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 Thursday, June 19, 2025, at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966. It began at 9:30 a.m. and was presided over by Dalton Drake, Vice Chairperson, with James P. Ward as Secretary.

Present and constituting a quorum:

Dalton Drake	Vice Chairperson
Barry Ernst	Assistant Secretary
Fernanda Martinho	Assistant Secretary
Ashley Kingston	Assistant Secretary

Absent:

Scott Edwards	Chairperson

Also present were:

James P. Ward	District Manager
Meagan Magaldi	District Attorney

All residents' 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. James Ward called the meeting to order at approximately 9:30 a.m. He conducted roll call; all Members of the Board were present, with the exception of Supervisor Edwards, constituting a quorum.

SECOND ORDER OF BUSINESS **Notice of Advertisement**

Notice of Advertisement of Public Hearings

THIRD ORDER OF BUSINESS **Consideration of Minutes**

April 17, 2025 – Regular Meeting Minutes

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

On MOTION made by Dalton Drake, seconded by Barry Ernst, and with all in favor, the April 17, 2025 Regular Meeting Minutes were approved.

FOURTH ORDER OF BUSINESS PUBLIC HEARINGS

Mr. Ward explained the Public Hearing process noting there were two public hearings, the first related to the Budget itself.

a) FISCAL YEAR 2026 BUDGET

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Barry Ernst, seconded by Ashley Kingston, and with all in favor, the Public Hearing was opened.

Mr. Ward noted there were no members of the public present in person. He asked if there were any members of the public present via audio or video with any questions; there were none. He called for a motion to close the public hearing.

On MOTION made by Barry Ernst, seconded by Dalton Drake, and with all in favor, the Public Hearing was closed.

II. Board Comment

Mr. Ward asked if there were any questions or comments from the Board; there were none.

III. Consideration of Resolution 2025-5, a Resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2026

Mr. Ward called for a motion.

On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2025-5 was adopted, and the Chair was authorized to sign.

b) FISCAL YEAR 2026 PUBLIC HEARING ON IMPOSING SPECIAL ASSESSMENTS; CERTIFYING AN ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE

Mr. Ward indicated this public hearing set into place the assessment rates and certified an assessment roll.

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Dalton Drake, seconded by Barry Ernst, and with all in favor, the Public Hearing was opened.

Mr. Ward noted there were no members of the public present in person. He asked if there were any members of the public present via audio or video with any questions; there were none. He called for a motion to close the public hearing.

On MOTION made by Barry Ernst, seconded by Dalton Drake, and with all in favor, the Public Hearing was closed.

II. **Board Comment**

Mr. Ward noted Resolution 2025-6 set the assessment rate and certified the assessment roll. He asked if there were any questions from the Board; there were none.

III. **Consideration of Resolution 2025-6, a Resolution of the Board imposing special assessments, certifying an assessment roll, providing a severability clause; providing for conflict and providing an effective date**

Mr. Ward called for a motion.

On MOTION made by Ashley Kingston, seconded by Fernanda Martinho, and with all in favor, Resolution 2025-6 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS Consideration of Resolution 2025-7

Consideration of Resolution 2025-7, a resolution of the Board of Supervisors designating dates, time, and location for regular meetings of the Board of Supervisors for Fiscal Year 2026

Mr. Ward noted the meeting dates would be the third Thursday of each month at 9:30 a.m. at the offices of Lennar Homes LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966. He noted the Resolution allowed the CDD to advertise all meetings once in September, it did not bind the Board to the use of these dates, it simply set the dates, time, and location; the dates, time or location could be changed and readvertised at the discretion of the Board. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Barry Ernst, seconded by Dalton Drake, and with all in favor, Resolution 2025-7 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) Supervisor of Elections Qualified Elector Report: 1,544 as of April 15, 2025
b) Special District Reporting: Goals and Objectives for Fiscal Year 2026
c) Important Board Meeting Dates for Balance of Fiscal Year 2025
i. June/July – Look for Commission on Ethics email (Form 1 Financial Disclosure)
d) Financial Statements for period ending April 30, 2025 (unaudited)
e) Financial Statements for period ending May 31, 2025 (unaudited)

Mr. Ward indicated the number of voters within the District as of April 15, 2025 was 1,544 registered voters. He noted the District was in the qualified elector process; and there were three seats up for election in 2026, Fernanda Martinho's seat, Dalton Drake's seat and Ashley Kingston's seat, two of which would go to qualified electors, the third would be a four year landowner's seat. He noted the final seat would go to a qualified elector in 2030 and the transition would be complete. He discussed the election process and the appointment process if no one was elected for the seats. He reported the performance measures and standards for fiscal year 2026 were the same as last year. He asked for a motion to approve these measures and standards.

On MOTION made by Barry Ernst, seconded by Ashley Kingston, and with all in favor, the performance measures and standards for Fiscal Year 2026 were adopted.

Mr. Ward reminded the Board to file Form 1 by July 1, 2025 and to check the ethics training box. He reminded the Board to complete the annual ethics training requirement before December 31, 2025. He said staff would send out links for free ethics training modules.

SEVENTH ORDER OF BUSINESS Public Comments

Public comment period is for items NOT listed on the agenda, and comments are limited to three (3) minutes per person and assignment of speaking time is not permitted;

SEVENTH ORDER OF BUSINESS **Public Comments**

Public comment period is for items NOT listed on the agenda, and comments are limited to three (3) minutes per person and assignment of speaking time is not permitted; however, the Presiding Officer may extend or reduce the time for the public comment period consistent with Section 286.0114, Florida Statutes

Mr. Ward asked if there were any public comments; there were none. There were no members of the public present in person or on audio or video.

EIGHTH ORDER OF BUSINESS **Supervisor's Requests**

Mr. Ward asked if there were any Supervisor's requests; there were none.

NINTH ORDER OF BUSINESS **Adjournment**

Mr. Ward adjourned the meeting at approximately 9:40 a.m.

On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, the Meeting was adjourned.

Timber Creek Southwest Community Development District

James P. Ward, Secretary

Scott Edwards, Chairperson