

MINUTES OF MEETING  
CANDLER HILLS EAST  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Candler Hills East Community Development District was held on Tuesday, February 21, 2023 at 9:00 a.m. at the Circle Square Commons, 8395 SW 80<sup>th</sup> Street, Ocala, Florida.

Present and constituting a quorum were:

Elmer Greene  
Robert Scherff  
John Bain  
Larry Garvin

Vice Chairman  
Assistant Secretary  
Assistant Secretary  
Assistant Secretary (*Resigned during meeting*)

Also present were:

George Flint  
Gerald Colen  
Rachel Wagoner  
Brandon Sites  
Boe Stepp  
George Hill

District Manager  
District Counsel  
Colen Wagoner  
Colen Built  
Colen Built  
Appointed as Assistant Secretary

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll. Four Board members were present at the meeting.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: Are there any members of the public who would like to provide comment to the Candler Board? Hearing none,

**THIRD ORDER OF BUSINESS**

**Notice for Meeting**

Mr. Flint: The notice of the meeting is in your agenda. It was advertised in the Ocala Star Banner indicating the annual meetings that are scheduled for the Board.

**FOURTH ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oath of Office to Newly Elected Supervisors**

Mr. Flint: We had the general election last November. Mr. Scherff and Mr. Bain need to be sworn in. Then the seat occupied by Mr. Garvin, because no one qualified for that seat, we will consider that item next. As citizens of the State of Florida and of the United States of America and as officers of the Candler Hills East Community Development District and recipient of public funds as such officer, do you hereby solemnly swear or affirm to support the Constitution of the United States in the State of Florida? If you wouldn't mind signing where it says Board supervisor.

**B. Appointment of Individual to Fulfill Board Vacancy in Seat #4**

Mr. Flint: Seat #4 which is occupied by Mr. Garvin, no one qualified for that seat so you declared the seat vacant. You have the option of reappointing Mr. Garvin to the extent that he is still a qualified elector, you could appoint someone else to that seat or you could take no action and the incumbent would carryover for a period of time. What is the Board's preference?

Mr. Scherff: I would say that as much as Mr. Garvin is leaving, he is really not a candidate and at this point I would like to nominate George C. Hill, Jr. to replace him on the Board. Mr. Hill is present today.

Mr. Garvin: I would like to second that motion.

Mr. Flint: It might be better to have someone other than Mr. Garvin second, just because you have not been sworn back in yet.

Mr. Bain: I will second that.

Mr. Flint: Thank you Mr. Garvin for your service. We will go ahead and swear Mr. Hill in at this point.

On MOTION by Mr. Scherff, seconded by Mr. Bain, with all in favor, Appointment of Mr. George C. Hill Jr. to Fulfill Board Vacancy in Seat #4, was approved.
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**C. Administration of Oath of Office to Newly Appointed Supervisor**

Mr. Flint: Mr. Hill as a citizen of the State of Florida and of the United States of America and as now an officer of the Candler Hills East Community Development District and a recipient of public funds in such office. Do you hereby solemnly swear or affirm to support the Constitution of the United States in the State of Florida?

Mr. Hill: I do.

Mr. Flint: If you would print your name here and sign where it says Board supervisor.

**D. Consideration of Resolution 2023-03 Election of Officers**

Mr. Flint: Currently Mr. Moherek is the Chair, Mr. Greene is the Vice Chair, the other three Board Members are Assistant Secretaries, I was the Secretary, Jill Burns Treasurer and Katie Costa Assistant Treasurer. We can take each seat individually or if a Board Member wants to elect a slate of officers, you can handle it in one motion. How would the Board like to proceed?

Mr. Scherff: I make a motion that we keep the officers as they are.

Mr. Flint: With the addition of Mr. Hill as an Assistant Secretary.

Mr. Scherff: Correct.

On MOTION by Mr. Scherff, seconded by Mr. Greene, with all in favor, Resolution 2023-03 Election of Officers as slated above, was approved.

**FIFTH ORDER OF BUSINESS**

**Approval of Minutes of the November 15, 2022 Meeting**

Mr. Flint: Next is approval of the minutes from the November 15<sup>th</sup>, 2022 meeting. Did the Board have any comments or corrections to the minutes?

Mr. Bain: I make a motion that we accept the minutes as provided.

On MOTION by Mr. Bain, seconded by Mr. Scherff, with all in favor, the Minutes of the November 15<sup>th</sup>, 2022 Meeting, were approved as presented.

**SIXTH ORDER OF BUSINESS**

**Review and Acceptance of Draft Fiscal Year 2022 Audit**

Mr. Flint: You have been provided a draft in your agenda. The Board is required to have an annual independent audit performed as a government entity. There are no findings or recommendations that are indicated. If there are any questions, we can discuss those.

Mr. Bain: I think it was a very detailed report. I read it totally all the way through. Turn quickly to page 77, they said that we are all clear.

Mr. Flint: Yes. Is there a motion to accept the audit and authorize it to be transmitted?

On MOTION by Mr. Greene, seconded by Mr. Bain, with all in favor, Acceptance of the Draft Fiscal Year 2022 Audit, was approved.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Proposal from Earthscapes  
for Owl Preserve Washout Repair**

**A. Proposal from Michelle's Home Services (For Comparison)**

Mr. Flint: We are required periodically to have the District Engineer inspect our drainage system and submit a report to the Water Management District indicating any issues that need to be addressed and basically certifying that it is functioning properly. In advance of that inspection and certification, there was a washout area in one of the dry retention ponds that we wanted to make sure was taken care of before the inspection and certification. Back in early December, I authorized this proposal from Earthscapes to do that repair and the repair has since been done and completed. The Engineer has inspected the system and certified that it is functioning properly and that has been accepted by the Water Management District. There was a second proposal for this work that we have provided just for comparison purposes showing you that this work was \$3,637 and the other bid was \$6,800 so this was the low bid. Any questions on the proposal and if not is there a motion to ratify it?

On MOTION by Mr. Scherff, seconded by Mr. Bain, with all in favor, the Proposal from Earthscapes for Owl Preserve Washout Repair, was ratified.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04  
Authorizing the Use of Electronic  
Documents and Signatures**

Mr. Flint: I apologize there was a scrivener's error in here and District Counsel will provide a recommendation to you.

Mr. Colen: I appreciate him saying that but I had the booklet and I missed it too. I think that all that is necessary to approve this resolution is to change the words Bonnet Creek Resort Community Development District and replace it with Candler Hills East Community Development District and then also in the first whereas paragraph change Orange County to Marion County then it can be approved.

Mr. Flint: My apologies as well. This resolution would just allow us to use electronic document signing in lieu of wet signatures for many of the documents including the resolutions, the minutes, the agreements as they can all be signed electronically through DocuSign and this resolution allows that. If there any questions, we can discuss it otherwise I ask for a motion to approve the resolution subject to the amendments indicated by District counsel.

On MOTION by Mr. Greene, seconded by Mr. Scherff, with all in favor, Resolution 2023-04 Authorizing the Use of Electronic Documents and Signatures, was approved as amended.

## **NINTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Flint: Any attorney's reports?

Mr. Colen: I have nothing to report.

#### **B. District Manager**

##### **1. Approval of Check Register**

Mr. Flint: You have the check register from November 7, 2022 through February 13, 2023 that totals \$93,872.58 and then the individual checks are indicated on the attached register. Are there any questions on the check register?

On MOTION by Mr. Bain, seconded by Mr. Greene, with all in favor, the Check Register for \$93,872.58 was approved.

##### **2. Balance Sheet and Income Statement**

Mr. Flint: You also have the unaudited financials through December 31<sup>st</sup>, 2022 and there is no action required on these. If the Board has any questions, we can discuss them. We have collected about \$22,000 of the \$55,000 that we have certified to the tax collector and the general fund and our actual expenses are right on course with our prorated budget in the administrative. We are under on the operations and maintenance. Any questions on the financials?

Mr. Bain: Is that percentage collected by the end of December? Is that typical?

Mr. Flint: Yes, it just depends on the timing of the revenue coming from the tax collector. Normally we do not see it coming in until early December. The tax bills go out on November 1<sup>st</sup> so again I think the collection at this point in February is much higher, but we just start getting that

revenue in December so these financials are through December 31<sup>st</sup>. We historically have not had an issue with collection overall.

### **3. Presentation of Arbitrage Rebate Calculation Report**

Mr. Flint: You have the arbitrage rebate calculation reports for the Series 2016 bonds. This report looks at whether we are earning more interest than we are paying. It is required by the IRS. You can see we have a negative net rebatable arbitrage of \$30,958 so there are no arbitrage issues. Any questions on the report, if not is there a motion we accept it?

On **MOTION** by Mr. Greene, seconded by Mr. Bain, with all in favor, the Arbitrage Rebate Calculation Report, was approved.

#### **TENTH ORDER OF BUSINESS**

#### **Other Business**

Mr. Flint: Was there any other business? Hearing none.

#### **ELEVENTH ORDER OF BUSINESS**

#### **Supervisors Requests**

Mr. Flint: Supervisors Requests? Hearing none.

#### **TWELFTH ORDER OF BUSINESS**


#### **Adjournment**

The meeting was adjourned.

On **MOTION** by Mr. Scherff, seconded by Mr. Bain, with all in favor, the meeting adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman