

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

The Board of Supervisors of the Benton Hills Community Development District held Multiple Public Hearings and a Regular Meeting on August 22, 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:

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

Also present were:

Kristen Suit	District Manager
Katie Ibarra (via telephone)	District Counsel
Brian Malmberg (via telephone)	Interim District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 11:33 a.m. Supervisors Tomberlin, Schiffer and Torres were present, in person. Supervisors Noble and Babcock were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

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

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

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Ms. Suit reported the results of the Landowners’ Election, as follows:

Seat 1	Garth Noble	199 votes	4-Year Term
Seat 2	Jerry Tomberlin	199 votes	4-Year Term
Seat 3	Chris Torres	195 votes	2-Year Term
Seat 4	Martha Schiffer	195 votes	2-Year Term
Seat 5	Chris Babcock	195 votes	2-Year Term

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-28, Designating Certain Officers of the District, and Providing for an Effective Date

Ms. Suit presented Resolution 2022-02. Mr. Tomberlin nominated the following slate:

Garth Noble	Chair
Jerry Tomberlin	Vice Chair
Craig Wrathell	Secretary
Martha Schiffer	Assistant Secretary

Chris Torres	Assistant Secretary
Chris Babcock	Assistant Secretary
Kristen Suit	Assistant Secretary

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-28, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Benton Hills Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor, the Public Hearing was closed.

Ms. Suit presented Resolution 2022-29 and read the title.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Benton Hills Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

These items would be addressed below.

- A. Affidavit/Proof of Publication**
- B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the Public Hearing was opened.

C. Engineer's Report *(for informational purposes)*

Ms. Suit stated that since the Engineer's Report was presented at the Organizational meeting, the total number of planned units is 659, total acreage is 198.59 and the total CIP is \$28,917,674.

D. Master Special Assessment Methodology Report *(for informational purposes)*

Ms. Suit stated the financing plan provides for the issuance of bonds in the appropriate approximate principal amount of \$38,410,000 to finance the approximate \$28,917,674 in CIP costs. It is amortized for 30 years with a 24-month capitalized interest period. Assessments will be levied on 198.59 gross acres, in an equal pro-rata gross acreage basis.

- ***Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.***

No members of the public spoke.

- ***Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right***

The Board, sitting as the Equalizing Board, made no changes to the assessment levels.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Public Hearing was closed.
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E. Consideration of Resolution 2022-30, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

Ms. Suit presented Resolution 2022-30 and read the title.

On MOTION by Mr. Tomberlin and seconded by Ms. Schiffer with all in favor, Resolution 2022-30, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Ratification of Stormwater Management Needs Analysis Letter Sent to County

Ms. Suit presented the Stormwater Management Needs Analysis Letter.

On MOTION by Mr. Torres and seconded by Ms. Schiffer, with all in favor, the Stormwater Management Needs Analysis Letter, was ratified.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2022

Ms. Suit presented the Unaudited Financial Statements as of July 31, 2022.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Unaudited Financial Statements as of July 31, 2022, was accepted.

TENTH ORDER OF BUSINESS

Approval of Minutes

Ms. Suit presented the following:

- A. June 30, 2022 Organizational Meeting**
- B. July 22, 2022 Landowners’ Meeting**

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the June 30, 2022 Organizational Meeting and the July 22, 2022 Landowners’ Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Ms. Ibarra stated the Validation Hearing is scheduled for October 18, 2022 at 2:00 p.m.

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

Mr. Malmberg stated that permits are anticipated in October from the Southwest Florida Water Management District (SWFWMD) and the County for review with the governmental agencies for the Phase 1 on-site improvements.

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

- **NEXT MEETING DATE: September 15, 2022 at 11:30 a.m.**

- **QUORUM CHECK**

All Board Members present confirmed their in-person attendance at the September 15, 2022 meeting at which the Public Hearings for the Fiscal Year 2022 and Fiscal Year 2023 budgets and the Rules of Procedure will be held.

TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

THIRTEENTH ORDER OF BUSINESS

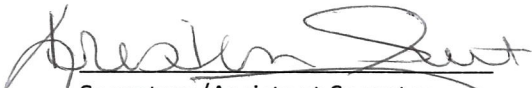
Public Comments

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the meeting adjourned at 11:50 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair