

**MINUTES OF MEETING
LAKE DEER
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lake Deer Community Development District was held Tuesday, **June 7, 2022** at 2:16 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairperson
Patrick Marone	Assistant Secretary (<i>resigned and left meeting</i>)

Also present were:

Tricia Adams	District Manager, GMS
Roy Van Wyk	KE Law Group
Molly Banfield	Dewberry
Steven Figari	JMS Homes
Daniel Arnette	Appointed as Supervisor
Chuck Cavaretta	Appointed as Supervisor

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called the roll. Three Board members were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams stated that no members of the public were in attendance or on Zoom and they closed the public comment period.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Acceptance of Resignation from Justin Frye

Ms. Adams addressed Mr. Heath stating that they do have organizational matters to attend to related to the acceptance of the resignation from Justin Frye.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Accepting the Resignation from Justin Frye, was approved.

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B. Appointment to Fill the Vacant Board Seat

Ms. Adams asked the Board if they would like to consider an appointment to the vacant seat or would they want to defer this matter to a later meeting. Mr. Marone nominated Daniel Arnette to fill the vacant Board seat.

On MOTION by Mr. Marone, seconded by Mr. Heath, with all in favor, Appointing Daniel Arnette to the Board of Supervisors, was approved.

C. Administration of Oath to Newly Appointed Supervisor

Ms. Adams stated that Mr. Arnette was not in attendance today, so they would defer the administration of the oath to a later time.

D. Consideration of Resolution 2022-05 Appointing Assistant Secretary

Ms. Adams asked if the Board members would like to also defer the appointment as Assistant Secretary until Mr. Arnette takes his oath of office. She noted that they could defer that to the next meeting. The Board agreed to defer this item to a later time.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the May 3, 2022 Board of Supervisors Meeting

Ms. Adams presented the minutes of the May 3, 2022 Board of Supervisors meeting and asked for any comments or corrections from the Board. There being no changes, there was a motion of approval.

On MOTION by Ms. Schwenk, seconded by Mr. Marone with all in favor, the Minutes of the May 3, 2022 Board of Supervisors, were approved.

FIFTH ORDER OF BUSINESS

Consideration of Series 2022 Developer's Agreements and Notice of Special Assessments (to be provided under separate cover)

Ms. Adams addressed Mr. Van Wyk about presenting these agreements to the Board. Mr. Van Wyk stated that they were all familiar with these different agreements that they were going

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to have to approve prior to their closing on the bonds. He stated that these would be part of those agreements that were required under the indenture and as part of the sale.

A. Completion Agreement

Mr. Van Wyk stated this agreement was between the District and the developer regarding the completion of the improvements not funded by the proceeds of the bonds that they were about to issue.

B. Acquisition Agreement

Mr. Van Wyk stated that this Acquisition Agreement was the process and procedures by which the District would acquire product and real property from the developer.

C. True-Up Agreement

Mr. Van Wyk stated that this True-Up Agreement would in the event that the number of units developed was less than the anticipated number of units that were set forth in their assessment methodology that there would be a true-up payment made by the developer to keep the assessments level across the number and types of products that were ultimately built within the District.

D. Collateral Assignment Agreement

Mr. Van Wyk stated that this Collateral Assignment Agreement was an agreement between the District and the developer that requires that in the event that there is a default on the payment of the special assessments, the collateral that the developer agrees to assign to the District its rights and privileges under any development orders that it has so that the District can complete the improvements as set forth in the engineer's report.

E. Declaration of Consent

Mr. Van Wyk stated that this was an acknowledgment and consent by the developer and landowner that they agree to pay the assessments and that they were not going to challenge the assessments. The assessments were lawfully imposed against the property.

F. Notice of Special Assessments

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Mr. Van Wyk stated that as soon as they issue the bonds, then they would record this notice of special assessments, so that the purchasers of the land would have notice that there are assessments on the property and the amount of those assessments.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Series 2022 Developer’s Agreements and Notice of Special Assessments., was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2022-06
Supplemental Assessment Resolution (to be
provided under separate cover)**

Ms. Adams presented this order of business and Mr. Van Wyk responded that they had not gotten their numbers, so they had not issued anything yet. He noted that they were going to table this item. Ms. Adams stated that they would defer this until a future meeting.

SEVENTH ORDER OF BUSINESS

**Consideration of Draft Fiscal Year 2021 Audit
Report**

Ms. Adams stated that they do have presentation of the draft Fiscal Year 2021 audit for Board members included in their agenda packet and it was a draft of the audit. She noted that this was for an abbreviated fiscal year from June 15, 2021 to September 30, 2021. She stated that this was provided by Grau with their audit agreement. Special Districts are required to file an audit with the state of Florida by June 30th of each year. In the letter to management it does have an auditor’s report. There were no exceptions or no qualifications. It was asserted as a fair representation of the financial position of the District. There were no findings, no recommendations, and no financial emergency conditions, so it was a clean audit. The draft fiscal audit is subject to staff review and finalization.

Ms. Adams asked Mr. Van Wyk if he had any comments regarding the audit. Mr. Van Wyk responded that he had reviewed the audit and didn’t have any other comments to make on it.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Draft Fiscal Year 2021 Audit Report, was approved.

**Daniel Arnette joined the meeting at this time.*

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Ms. Adams stated that Mr. Arnette was appointed as a Board member for Lake Deer Community Development District. She stated that she would administer the oath so that he could participate in the Board's actions. Ms. Adams swore Mr. Arnette into office. She stated that he was now officially on the Board and all future Board actions would include the participation of Supervisor Daniel Arnette.

Ms. Adams stated that they had a verbal resignation from Patrick Marone effective immediately, which they would follow up with a written resignation.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Accepting Resignation of Patrick Marone, was approved.

Chuck Cavaretta was nominated to fill the vacant seat. Ms. Adams swore in Mr. Cavaretta into office. She stated that Mr. Cavaretta would now participate in any future actions for this meeting. She noted that they do have four Board members in attendance.

Mr. Van Wyk asked if they could get the Board to reconsider the tabling of the previous resolution appointing Assistant Secretaries. Ms. Adams addressed the Board members with Resolution 2022-05 appointing Assistant Secretaries to the Board of Supervisors. She noted that their recommendation was to keep the existing slate of officers as Chairman and Vice Chairman and to appoint Chuck Cavaretta and Daniel Arnette as Assistant Secretaries.

Ms. Adams stated that Supervisor Heath is currently serving as Chair, Ms. Schwenk is currently serving as Vice Chairperson and the remaining Board member Andrew Rhinehart serves as Assistant Secretary. She stated that Resolution 2022-05 would appoint Chuck Cavaretta and Daniel Arnette as Assistant Secretaries to the Board of Supervisors.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2022-05 Appointing Daniel Arnette and Chuck Cavaretta as Assistant Secretary and the remaining Supervisors as slated above, was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated that he did not have anything further to report.

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B. Engineer

Ms. Banfield stated that the District is exempt from the stormwater needs analysis report. She noted that they do have a draft letter stating that the District is exempt and why. She also noted that was what they would be submitting to the county on June 30th.

C. District Manager’s Report

i. Ratification of Fiscal Year 2022 Funding Request #4

Ms. Adams stated that this was a funding request of \$20,000 for the operations and maintenance fund that was processed on May 10th.

On MOTION by Mr. Heath, seconded by Mr. Cavaretta, with all in favor, the Fiscal Year 2022 Funding Request #4, was ratified.

ii. Balance Sheet & Income Statement

iii. Reminder to Board to File Form 1’s with the Supervisor of Elections in the County that They Reside by The July 1, 2022 Deadline (by mail or e-mail)

Ms. Adams addressed the new Board members stating that if they were not serving on any other Boards, she would provide Form 1 to them as well as some other paperwork in order to process things through the District management offices. All Board members are required to file Form 1 by July 1st each calendar year. She reminded Board members because if they are late on filing, eventually there is a filing fee that is imposed. She stated they file in the county where they reside. She noted that it was once a year and that this was a reminder for everyone, and new Board members have 30 days to file. She also stated that for Board members that were no longer serving on the Board, there was also a form to file to take them off.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

Ms. Adams adjourned the meeting.

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On MOTION by Mr. Cavaretta, seconded by Mr. Heath, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman