

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

The Board of Supervisors of the Benton Hills Community Development District held a Continued Public Hearing, Multiple Public Hearings and a Regular Meeting on September 15, 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
Meredith Hammock (via telephone)	District Counsel
Brian Malmberg (via telephone)	Interim District Engineer

**THIS MEETING IS BEING HELD IN ABUNDANCE OF CAUTION AND
FOR THE SPECIFIC PURPOSE OF PROVIDING ADDITIONAL NOTICE TO THOSE LANDOWNERS
WHO MAY NOT HAVE RECEIVED THE INITIAL NOTICE OF ASSESSMENTS**

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 11:32 a.m. Supervisors Tomberlin, Torres and Schiffer were present, in person. Supervisors-Elect 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 Supervisors Garth Noble and Chris Babcock
(the following will be provided in a separate package)**

- 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

This item was deferred.

FOURTH ORDER OF BUSINESS

Continued 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

Ms. Suit stated the last meeting was adjourned and not continued as indicated in the agenda.

- *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.
- C. Engineer's Report *(for informational purposes)*
- D. Master Special Assessment Methodology Report *(for informational purposes)*

The Reports were the same as those presented at the last meeting.

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

- *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.

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

- *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.

- 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 Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Board confirmed approval 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, previously adopted on August 22, 2022.

FIFTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-31, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Suit stated that the proposed Fiscal Year 2022 budget was unchanged since last presented. This is a Landowner-funded budget with expenses being funded as incurred.

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 2022-31 and read the title.

On MOTION by Mr. Torres and seconded by Ms. Schiffer, with all in favor, Resolution 2022-31, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Suit reviewed the proposed Fiscal Year 2023 budget, noted increases and decreases compared to the Fiscal Year 2022 budget and explained the reasons for any adjustments. This is a Landowner-funded budget with expenses being funded as incurred.

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

No members of the public spoke.

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

Ms. Suit presented Resolution 2022-32 and read the title.

On MOTION by Mr. Tomberlin and seconded by Ms. Schiffer, with all in favor, Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.35, Florida Statutes

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2022-33, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

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

No members of the public spoke.

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

Ms. Suit presented Resolution 2022-33 and read the title.

On MOTION by Mr. Torres and seconded by Ms. Schiffer, with all in favor, Resolution 2022-33, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-34, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Ms. Suit presented Resolution 2022-34. The following will be inserted into the Fiscal Year 2023 Meeting Schedule:

DATES: Third Thursday on each month

TIME: 11:30 AM

On MOTION by Mr. Tomberlin and seconded by Ms. Schiffer, with all in favor, Resolution 2022-34, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Approval of August 22, 2022 Public Hearings and Regular Meeting Minutes

Ms. Suit presented the August 22, 2022 Public Hearings and Regular Meeting Minutes.

On MOTION by Ms. Schiffer and seconded by Mr. Tomberlin, with all in favor, the August 22, 2022 Public Hearings and Regular Meeting Minutes, as presented, 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*

- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

The next meeting will be on October 20, 2022, unless cancelled.

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. Tomberlin, with all in favor, the meeting adjourned at 11:49 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair