

**THE MINUTES OF THE REGULAR MEETING
TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Tern Bay Community Development District's was held on **Tuesday, June 13, 2017, at 9:30 a.m.**, at the **Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954.**

Board Members Present:

Mike Dady	Chairperson
Rick Brylanski	Assistant Secretary
Adam Lerner	Assistant Secretary
Leah Popelka	Assistant Secretary

Also Present were:

James Ward	District Manager
Scott Clark	District Counsel
Bill Riley	Asset Manager

Absent were:

Neale Montgomery	Vice Chairperson
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Audience:

Ceil Fillenworth	Resident
Tom Fillenworth	Resident
Kathy Karlen	Resident
Bill Karlen	Resident

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 9:30 a.m., and roll call determined that all members of the Board were present with the exception of Ms. Montgomery. Mr. Ward stated that Supervisors Adam Lerner and Leah Popelka, who were elected in November, were sworn in prior to the meeting.

2. Consideration of Minutes: November 8, 2016 Regular and Landowner Meetings

Mr. Ward asked if there were any additions, corrections, or deletions to the minutes of the Regular meeting. It was noted on Page 3 under Staff Reports, "the County was currently experiencing pre-eminent domain" needed to be corrected.

Motion was made by Mr. Dady and seconded by Mr. Brylanski to accept the Regular meeting minutes of November 8, 2016, with the above changes, and with all in favor, the motion was approved.

Mr. Ward asked for approval the November 8, 2016 Landowner minutes. It was noted that Mr. Karlen's first name should be changed to "Bill," and in Paragraph C on Casting Ballots, pronoun reference was not clear.

Motion was made by Mr. Dady and seconded by Mr. Brylanski to accept the Landowners meeting minutes of November 8, 2016, with the above changes, and with all in favor, the motion was approved.

3. Consideration of Resolution 2017-3 Approving Fiscal Year 2018 Proposed Budget and Setting the Public Hearing

Mr. Ward stated the primary purpose of the meeting was consideration of Resolution 2017-3, to approve the Proposed Budget for the purpose of setting the Public Hearing, which was scheduled for Tuesday, September 12, 2017, at 9:30 a.m. at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954.

Mr. Ward explained the Budget that was attached to the Resolution was similar to what they have had in prior years. He said the General Fund had been pared down to an absolute minimum budget simply due to the lack of funding in the bond accounts. He said the total budget had decreased from \$320,000 to \$248,000, which was a \$73,000 change in the General Fund Budget.

Mr. Ward continued with the Debt Service Fund Budget and he said about \$93,000 a year from on roll assessments from the properties sold prior to foreclosure action had been received.

Mr. Ward called for discussion of the budget.

Ms. Popelka said in terms of a preliminary budget, had an initial notice been provided to residents and did the Board need to reach a decision in terms of maximum assessment now. She asked if they would be able to go back and approve a higher assessment. Mr. Ward responded the maximum assessment had been established a number of years ago, and it was well over the amount in the budget. She asked if a budget item could be added at the final public hearing or was today the day to set the items. Mr. Ward responded that today was the day to do that.

Mr. Dady asked if there was an item in the budget, if funding was to get back on track, which could allow the Board to reinstate services, for instance, security. Mr. Ward replied in the affirmative, especially since this budget is primarily the responsibility of the bondholder's, he also indicated that with respect to security there had been a few minor problems, and the residents might want to bring back security. Mr. Ward gave some examples of vandalism, which were verified by the audience. A discussion ensued of these issues in the area.

Mr. Dady said he was optimistic for conditions to improve after this year. He said there was room to add to the budget because it had been reduced by \$73,000, and that amount could be restored without having to send another 197 cap letter. Mr. Dady suggested a category be added to the budget that would be a bucket to draw from when funding occurred. He said the amount could be \$25,000.

An audience member pointed out some difficulties with lighting at night, and Mr. Ward said there was money to fix that issue.

An audience member asked if a speed bump could be placed near the roundabout. He also mentioned the parking lot where 50 mailboxes were located that needed repair. It was said that these were temporary mailboxes and the permanent ones were never completed. It was suggested that as there were so few houses maybe the mailbox issue could be readdressed.

Motion was made by Ms. Popelka and seconded by Mr. Lerner, to approve Resolution 2017-3 with a Proposed Operating Budget with a \$25,000 line item for additional contingencies, and with all in favor, the motion was approved.

4. Staff Reports

- a) District Attorney
- b) District Engineer
- c) District Manager

Mr. Ward stated that the Statute required that the District to report on the number of registered voters. He stated there were 89 Registered Voters as of April 15, 2017. He said the number of registered voters was significant when two thresholds were reached: 1. 250 qualified electors; 2. Six years from the date of establishment. He said they had reached the second one. This information was provided as a matter of law and no action needed to be taken.

5. Supervisor's Requests and Audience Comments

There were no supervisor's requests. An audience member asked Mr. Clark if all the titles had been finalized following when the County had offered the property for sale. Mr. Clark responded that he had checked and all of the property that had been acquired in the foreclosure in the name of Tern Bay CDD Acquisitions, LLC, had been corrected. The County had made all the corrections they had requested.

Mr. Ward stated he had gotten a modified Assessment Roll that showed land ownership, and it had not been corrected. He said he would send it to Mr. Clark.

6. Adjournment

Motion was made by Mr. Dady and seconded by Mr. Lerner to adjourn the meeting, and with all in favor, the motion was approved.

The meeting was adjourned at approximately 10 a.m.



James P. Ward, Secretary



Mike Dady, Chairman

OATH OR AFFIRMATION OF OFFICE

I, Adam Lerner, a citizen of the State of Florida and of the United States of America, and being an officer of the **Tern Bay Community Development District** and a recipient of public funds as such officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly and impartially discharge the duties devolving upon me as a member of the Board of Supervisors of the **Tern Bay Community Development District**, Charlotte County, Florida.

Adam Lerner

Signature

Printed Name: Adam Lerner

STATE OF FLORIDA

COUNTY OF CHARLOTTE

Sworn to (or affirmed) before me this 13th day of June 2017, by Adam Lerner, whose signature appears hereinabove, who is personally known to me or who produced _____ as identification.

James P. Ward

NOTARY PUBLIC
STATE OF FLORIDA

Print Name: JAMES P. WARD
Commission # FF 966306
Expires March 1, 2020
My Commission Expires: Bonded Thru Troy Fain Insurance 800-385-7019

OATH OR AFFIRMATION OF OFFICE

I, Leah Popelka a citizen of the State of Florida and of the United States of America, and being an officer of the **Tern Bay Community Development District** and a recipient of public funds as such officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly and impartially discharge the duties devolving upon me as a member of the Board of Supervisors of the **Tern Bay Community Development District**, Charlotte County, Florida.

Leah Popelka
Signature

Printed Name: Leah Popelka


STATE OF FLORIDA

COUNTY OF CHARLOTTE

Sworn to (or affirmed) before me this 13th day of June 2017, by LEAH POPELKA, whose signature appears hereinabove, who is personally known to me or who produced _____ as identification.

James P. Ward
NOTARY PUBLIC
STATE OF FLORIDA

Print Name: _____
My Commission Expires: _____

	JAMES P. WARD Commission # FF 966306 Expires March 1, 2020 Bonded Thru Troy Fair Insurance 800-363-7919
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