

**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, November 21, 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:

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

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 9:32 a.m. He conducted roll call; all Members of the Board were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Notice of Advertisement

Notice of Advertisement of Meetings

THIRD ORDER OF BUSINESS

Oath of Office

Administration of Oath of Office for the Board of Supervisors of the Timber Creek Southwest Community Development District

- a) Oath of Office
- b) Guide to the Sunshine Amendment and Code of Ethics

c) Form 1 – Statement of Financial Interests**d) Sample of E-filed Form 1 – Statement of Financial Interests. (2024 Changes to the Law and filing requirements)**

Mr. Ward noted Mr. Scott Edwards, Ms. Fernanda Martinho, and Mr. Barry Ernst were elected at the Landowner's Meeting. As a notary public, Mr. Ward administered the Oath of Office to Mr. Edwards, Ms. Martinho, and Mr. Ernst. Mr. Edwards, Mr. Ernst, and Ms. Martinho signed and returned the Oath to Mr. Ward for notarization and inclusion in the record. He stated all three already sat on this Board and as such would not need to file another Form 1 this year. He reminded the Board to complete the Ethics Training before the end of the calendar year.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2025-1****Consideration of Resolution 2025-1, a Resolution of the Board of Supervisors canvassing and certifying the results of the landowners' election of Supervisors held pursuant to Section 190.006(2), Florida Statutes**

Mr. Ward stated Resolution 2025-1 canvassed and certified the results of the Landowner's Meeting held just prior to today's regular meeting. He stated Barry Ernst would hold Seat 1 with 211 votes; in Seat 2 would be Fernanda Martinho with 210 votes; and in Seat 5 would be Scott Edwards with 211 votes. He noted Barry Ernst and Scott Edwards would serve four-year terms, and Fernanda Martinho would serve a two-year term. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Berry Ernst, and with all in favor, Resolution 2025-1 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2025-2****Consideration of Resolution 2025-2, a Resolution of the Board of Supervisors Re-Designating Certain Officers of the Timber Creek Southwest Community Development District following the Landowners' Election**

Mr. Ward indicated Resolution 2025-2 redesignated the officers of the Board. He asked how the Board would like to designate the officers.

The Board chose to appoint Scott Edwards as Chairperson, Dalton Drake as Vice Chairperson, the remaining Board Members as Assistant Secretaries while James Ward would serve as Secretary and Treasurer.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2025-2 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Consideration of Minutes

June 20, 2024 – Public Hearings and Regular Meeting Minutes

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

On MOTION made by Berry Ernst, seconded by Ashley Kingston, and with all in favor, the June 20, 2024 Public Hearings and Regular Meeting Minutes were approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-3

Consideration of Resolution 2025-3, a Resolution Relating to the acceptance of responsibility for ownership, operation and maintenance of District infrastructure within the boundaries of the Plat of Timber Creek – Phase 7 Replat; providing an effective date

Mr. Ward indicated Resolution 2025-3 was before the Board because for the drainage easements and other facilities which would be owned by the CDD, the CDD either had title to the land under the plats or an easement was granted to the District on the plat. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Berry Ernst, seconded by Dalton Drake, and with all in favor, Resolution 2025-3 was adopted, and the Chair was authorized to sign.

EIGHTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic: Just make sure you've completed your ethics training before the end of the year. Those supervisors that came on, sometimes the State sends them Oaths to return with a \$15 dollar check. I don't know if that's going to happen, but if it does come up, I just wanted to mention it.

Mr. Ward: You are not subject to signing those, so if you get them just let me know.

II. District Engineer

No report.

III. District Manager

- a) **Goals and objectives reporting requirements for CDDs**
- b) **Financial Statement for period ending August 31, 2024 (unaudited)**
- c) **Financial Statement for period ending September 30, 2024 (unaudited)**

d) Financial Statement for period ending October 31, 2024 (unaudited)

Mr. Ward indicated there was a change to State Statute requiring the District to set performance measures and standards for reporting. He indicated this CDD would do this through public meeting compliance, notice of public meeting compliance, access to public records, annual budget preparation, financial reports, and financial audits. He stated there was no reporting outside of the District required; it was required to be posted on the website by December 1st of this year, and the measures could be changed at any time. He asked for a motion to approve the performance measures and standards.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, the performance measures and standards were approved.

NINTH ORDER OF BUSINESS

Audience 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 noted there were no members of the public present.

TENTH ORDER OF BUSINESS

Supervisor's Requests

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

ELEVENTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 9:41 a.m.

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

Timber Creek Southwest Community Development
District


James P. Ward, Secretary


Scott Edwards, Chairperson