Hills Plantation Clubhouse, located at 4200 Summit View Drive, Brooksville, Florida 34601</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 4, 2021* <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM*</b>
<b>November 8, 2021 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>December 13, 2021 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>January 10, 2022 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>February 14, 2022 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>March 14, 2022 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>April 11, 2022 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>May 9, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>June 13, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>July 11, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>August 8, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>September 12, 2022</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>10:00 AM</b>

**Exceptions**

*\* October meeting is one week earlier to accommodate the Columbus Day holiday.*