

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

The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District was held on Tuesday, June 9, 2020 at 10:00 a.m. at the Country Inn and Suites 24244 Corporate Court, Port Charlotte, Florida 33954.

Present and constituting a quorum:

Russell Smith	Chairperson
Christopher Hasty	Vice Chairperson
Anthony Burdett	Assistant Secretary
Barry Ernst	Assistant Secretary
Ashley Kingston	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Counsel
David Underhill	District Engineer

Audience:

Cary Stewart
Denise Turgeon
Jean Turgeon

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

District Manager James P. Ward called the meeting to order at approximately 10:00 a.m. He reported with the State of Emergency in Florida, and pursuant to Executive Orders 20-52 and 20-69 issued by Governor DeSantis on March 9, 2020 and March 20, 2020 respectively, and pursuant to Section 120.54(5)9b)2., Florida, Statutes, this meeting was being held utilizing communication media technology due to the current COVID-19 public health emergency. He explained all Members of the Board and Staff were present via videoconference or telephone; no persons were present in the on-site meeting room location. He asked all speakers to state their names for the record prior to speaking. He conducted roll call; all Members of the Board save Supervisor Kingston were present constituting a quorum.

SECOND ORDER OF BUSINESS**Consideration of Minutes.****a) February 11, 2020 – Regular Meeting**

Mr. Ward asked if there were any additions, corrections, or deletions for the February 11, 2020 Regular Meeting Minutes. Hearing none, he called for a motion.

On MOTION made by Mr. Russell Smith, seconded by Mr. Barry Ernst, and with all in favor, the February 11, 2020 Regular Meeting Minutes were approved.

b) April 14, 2020 – Regular Meeting

Mr. Ward asked if there were any additions, corrections, or deletions for the April 14, 2020 Regular Meeting Minutes. Hearing none, he called for a motion.

On MOTION made by Mr. Russell Smith, seconded by Mr. Barry Ernst, and with all in favor, the April 14, 2020 Regular Meeting Minutes were approved.

THIRD ORDER OF BUSINESS**PUBLIC HEARING****PUBLIC HEARING TO CONSIDER THE ADOPTION OF CAPITAL SPECIAL ASSESSMENTS**

Mr. Ward: The primary purpose of your meeting today is to conduct the public hearing related to your Capital Assessment programs for a majority of the land within the Tern Bay CDD that is unencumbered by existing 2005 Series Debt of this particular District. In the way of background, a little more than a month ago, the Board set this Public Hearing date, time, and location. You heard comments from both Mr. Underhill the District Engineer, and myself, regarding the engineering capital program and the method of assessments for this particular Capital Assessment program. We won't go through those with you today and we will just listen to any comments.

Ms. Ashley Kingston joined the Meeting; it was approximately 10:05 a.m.

I. Public Comment and Testimony

Mr. Ward asked if there were any public comments or questions. There were none. He reported he received one objection from Mr. and Mrs. Ancin who lived within the District. He indicated the Ancin's objections were as follows: No prior knowledge of said assessment; assessment was too high for property location; and assessment would increase property taxes to a value which was too high.

Mr. Ward: The purpose of this hearing is for the Board to consider objections or comments from the public with respect to the manner of assessments in which are being levied on all property subject to the assessments at today's hearing. The District received one objection to the assessment, which dealt with disclosure of the amount, and that the amount was

to high according to the objection. The reasons included in this objection are not relevant to this particular proceeding. There is nothing that was provided by this particular property owner that dealt with the manner of assessments in which the Board will consider today.

II. Board Comment

Mr. Ward asked if there were any questions or comments.

Mr. Burdett: This is more of a statement than a question for those in attendance. Many of the items, the reason that our Operations and Maintenance assessment levels have increased is because we have transferred some of those Items from their HOA to the District, so they should see their HOA assessments reduced by a similar amount. I just wanted, for the benefit of those in attendance –

Mr. Ward: Thanks Mr. Burdett. But the record needs to be clear, this is the public hearing on the imposition of Capital Assessments. It is not related to your Fiscal Year 2021 Budget. He asked if there were any other comments or questions from the Board; hearing none, he called for a motion to adopt Resolution 2020-7.

III. Consideration of Resolution 2020-7, of the Board of Supervisors of Tern Bay Community Development District making certain findings; Authorizing a Capital Improvement plan; Adopting an engineer's report; providing an estimated cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Special Assessments; Addressing the finalization of Special Assessments; addressing the payment of Special Assessments and the method of collection; providing for the allocation of Special Assessments and true-up payments; Addressing Government Property, and making provisions relating to the transfer of Real Property to units of Local, State and Federal Government; Authorizing the Recording of an Assessment

Mr. Ward reviewed Resolution 2020-7 as described above. He noted Mr. Urbancic was present and asked if Mr. Urbancic had anything to add.

Mr. Urbancic: I don't have anything else to add other than what you read in the title. That's what it's intended to do. This is consistent with what we usually do as the second step of the special assessment process prior to issuing bonds. We will have supplemental resolution, a resolution that will supplement this when we actually issue bonds. It will be a "bring down" resolution is what we call it, to actually fix the assessments based upon the bonds actually issued, but this Resolution is the next step and confirms what we did at the first hearing. Again, if there is any equalization to be done we would do that now, but otherwise this adopts our process and let's us go forward and this will be part of the validation that we will ultimately conclude, and I will mention in my report just a little bit.

On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2020-7 was adopted, and the Chair was authorized to sign.

Mr. Russell Smith left the Meeting; it was approximately 10:11 a.m.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2020-8

Consideration of Resolution 2020-8 designating dates, time, and location for regular meeting of the Board of Supervisor’s for Fiscal Year 2021

Mr. Ward reported Resolution 2020-8 designated dates, time, and location for the Regular Meetings of the Board of Supervisor’s for Fiscal Year 2021 which began on October 1, 2020 and ended September 30, 2021. He reported the Meetings were scheduled for 10:00 a.m. at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954. He explained the resolution did not bind the Board to these dates, times and location which could be changed as deemed appropriate throughout the year. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Anthony Burdett, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2020-8 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2020-9

Consideration of Resolution 2020-9 Amending the Date of the Public Hearing for the District’s Fiscal Year 2021 Budget

Mr. Ward explained Resolution 2020-9 Amended the date of the public hearing for the District’s Fiscal Year 2021 Budget which was rescheduled for Tuesday, July 14, 2020 at 10:00 a.m. at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954.

Mr. Ward: If and to the extent we are still in a State of Emergency pursuant to the Governor’s orders, that meeting will also be held pursuant to the communications meeting technology which means we will just be doing an audio/video meeting as we are doing today. If you have any questions on the Resolution, I will be glad to answer them. Otherwise, the Resolution is recommended for your consideration.

Ms. Kingston: As long as everyone else is there, I will be gone that day. Just letting you know.

On MOTION made by Mr. Barry Ernst, seconded by Mr. Anthony Burdett, and with all in favor, Resolution 2020-9 was adopted as amended, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Consideration of Landowner’s Meeting date

Consideration of Setting the date, time, and location of the Landowner’s Meeting to fill Seat 1 (Mr. Christopher Hasty), Seat 4 (Ms. Ashley Kingston) and Seat 5 (Barry Ernst)

Mr. Ward indicated this motion set the date, time, and location of the Landowner's Meeting to fill Seat 1 (Mr. Christopher Hasty), Seat 4 (Ms. Ashley Kingston) and Seat 5 (Barry Ernst). He indicated State Statute required the Board to set the date at least 90 days in advance and enclose the instructions for the Landowner's Meeting, Form of Ballot, and Form of Landowner's Proxy in the Agenda; all of these were included in today's Agenda Package. He noted if the date, time, and location were acceptable a simple motion to set the date, time and location for November 17, 2020 at 10:00 a.m. at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954 would be appropriate.

On MOTION made by Mr. Christopher Hasty, seconded by Ms. Ashley Kingston, and with all in favor, the date, time, and location of the Landowner's Meeting was set as above.

SEVENTH ORDER OF BUSINESS

Staff Reports

a) Attorney

Mr. Urbancic: As I mentioned, for the validation, that Resolution that we approved will be part of it. Our validation hearing for this District is set for July 17th at 1:30 p.m. The judge at this point is requiring us to hold it by Zoom, so if anyone wants to participate or watch they can. If there is any other information, I will push it out, but I just wanted to mention that for the supervisors.

Mr. Hasty: Could you forward that invite? I don't know that I've ever sat through one of those. I might want to.

Mr. Urbancic: Absolutely. I will forward it to you right now.

b) Engineer

No report.

c) Manager

- I. Report of number of Registered Voters as of April 24, 2020
- II. Financial Statement for the period April 30, 2020 (Unaudited)

Mr. Ward: The required Statutory disclosure by the Supervisor of Elections in Charlotte County on the number of registered voters within the District as of April 15th of each year. The number is 67. It will become significant when you hit 250 qualified electors, you will begin to transition the District from a Landowner's election to a qualified elector-based election. The other requirement under the Statute is six years from the date of establishment of the District which was September 15, 2004. You have obviously already met that date, so each year at this time I will advise you of this information. He asked if there were any questions. There were none.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

There were no Supervisor's requests or audience comments.

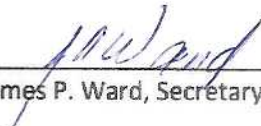
NINTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 10:20 a.m.

On MOTION made by Mr. Anthony Burdett, seconded by Mr. Christopher Hasty, and with all in favor, the meeting was adjourned.

Tern Bay Community Development District



James P. Ward, Secretary



Russell Smith, Chairperson