

**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 20, 2024, at 9:30 A.M. at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966.

Present and constituting a quorum:

Dalton Drake	Vice Chairperson
Scott Edwards	Assistant Secretary
Fernanda Martinho	Assistant Secretary
Ashley Kingston	Assistant Secretary

Absent:

Barry Ernst	Chairperson
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Also present were:

James P. Ward	District Manager
Greg Urbancic	District Attorney

Audience:

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 Ernst, constituting a quorum.

SECOND ORDER OF BUSINESS

Notice of Advertisement

Notice of Advertisement of Public Hearings

THIRD ORDER OF BUSINESS

Consideration of Minutes

March 21, 2024 - Regular Meeting Minutes

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

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, the March 21, 2024 Regular Meeting Minutes were approved.

FOURTH ORDER OF BUSINESS

Public Hearing

PUBLIC HEARINGS – FY 2025 BUDGET AND SPECIAL ASSESSMENTS

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

a) FISCAL YEAR 2025 BUDGET

I. Public Comment and Testimony

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

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

Mr. Ward asked if there were any members of the public present via audio or video with any comments or questions with respect to the Fiscal Year 2025 Budget; there were none. He noted there were no members of the public present in person. He called for a motion to close the Public Hearing.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

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

III. Consideration of Resolution 2024-4, a resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2025

Mr. Ward called for a motion to approve the budget beginning October 1, 2024 and ending on September 30, 2025.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2024-4 was adopted, and the Chair was authorized to sign.

b) FISCAL YEAR 2025 IMPOSING SPECIAL ASSESSMENTS; ADOPTING THE ASSESSMENT ROLL

Mr. Ward indicated this public hearing was related to the imposition of the special assessments for the general fund and certified the assessment roll.

I. Public Comment and Testimony

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

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

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

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

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

III. Consideration of Resolution 2024-5, a resolution of the Board of Supervisors imposing special assessments, and adopting an assessment roll

Mr. Ward called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2024-5 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-6

Consideration of Resolution 2024-6, a Resolution of the Board of Supervisors designating the dates, time, and location for regular meetings of the Board of Supervisors for Fiscal Year 2025

Mr. Ward explained Resolution 2024-6 set the dates, time, and location of the Board’s meetings for Fiscal Year 2025 for the third Thursday of each month at 9:30 a.m. at the offices of Lennar Homes. He noted the Resolution did not bind the Board to the meetings. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2024-6 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-7

Consideration of Resolution 2024-7, a Resolution of the Board of Supervisors Designating November 21, 2024, 9:30 A.M. at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966 for a Landowners’ Meeting and Election; Providing for publication; Establishing forms for the Landowner Election; and providing for severability and an effective date

Mr. Ward explained Resolution 2024-7 set a landowners’ meeting date, time, and location. He stated the landowner election was for Seat 1 (Barry Ernst), Seat 2 (Fernanda Martinho), and Seat 5 (Scott Edwards). He stated a regular meeting would be held after the landowner’s meeting to swear in the newly elected board members. He asked if there were any questions; hearing none, he called for a motion.

Ms. Kingston asked if there were any interested residents for the seats.

Mr. Ward explained the District was not ready for turnover to the residents yet; the District was established in 2019, so turnover would not begin until 2026.

On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-7 was adopted, and the Chair was authorized to sign.

SEVENTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic: Just a reminder we have to do the goals, objectives, and policies pursuant to new law, but otherwise I did not have any report.

II. District Engineer

No report.

III. District Manager

- a) Supervisor of Elections report on Qualified Electors, dated April 15, 2024
- b) Florida Law changes to Form 1 Filings
- c) **Important Board Meeting Dates for Balance of Fiscal Year 2024**
 - 1. November 21, 2024 - Landowners Election (Seats 1, 2 & 5)
- d) Financial Statement for period ending March 31, 2024 (unaudited)
- e) Financial Statement for period ending April 30, 2024 (unaudited)

- f) **Financial Statement for period ending May 31, 2024 (unaudited)**
- g) **Financial Statement for period ending June 30, 2023 (unaudited)**

Mr. Ward indicated the Supervisor of Elections reported the District had 1,095 qualified electors, but the District’s effective date was October of 2019, so the transition to a resident controlled board (or qualified elector board) would not begin until 2026. He noted there was no action required of the Board regarding this information. He reminded the Board to file the Form 1 by July 1, 2024 and to complete the ethics training requirement. He indicated he would send out the links for the ethics training to the Board. He discussed the late fees associated with late filing of the Form 1 and encouraged the Board to file in a timely manner.

EIGHTH 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 comments from audience members present in person, or via audio/video; there were none.

NINTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 9:37 a.m.

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

Timber Creek Southwest Community Development District



 James P. Ward, Secretary



 Barry Ernst, Chairperson
Scott Edwards