




Office of Village Manager

MEMORANDUM

To: Honorable Mayor and Members of the Village Council
From: Howard W. Brown, Jr., City Manager 
CC: Village Staff
Date: September 30, 2019
Re: **Bi-Monthly Report and Update (For week ending Saturday, September 28, 2019)**

Honorable Mayor and Members of the Village Council:

Administration

- As most of you are aware, Myriam Sanabria, Permit Tech's last day was Friday, September 27, 2019. She has been replaced with Ms. Sharon Slade a temp from Express Temps out of Start, FL. This position is a part-time temporary appointment.
- Carlos Rivera, Office Coordinator, has resigned and his last day will be on Friday, October 11, 2019. We will have to replace him with a temp employee until we find a suitable replacement.
- The Village Clerk was out of office for more than a week but has returned and will be responding to or following up with requests from the public and council. Please be patient as we handle routine tasks such as public records requests.
- We received confirmation from the Florida Department of Management Services Division of Retirement stating that the Village of Indiantown joined the Florida Retirement System (FRS) effective May 1, 2019 to cover elected officials. I have attached the letter for your review.
- I plan on attending the International City Management (ICMA) conference from Friday, October 19 – 22, 2019 in Nashville, TN. During my absence, Susan Owens, will be in charge of the Village during this time.

Finance

- The FY 2019 – 2020 Operating and Capital Budget was adopted on September 26, 2019 by unanimous vote of the Village Council. It was properly advertised in accordance with state law in the TC Palm/Stuart newspaper. The tentative budget is posted on the website and the full adopted budget will be uploaded to the website momentarily.
- We were notified a couple of months ago that the FY 2017 – 2018 audit has not been received by the Florida Department of Financial Services and the Auditor General. As you know, the FY 2017 – 2018 audit is currently underway. I am hoping we can have the FY 2017-2018 Audit complete in the next couple of months and immediately start on the FY 2018-2019 Audit. This audit should have been completed in 2018. I have attached a letter dated October 1, 2019 to Mayor Guyton Stone.

Planning and Development

- The Draft comp plan was transmitted to the Department of Economic Opportunity as required by 163, F.S. on September 1, 2019.
- I have attached a report from our Planning and Development Director for your review. It is included for your information only.

Code Enforcement

- We have identified a candidate for Code Compliance Officer. We are conducting a background check and will soon offer this individual the position. Should all of these details be completed, we will introduce the new employee at the October 10th Village Council meeting.
- Bernard Pita, our Contract Code Compliance Officer will remain in place to assist with developing our code compliance program.

Parks and Recreation (Booker, Big Mound, and Post Family):

- The Intergovernmental agreement was approved by Martin County on Tuesday, September 24, 2019 and we are in the process of finalizing that agreement which includes real estate transactions, re-platting of Post Park, and other important items. All of the utilities have been properly transferred and we have assumed most of the management and maintenance contracts. I have temporarily assigned Luis Perez as Administrative Generalist as the main point of contact over the parks.

Public Works and Engineering:

- I have been working with local businessmen to clean up the major corridors throughout the City. They have been focusing on illegal dumpsites. I am in the process of "piggybacking" on the Florida Department of Transportation's contract with DBI to handle emergency cleanup, routine maintenance of public rights of way, traffic control device installation, road improvement and repair. Stay tuned!

END OF MEMORANDUM

Department of
**MANAGEMENT
SERVICES**

Division of Retirement



Bureau of Enrollment and Contributions

Enrollment Section

P.O. Box 9000

Tallahassee, FL 32315-9000

Tel: 850-907-6500 | Fax: 850-410-2196 | Toll-Free: 844-377-1866

Ron DeSantis, Governor

Jonathan R. Satter, Secretary

September 26, 2019

MR HOWARD BROWN
VILLAGE OF INDIANTOWN
PO BOX 398
16550 SW WARFIELD BLVD
VILLAGE OF INDIANTOWN FL 34956

Dear Mr. Brown:

The Village of Indiantown joined the Florida Retirement System (FRS) effective May 1, 2019 to cover Elected Officials.

When an entity joins for Elected Officials, they join under Regular Class membership. Under the provisions of Subsection 121.052(3)(e), Florida Statutes, the governing body of a municipality or special district may, by majority vote, elect to designate all its elected positions for inclusion in the Elected Officers' Class (EOC). The designation of such positions is effective the first of the month following receipt by the Division of Retirement of the ordinance or resolution passed by the governing body.

The designation of the Elected Officials of the Village of Indiantown to the Elected Officers' Class is effective September 1, 2019. Membership in the Elected Officers' Class is compulsory for all employees holding an elected office unless they elect to retain membership in a different class or plan or to withdraw from the FRS completely. Beginning on the September 2019 retirement file, your Elected Officials should be reported with an Elected Officers' Class plan code. The following class codes should be reported in correlation to each member's position title:

- Mayor – 10004
- Vice Mayor – 10005
- Council Member – 10006

If you have any questions, please contact the Enrollment Section.

Sincerely,

Samantha Starks-Harrison
Benefits Administrator

BILL GALVANO
President of the Senate



Senator Dennis Baxley
Senator Tom Lee
Senator Bill Montford
Senator Kevin Rader

**THE FLORIDA LEGISLATURE
JOINT LEGISLATIVE AUDITING
COMMITTEE**

**Representative Jason Fischer, Chair
Senator Jeff Brandes, Vice Chair**

JOSE OLIVA
Speaker of the House



Representative Michael Caruso
Representative Chip LaMarca
Representative Sharon Prichett
Representative Bob Rommel
Representative Jackie Toledo
Representative Patricia Williams

October 1, 2019

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

The Honorable Guyton Stone, Mayor
Village of Indiantown
PO Box 398
Indiantown, FL 34956-0398

Dear Mayor Stone:

Based on correspondence and records from the Department of Financial Services (DFS) and the Auditor General, the Village of Indiantown is being contacted because the following required financial reports have not yet been submitted (these reports were due no later than June 30, 2019):

FY 2017-18 Annual Financial Report (AFR)
FY 2017-18 Annual Financial Audit Report (Audit)*

(*) [Section 218.39\(1\)\(b\), Florida Statutes](#), requires an annual financial audit report from each municipality with revenues or total expenditures and expenses in excess of \$250,000, as reported on the fund financial statements. [Section 218.39\(1\)\(g\), Florida Statutes](#), requires an annual financial audit report from each municipality with revenues or total expenditures and expenses between \$100,000 and \$250,000, as reported on the fund financial statements, which has not been subject to a financial audit for the 2 preceding fiscal years.

The Joint Legislative Auditing Committee (Committee) is expected to meet in November 2019 to consider taking action against municipalities that have failed to file outstanding financial reports. To avoid having state revenues withheld from your municipality, please submit the above-referenced reports to the DFS and the Auditor General, as applicable, no later than November 4, 2019. If such reports cannot be submitted by this date, please provide a detailed written status of the delinquent financial reports to jlac@leg.state.fl.us or to the address listed below no later than October 31, 2019.

Please read the **Required Action** section on page two of this letter for information on filing the delinquent financial reports.

Related Laws (See enclosure for full text)

Sections 218.32(1)(a), (d), and (f), *Florida Statutes*, require municipalities to submit an AFR and an annual financial audit report (if required) to the DFS, and requires the DFS to notify the Committee of municipalities that have failed to submit an AFR.

Sections 218.39(1)(b) and (g), and (7), *Florida Statutes*, establish the audit threshold for municipalities and requires audit reports to be submitted to the Auditor General.

Kathryn H. DuBose, Coordinator
111 West Madison Street, Room 876, Claude Pepper Building, Tallahassee, Florida 32399-1400
Telephone (850) 487-4110 Fax (850) 922-5667
jlac@leg.state.fl.us

Section 11.45(7)(a), *Florida Statutes*, require the Auditor General to notify the Committee of municipalities that have failed to file an audit report.

Section 11.40(2)(a), *Florida Statutes*, authorize the Committee to direct the Department of Revenue and the DFS to withhold selected state revenues from municipalities that have failed to file an AFR and an annual financial audit report (if required). While certain state revenues, once withheld, are available to be distributed to the municipality if it becomes compliant by the end of the State of Florida's fiscal year (June 30, 2020, for purposes of this letter), certain other state revenues, once withheld, will not be distributed to the municipality. One example is the local government half-cent sales tax proceeds; see Section 218.63, *Florida Statutes*. These monies will be returned to the State.

Required Action

Determine if an annual financial audit is required:

If you have not done so already, determine if your municipality met the audit threshold for the 2017-18 fiscal year. If the audit threshold was not met, proceed with filing the AFR with the DFS (see below). If the audit threshold was met, your municipality will be required to retain the services of an independent certified public accountant to conduct a financial audit.

File the AFR (and audit report, if required) with the DFS:

Refer to the DFS' website as follows:

Department of Financial Services	http://www.myfloridacfo.com/Division/AA/LocalGovernments/default.htm Select "ANNUAL FINANCIAL REPORTS/LOGGER" and review the information included about the Annual Financial Report (AFR). If you have specific questions regarding the filing of the AFR, please contact the Local Government Section at (850) 413-5571 or send an e-mail to localgov@myfloridacfo.com .
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File the audit report (if required) with the Auditor General:

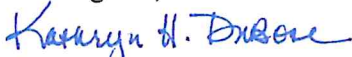
Refer to the Auditor General's website as follows:

Auditor General	https://flauditor.gov/pages/tech_localgovt.html The "Local Governmental Entity Audit Report Submittal Checklist" should be completed and forwarded with the audit report. The mailing address and contact information for the Auditor General's local government audit staff are shown on page 3 of this checklist. (Note: The Checklist is the 8 th item listed on the web page.) If you have specific questions regarding the submission of the audit report, please contact the Auditor General's Office at (850) 412-2881 or send an e-mail to flaudgen_localgovt@aud.state.fl.us .
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For additional information about required financial reporting and the Committee's role, you may wish to review the Committee's website at www.leg.state.fl.us/committees/jlac; under the heading "Quick Links" select "Local Government Financial Reporting."

If you have any questions about this letter, please do not hesitate to contact Debbie White on our staff at jlac@leg.state.fl.us or (850) 487-4110. For specific questions regarding the filing of the financial reports, please contact the DFS or the Auditor General, as applicable, using the contact information provided above.

Best regards,



Kathryn H. DuBose
Coordinator

Enclosure

cc: sent by email: Howard W. Brown, Jr., Village Manager

**2019 Florida Statutes Related to
Annual Financial Reports (AFRs) and Annual Financial Audit Reports for Counties and Municipalities**

218.32 Annual financial reports; local governmental entities.—

- (1)(a) Each local governmental entity that is determined to be a reporting entity, as defined by generally accepted accounting principles, and each independent special district as defined in s. 189.012, shall submit to the department a copy of its annual financial report for the previous fiscal year in a format prescribed by the department. The annual financial report must include a list of each local governmental entity included in the report and each local governmental entity that failed to provide financial information as required by paragraph (b). The chair of the governing body and the chief financial officer of each local governmental entity shall sign the annual financial report submitted pursuant to this subsection attesting to the accuracy of the information included in the report. The county annual financial report must be a single document that covers each county agency.
- (d) Each local governmental entity that is required to provide for an audit under s. 218.39(1) must submit a copy of the audit report and annual financial report to the department within 45 days after the completion of the audit report but no later than 9 months after the end of the fiscal year.
- (f) If the department does not receive a completed annual financial report from a local governmental entity within the required period, it shall notify the Legislative Auditing Committee and the Special District Accountability Program of the Department of Economic Opportunity of the entity's failure to comply with the reporting requirements.

218.39 Annual financial audit reports.—

- (1) If, by the first day in any fiscal year, a local governmental entity, district school board, charter school, or charter technical career center has not been notified that a financial audit for that fiscal year will be performed by the Auditor General, each of the following entities shall have an annual financial audit of its accounts and records completed within 9 months after the end of its fiscal year by an independent certified public accountant retained by it and paid from its public funds:
- (a) Each county.
- (b) Any municipality with revenues or the total of expenditures and expenses in excess of \$250,000, as reported on the fund financial statements.
- (g) Each municipality with revenues or the total of expenditures and expenses between \$100,000 and \$250,000, as reported on the fund financial statements, which has not been subject to a financial audit pursuant to this subsection for the 2 preceding fiscal years.
- (7) All audits conducted pursuant to this section must be conducted in accordance with the rules of the Auditor General adopted pursuant to s. 11.45. Upon completion of the audit, the auditor shall prepare an audit report in accordance with the rules of the Auditor General. The audit report shall be filed with the Auditor General within 45 days after delivery of the audit report to the governing body of the audited entity, but no later than 9 months after the end of the audited entity's fiscal year. The audit report must include a written statement describing corrective actions to be taken in response to each of the auditor's recommendations included in the audit report.

218.63 Participation requirements.—

- (1) Only those units of local government which meet the eligibility requirements for revenue sharing pursuant to s. 218.23 shall participate in the local government half-cent sales tax. However, a municipality incorporated subsequent to the effective date of chapter 82-154, Laws of Florida, which does not meet the applicable criteria for incorporation pursuant to s. 165.061 shall not participate in the local government half-cent sales tax. In either case, distributions to eligible units of local government in that county shall be made as though the nonparticipating municipality had not incorporated.
- (2) The moneys which otherwise would be distributed pursuant to this part to a unit of local government failing to certify compliance as required by s. 218.23(1) or having otherwise failed to meet the requirements of s. 200.065 shall be deposited in the General Revenue Fund for the 12 months following a determination of noncompliance by the department.
- (3) A county or municipality may not participate in the distribution of local government half-cent sales tax revenues during the 12 months following a determination of noncompliance by the Department of Revenue as provided in s. 200.065(13)(e).

11.45 Definitions; duties; authorities; reports; rules.—

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(a) The Auditor General shall notify the Legislative Auditing Committee of any local governmental entity, district school board, charter school, or charter technical career center that does not comply with the reporting requirements of s. 218.39.

11.40 Legislative Auditing Committee.—

(2) Following notification by the Auditor General, the Department of Financial Services, the Division of Bond Finance of the State Board of Administration, the Governor or his or her designee, or the Commissioner of Education or his or her designee of the failure of a local governmental entity, district school board, charter school, or charter technical career center to comply with the applicable provisions within s. 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the Legislative Auditing Committee may schedule a hearing to determine if the entity should be subject to further state action. If the committee determines that the entity should be subject to further state action, the committee shall:

(a) In the case of a local governmental entity or district school board, direct the Department of Revenue and the Department of Financial Services to withhold any funds not pledged for bond debt service satisfaction which are payable to such entity until the entity complies with the law. The committee shall specify the date that such action must begin, and the directive must be received by the Department of Revenue and the Department of Financial Services 30 days before the date of the distribution mandated by law. The Department of Revenue and the Department of Financial Services may implement this paragraph.