

**MINUTES OF MEETING
BENTON HILLS COMMUNITY DEVELOPMENT DISTRICT**

An Organizational Meeting of the Benton Hills Community Development District was held on June 30, 2022 at 11:30 a.m., at the Greater Hernando County Chamber of Commerce, 15588 Aviation Loop Drive, Brooksville, Florida 34604.

Present at the meeting were:

Garth Noble	Chair
Jerry Tomberlin	Vice Chair
Martha Schiffer	Assistant Secretary
Chris Torres	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Kristen Suit	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Brian Malmberg	Interim District Engineer
Ashton Bligh (via telephone)	Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 11:35 a.m. He stated this is the first meeting of the Benton Hills CDD. Ms. Martha Schiffer, Mr. Chris Torres, Mr. Garth Noble and Mr. Jerry Tomberlin, named in the Petition to Establish the District as Initial Board Supervisors, were present, in person. Mr. Chris Babcock, also named in the Petition to Establish the District as an Initial Board Supervisor, was not present.

SECOND ORDER OF BUSINESS

Public Comments

This item was addressed following the Third Order of Business.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Initial Board of Supervisors *(the following will be provided in a separate package)*

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Schiffer, Mr. Torres, Mr. Noble and Mr. Tomberlin.

Mr. Wrathell provided and he and Mr. Earlywine discussed the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

Mr. Earlywine recommended that due to Statutory changes, in an abundance of caution, Supervisors complete Form 8B to disclose their affiliation with the Developer.

Mr. Wrathell stated an updated Proxy form will be needed for the upcoming Landowners' Election.

▪ **Public Comments**

This item, previously the Second Order of Business, was presented out of order.

No members of the public spoke.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-01. Mr. Noble nominated the following slate of officers:

Chair	Garth Noble
Vice Chair	Jerry Tomberlin
Secretary	Craig Wrathell
Assistant Secretary	Martha Schiffer
Assistant Secretary	Chris Torres
Assistant Secretary	Chris Babcock
Assistant Secretary	Kristen Suit
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Designating a Date, Time, and Location for Landowners’ Meeting of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-02. Ms. Suit will be designated Proxy Holder.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-02, Designating a Date, Time, and Location of July 22, 2022 at 2:30 p.m., at the Greater Hernando County Chamber of Commerce, 15588 Aviation Loop Drive, Brooksville, Florida 34604, for a Landowners’ Meeting of the District, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL ITEMS

SIXTH ORDER OF BUSINESS

Consideration of the Following Organizational Matters:

- A. Resolution 2022-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date**
 - **Agreement for District Management Services: *Wrathell, Hunt and Associates, LLC***

Mr. Wrathell presented Resolution 2022-03 and the Fee Schedule and Management Agreement. Wrathell, Hunt and Associates, LLC (WHA) will charge a discounted Management Fee of \$2,000 per month until bonds are issued. Debt service fund accounting and assessment collection services will apply for second and subsequent bond issues only.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date, was adopted.

- B. Resolution 2022-04, Appointing District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date**

- **Fee Agreement: *KE Law Group, PLLC***

Mr. Wrathell presented Resolution 2022-04 and the KE Law Group, PLLC Fee Agreement.

On MOTION by Mr. Noble and seconded by Ms. Schiffer, with all in favor, Resolution 2022-04, Appointing KE Law Group, PLLC as District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date, was adopted.

- C. Resolution 2022-05, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2022-05.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-05, Designating Craig Wrathell as Registered Agent and 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District, and Providing for an Effective Date, was adopted.

- D. Resolution 2022-06, Appointing an Interim District Engineer for the Benton Hills Community Development District, Authorizing Its Compensation and Providing an Effective Date**

- **Interim Engineering Services Agreement: *Coastal Engineering Associates, Inc.***

Mr. Wrathell presented Resolution 2022-06 and the Interim Engineering Services Agreement and accompanying Exhibits.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-06, Appointing Coastal Engineering Associates, Inc., as Interim District Engineer for the Benton Hills Community Development District, Authorizing Its Compensation and Providing an Effective Date, was adopted.

- E. Authorization of Request for Qualifications (RFQ) for Engineering Services**

Mr. Wrathell presented the RFQ for Engineering Services and the Competitive Selection Criteria.

On MOTION by Mr. Tomberlin and seconded by Mr. Torres, with all in favor, the Request for Qualifications (RFQ) for Engineering Services and the Competitive Selection Criteria, and authorizing Staff to advertise, was approved.

F. Board Member Compensation: 190.006 (8), F.S.

The Board Members declined compensation.

G. Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District; Designating the Location of the Local District Records Office; and Providing an Effective Date

This item was deferred.

H. Resolution 2022-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date

- **Authorization to Obtain General Liability and Public Officers' Insurance**

Mr. Wrathell presented Resolution 2022-08.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date, was adopted.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, authorizing Staff to obtain General Liability and Public Officers' Insurance, was approved.

I. Resolution 2022-09, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date

Mr. Wrathell presented Resolution 2022-09.

On MOTION by Mr. Tomberlin and seconded by Ms. Schiffer, with all in favor, Resolution 2022-09, Providing for the Public’s Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

- J. Resolution 2022-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date**

Mr. Wrathell presented Resolution 2022-10. All records would be retained.

On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

- K. Resolution 2022-11, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-11. This Resolution grants the Chair and Vice Chair the authority to work with the District Engineer, District Counsel and District Staff and to execute certain documents in between meetings, to avoid delays in construction.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-11, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- L. Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2022-12.

On MOTION by Mr. Tomberlin and seconded by Mr. Torres, with all in favor, Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date, was adopted.

M. Authorization of Request for Proposals (RFP) for Annual Audit Services

Mr. Wrathell presented the RFP For Annual Audit Services.

- **Designation of Board of Supervisors as Audit Committee**

On MOTION by Ms. Schiffer and seconded by Mr. Noble with all in favor, the Request for Proposals for Annual Auditing Services, authorizing the District Manager to advertise and designating the Board of Supervisors as the Audit Committee, was approved.

N. Strange Zone, Inc., Quotation #M22-1024 for District Website Design, Maintenance and Domain Web-Site Design Agreement

Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin, with all in favor, the Strange Zone, Inc., Quotation #M22-1024 for District Website Design, Maintenance and Domain Web-Site Design Agreement, in the amount of \$1,679.99, was approved.

O. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit

Mr. Wrathell presented the ADA Site Compliance proposal.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the amount of \$210 annually, was approved.

P. Resolution 2022-13, to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices [Rule Development and Rulemaking]

These items were included for informational purposes.

Mr. Wrathell presented Resolution 2022-13.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin with all in favor, Resolution 2022-13, to Designate Date, Time and Place of September 15, 2022 at 11:30 a.m., at the Greater Hernando County Chamber of Commerce, 15588 Aviation Loop Drive, Brooksville, Florida 34604, for a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

Q. Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

This item was deferred.

R. Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-15.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

S. Stormwater Management Needs Analysis Reporting Requirements

Mr. Wrathell stated new legislation requires CDDs to prepare and submit a 20-year Stormwater Management Needs Analysis Report to document the CDD's anticipated future stormwater system needs. Mr. Earlywine stated a letter will be submitted stating that the CDD recognizes the requirement but does not own or operate a stormwater system at this time and that, upon receipt or construction of such facilities, the Report will be prepared and submitted.

T. Interlocal Agreement [Escheat of Real Property]

Mr. Earlywine presented the Interlocal Agreement required by the County.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the Interlocal Agreement between Hernando County and the Benton Hills Community Development District, was approved.

BANKING ITEMS

SEVENTH ORDER OF BUSINESS

Consideration of the Following Banking Items:

- A. Resolution 2022-16, Designating a Public Depository for Funds of the District and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-16. Funding requests will be sent to Ms. Schiffer.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-16, Designating Truist Bank as Public Depository for Funds of the District and Providing an Effective Date, was adopted.

- B. Resolution 2022-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-17.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin with all in favor, Resolution 2022-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

BUDGETARY ITEMS

EIGHTH ORDER OF BUSINESS

Consideration of the Following Budgetary Matters:

- A. Resolution 2022-18, Approving a Proposed Budget for Fiscal Year 2021/2022 and Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2022-18. He reviewed the proposed Fiscal Year 2022 budget, which will be a partial-year, Landowner-funded budget, with expenses funded as they

are incurred. He displayed the proposed Fiscal Year 2023 budget, which will also be a Landowner-funded budget, with expenses funded as they are incurred.

The following change was made to the proposed Fiscal Year 2023 budget:

Page 1, "Legal advertising": Change \$6,500 to \$1,700

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-18, Approving a Proposed Budget for Fiscal Year 2021/2022 and Fiscal Year 2022/2023, as amended, and Setting Public Hearings Thereon Pursuant to Florida Law for September 15, 2022 at 11:30 a.m., at the Greater Hernando County Chamber of Commerce, 15588 Aviation Loop Drive, Brooksville, Florida 34604; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

B. Fiscal Year Budget Funding Agreements [2021/2022 and 2022/2023]

Mr. Wrathell presented the Fiscal Year 2022 and Fiscal Year 2023 Budget Funding Agreements. Mr. Earlywine suggested approval in substantial form, as review by Developer's Counsel is pending.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin with all in favor, the Fiscal Year 2022 and Fiscal Year 2023 Budget Funding Agreements, in substantial form, were approved.

C. Resolution 2022-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes

Mr. Wrathell presented Resolution 2022-19.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes, was adopted.

D. Resolution 2022-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing

the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-20.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.

- E. Resolution 2022-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date**

Mr. Wrathell presented Resolution 2022-21.

On MOTION by Mr. Noble and seconded by Ms. Schiffer, with all in favor, Resolution 2022-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

- F. Resolution 2022-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-22.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- G. Resolution 2022-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-23.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.

H. Consideration of E-Verify Memo with MOU

Mr. Earlywine presented his firm’s E-Verify Memo related to the requirement for all employers to verify employment eligibility utilizing the E-Verify System and for the CDD to enroll with E-Verify and execute a Memorandum of Understanding (MOU) with E-Verify.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, acknowledging the E-Verify requirements, as set forth in the Memorandum of Understanding, and authorizing enrollment and utilization of the E-Verify program, was approved.

BOND FINANCING ITEMS

NINTH ORDER OF BUSINESS

Consideration of the Following Bond Financing Related Items:

A. Bond Financing Team Funding Agreement

Mr. Wrathell presented the Bond Financing Team Funding Agreement.

On MOTION by Mr. Noble and seconded by Ms. Schiffer, with all in favor, the Bond Financing Team Funding Agreement, in substantial form, was approved.

B. Engagement of Bond Financing Professionals

I. Underwriter/ Investment Banker: *FMSbonds, Inc.*

Mr. Wrathell presented the FMSbonds, Inc., Agreement for Underwriter Services and G-17 Disclosure.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the FMSbonds, Inc. Agreement for Underwriter Services and G-17 Disclosure, were approved.

II. Bond Counsel: *Greenberg Traurig, P.A.*

Mr. Wrathell noted that the Greenberg Traurig, PA Bond Counsel Agreement was not included in the agenda. Ms. Bligh stated she would send the Agreement, which provides for her firm to be paid out of bond proceeds.

Mr. Earlywine read the terms of the Agreement into the record, noting that the \$45,000 fee, per bond issue, is consistent with industry standards and an additional fee of up to \$2,500 applies to expenses. The consensus was to approve the Agreement, subject to final review and execution by the Chair.

Mr. Earlywine noted the Agreement offers the same terms as for the other project and stated, in the event the bonds are not issued, Bond Counsel expects to be paid for their time and expenses at the normal hourly rate, less a 10%, subject to a cap equal to the otherwise applicable fixed fee set forth.

On MOTION by Mr. Noble and seconded by Ms. Schiffer, with all in favor, engaging Greenberg Traurig, PA as Bond Counsel and authorizing the Chair to execute the Agreement, was approved.

III. Trustee, Paying Agent and Registrar: *U.S. Bank Trust Company, N.A.*

Mr. Wrathell presented the U.S. Bank Trust Company, N.A. Trustee, Paying Agent and Registrar Engagement Letter.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the U.S. Bank Trust Company, N.A. Engagement Letter to serve as Trustee, Paying Agent and Registrar, was approved.

C. Resolution 2022-24, Designating a Date, Time, and Location of a Public Hearing Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-24. This Resolution enables placement of the assessments on the tax bill utilizing the Property Appraiser and Tax Collector.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, Resolution 2022-24, Designating a Date, Time, and Location of August 22, 2022 at 11:30 a.m., at the Greater Hernando County Chamber of Commerce, 15588 Aviation Loop Drive, Brooksville, Florida 34604 for a Public Hearing Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.

D. Presentation of Engineer’s Report

Mr. Malmberg presented the Engineer’s Report dated June 30, 2022. He noted the following:

- The CDD consists of slightly less than 200 acres and 659 total units are anticipated.
- The cost estimate for the Capital Improvement Plan (CIP) is \$28,917,674.
- The CDD intends to fund infrastructure, including roadways, stormwater management facilities, utilities, hardscape, underground conduit, amenities, wetland conservation/mitigation and off-site improvements, including a turn lane and some off-site utility extensions.
- Phase I of the project was submitted for permitting and the permits are expected within the next 30 to 60 days.

E. Presentation of Master Special Assessment Methodology Report

Mr. Wrathell presented the Master Special Assessment Methodology Report dated June 30, 2022, which reflects the data included in the Engineer’s Report. He discussed the Development Program and the special and peculiar benefits to the units, in relation to the CIP. He noted the following:

- The CDD consists of approximately 198.59 acres.
- The Developer of the project is Meritage Homes of Florida, Inc.
- 659 total residential units are anticipated.
- The CIP is estimated at approximately \$28.917 million.
- The maximum par amount of bonds, including the cost of financing, capitalized interest and debt service reserve, would be \$38.410 million

Mr. Wrathell noted that the draft version of the Resolution 2022-26 currently includes a maximum par amount of bonds of \$30 million and recommended increasing the amount to \$38.410 million, to be consistent with the Engineer’s Report and the Master Special Assessment Methodology Report.

Mr. Wrathell discussed Equivalent Residential Units (ERUs), assessments, lienability tests, True-Up Mechanism and Appendix Tables.

Ms. Schiffer asked if there was a typo as the Engineer’s Report budget includes 21 60’ lots. Mr. Malmberg stated the 60’ lots are being calculated as 50’ lots.

F. Resolution 2022-25, Declaring Special Assessments; Designating The Nature And Location of The Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

Mr. Wrathell presented Resolution 2022-25 and read the title. Applicable amounts and information will be inserted into the Resolution.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, Resolution 2022-25, Declaring Special Assessments; Designating The Nature And Location of The Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for August 22, 2022 at 11:30 a.m., at the Greater Hernando County Chamber of Commerce, 15588 Aviation Loop Drive, Brooksville, Florida 34604; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

G. Resolution 2022-26, Authorizing the Issuance of Not to Exceed \$30,000,000 Aggregate Principal Amount of Benton Hills Community Development District Special Assessment Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing that

Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Benton Hills Community Development District, Hernando County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable from Special Assessments Assessed and Levied on the Property Within the District Benefited By the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for Other Related Matters

Ms. Bligh presented Resolution 2022-26, which accomplishes the following:

- Authorizes issuance of not to exceed \$38,410,000 aggregate principal amount of bonds.
- Authorizes and approves the execution and delivery of the Master Trust Indenture.
- Appoints U.S. Bank Trust Company National Association as the Trustee, Registrar and Paying Agent.
- Authorizes and directs District Counsel and Bond Counsel to proceed with filing for validation.

As previously discussed, the following change will be made to Resolution 2022-26:

Title, Section 2 and where necessary: Change “30,000,000” to “38,410,000”

Ms. Bligh stated she will forward the change to the District Manager.

On MOTION by Mr. Noble and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-26, as amended, Authorizing the Issuance of Not to Exceed \$38,410,000 Aggregate Principal Amount of Benton Hills Community Development District Special Assessment Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing that Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Benton Hills Community Development District, Hernando County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable from Special Assessments Assessed and Levied on the Property Within the District Benefited By the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for Other Related Matters, was adopted.

TENTH ORDER OF BUSINESS

Consideration of the Following Construction Items:

Mr. Earlywine presented the following:

- A. Acquisition Agreement
- B. Temporary Construction Easement

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, the Acquisition Agreement, and the Temporary Construction Easement Agreement, in substantial form, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: *KE Law Group, PLLC*

There was no report.

- B. District Engineer (Interim): *Coastal Engineering Associates, Inc.*

There was no report.

- C. District Manager: *Wrathell, Hunt and Associates, LLC*

Ms. Suit stated that Board Members will not be required to attend the Landowners' meeting on July 22, 2022, if a Proxy Holder is appointed.

The next meeting that the Board will attend will be the Regular Meeting and Public Hearings on August 22, 2022.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, the meeting adjourned at 1:13 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair