

**MINUTES OF MEETING  
TIMBER CREEK SOUTHWEST  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Timber Creek Southwest Community Development District was held on Friday, January 21, 2022, at 8:15 a.m. at Lennar Homes 10481 Six Mile Cypress Parkway, Fort Myers, Florida 33966.

**Present and constituting a quorum:**

Barry Ernst	Chairperson
Thomas Dean	Vice Chairperson
Scott Edwards	Assistant Secretary
Ashley Kingston	Assistant Secretary

**Absent:**

Fernando Martinho	Assistant Secretary
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**Also present were:**

James P. Ward	District Manager
Ryan Shute	District Engineer

**Audience:**

All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE  
TRANSCRIBED IN *ITALICS*.**

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

The meeting was called to order at approximately 8:15 a.m. He conducted roll call; all Members of the Board were present, save Supervisor Martinho, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes**

**October 14, 2021 – Regular Meeting**

Mr. Ward asked if there were any additions, corrections, or deletions to the Regular Meeting Minutes; hearing none, he called for a motion.

**On MOTION made by Mr. Barry Ernst, seconded by Mr. Scott Edwards, and with all in favor, the October 14, 2021, Regular Minutes were approved.**

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2022-4**

**Consideration of Resolution 2022-4, a Resolution of the Board of Supervisors of the Timber Creek Southwest Community Development District relating to the acceptance of responsibility for ownership, operation and maintenance of District Infrastructure within the boundaries of the Plat of Timber Creek – Phase 6**

*Mr. Ward: Resolution 2022-4 and Resolution 2022-5 are basically the same resolution for different plats. Both are plats, one for Phase 6 and one for Phase 7. Here in Lee County, the County requires the District to approve a resolution to accept the operations and maintenance of the infrastructure that we will be responsible for owning and maintaining on a plat. He asked if Mr. Ryan Shute had anything to add.*

*Mr. Shute: These are the last two plats that will be necessarily recorded. We won't have to do these any longer after this.*

**On MOTION made by Mr. Barry Ernst, seconded by Mr. Thomas Dean, and with all in favor, Resolution 2022-4 was adopted, and the Chair was authorized to sign.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-5**

**Consideration of Resolution 2022-5, a Resolution of the Board of Supervisors of the Timber Creek Southwest Community Development District relating to the acceptance of responsibility for ownership, operation and maintenance of District Infrastructure within the boundaries of the Plat of Timber Creek – Phase 7**

Mr. Ward called for a motion.

**On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-5 was adopted, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-6**

*Mr. Ward: I'm going to add a resolution to your Agenda if you don't mind. Resolution 2022-6 is related to your Fiscal Year 2023 Budget. The Statute requires me to prepare a budget before June 15 each year and then you are required to approve it, only for the purpose of setting your public hearing. It doesn't bind you to any of the costs that are contained in the Budget or any of the programs that are identified. It does set the maximum assessment rate that you can have for your general fund. The debt service funds that are included in your budget for this particular District are for previously issued bonds and*

*those assessment rates have been previously set by the Board. The Budget is basically consistent with what you have had in the prior year. It has changed slightly due to fees related to your 2021 bonds that were issued last year in the general fund only. The public hearing is scheduled for April 15, 2022 at 8:15 a.m. at Lennar Homes.* He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Mr. Scott Edwards, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-6 was adopted, and the Chair was authorized to sign.**

## SIXTH ORDER OF BUSINESS

### Staff Reports

#### I. District Attorney

No report.

#### II. District Engineer

No report.

#### III. District Manager

- a) **State Law requirements for new Stormwater Reporting**
- b) **Financial Statements for period ending October 31, 2021 (unaudited)**
- c) **Financial Statements for period ending November 30, 2021 (unaudited)**
- d) **Financial Statements for period ending December 31, 2021 (unaudited)**

*Mr. Ward: The Statute was changed in the last Legislative Session to require Districts to report to the State and County long term infrastructure renewal and replacement costs, and long term operating costs. That report is due in June of this year. Your District Engineer has already been authorized to start the preparation of that report. Then, every 5 years thereafter you will be required to do reporting to the County and the State. They have developed some forms to indicate what we are required to do. No one has ever done this before in this State for CDDs, so none of us are really sure what anybody is looking for at the state level. But we are all guessing it is because the State does accumulate this kind of information in the cities and counties already for State Comprehensive Planning purposes. They probably have realized the volumes of Districts in the State now and are trying to accumulate additional information to include in their State planning process.* He asked if there were any questions; there were none.

## SEVENTH ORDER OF BUSINESS

### Supervisor's Requests and Audience Comments

Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any audience members present in person or by audio or video with questions or comments; there were none. He noted there were no audience members present in person.

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

Mr. Ward adjourned the meeting at approximately 8:25 a.m.

**On MOTION made by Mr. Scott Edwards, seconded by Mr. Thomas Dean, and with all in favor, the Meeting was adjourned.**

Timber Creek Southwest Community Development  
District

  
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James P. Ward, Secretary

  
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Barry Ernst, Chairperson