

**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, July 12, 2022, 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
Barry Ernst	Assistant Secretary
Ashley Kingston	Assistant Secretary
Anthony Burdett	Assistant Secretary

Also present were:

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

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

Mr. Andrew Gill called the meeting to order at approximately 10:13 a.m. He conducted roll call and all Board Members were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

May 10, 2022 – Public Hearing Meeting Minutes

Mr. Gill asked if there were any additions, corrections, or deletions to these Minutes; hearing none, he called for a motion.

<p>On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, the May 10, 2022, Public Hearing Meeting Minutes were approved.</p>
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THIRD ORDER OF BUSINESS

Consideration of Resolution 2022-10

Consideration of Resolution 2022-10, a resolution of the Board of Supervisors of Tern Bay Community Development District (i) ratifying and approving the conveyance of transferred Assets pursuant to requisition number 1 submitted by Lennar Homes, LLC and relating to the District’s Series 2022 Bonds; and (ii) ratifying and approving all documents to effectuate such conveyance.

Mr. Gill asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Russell Smith, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-10 was adopted, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-11

Consideration of Resolution 2022-11, a resolution of the Board of Supervisors of the Tern Bay Community Development District ratifying the execution of the Encroachment Agreement dated May 17, 2022, between the District and Lennar Homes LLC

Mr. Gill stated the Encroachment Agreement was regarding an encroachment onto a 7.5 inch drainage easement. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Russell Smith, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-11 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Staff Reports

Staff Reports

I. District Attorney

Mr. Urbancic: On that Encroachment Agreement, it has already been recorded in the public record, so there is nothing further that we need to do with that. Otherwise, I did not have anything further.

II. District Engineer

a) Stormwater Reporting Update - Completed

Mr. Gill: The Stormwater Reporting requirement due by June 30 of this year was submitted to the County and filed.

III. District Manager

a) Financial Statement for period ending April 30, 2022 (unaudited)

b) Financial Statement for period ending May 31, 2022 (unaudited)

c) Financial Statement for period ending June 30, 2022 (unaudited)

Mr. Ward: As I mentioned to you before, in Tern Bay we have two seats up for qualified election this year, Seat 3, and Seat 5. That's Tony's Seat and Barry's Seat. No one qualified for either of those two seats. The way in which Statute works, you will declare those two seats vacant. The vacancy is established as of November 8th which is the date that you would take office if somebody qualified for those seats. Statute then requires you to appoint two qualified electors within 90 days of that date, so you have 90 days from November 8 in order to appoint two qualified electors to those seats. In that interim period, both Tony and Barry will sit as Board Members until you appoint two qualified electors. Hopefully, we can get it done within that 90 day period. He asked Mr. Urbancic what would happen if two qualified electors were not found within the 90 day period.

Mr. Urbancic: They would sit in the seat until they are replaced, but we would have to use some sort of reasonable effort to find somebody to occupy those seats. We could do some advertising or some email blast through the HOA or some sort of a newsletter.

Mr. Ward: Greg was kind enough to prepare Resolution 2022-12 which declares the vacancy in Seats 3 and 5, pursuant to 190-0063b, and outlines the procedure I just outlined for you on record. He asked if there were any questions regarding Resolution 2022-12; hearing none, he called for a motion.

On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-11 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Gill asked if there were any Supervisor's requests; there were none. He asked if there were any audience members present in person, or via audio or video with any questions or comments; there were none. He noted there were no members of the public present in person or via audio or video.

SEVENTH ORDER OF BUSINESS

Adjournment

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

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

Tern Bay Community Development District


James P. Ward, Secretary

Russell Smith
Russell Smith, Chairperson

Signature: Russell Smith
Russell Smith (Sep 14, 2022 16:11 EDT)

Email: russell.r.smith@lennar.com







TB - Minutes 07 12 2022 Executed (Needs Chair Sig)

Final Audit Report

2022-09-14

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-  Email viewed by russell.r.smith@lennar.com
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-  Signer russell.r.smith@lennar.com entered name at signing as Russell Smith
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