

**MINUTES OF MEETING
HARMONY ON LAKE ELOISE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Harmony on Lake Eloise Community Development District held Public Hearings and a Regular Meeting on September 13, 2023 at 9:30 a.m., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808.

Present at the meeting were:

William (Bill) Fife	Chair
Mary Moulton	Vice Chair
John (JC) Nowotny	Assistant Secretary

Also present were:

Andrew Kantarzhi	District Manager
Cindy Cerbone (via telephone)	Wrathell Hunt and Associates LLC
Jere Earlywine (via telephone)	District Counsel
Shelley Kaercher	Supervisor-Appointee

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 9:32 a.m.

Supervisors Moulton, Fife, and Nowotny were present. Supervisor Tyree was not present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of Appointment to Fill
Unexpired Term of Seat 4; Term Expires
November 2024**

Mr. Fife nominated Ms. Shelley Kaercher to fill Seat 4.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the appointment of Ms. Shelley Kaercher to Seat 4, was approved.

- **Administration of Oath of Office to Appointed Supervisor (the following to be provided in a separate package)**

Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Kaercher. Form 1 and filing instructions will be provided to Ms. Kaercher. Mr. Earlywine briefly reviewed the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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**
- D. Form 8B – Memorandum of Voting Conflict**

Ms. Cerbone suggested Ms. Kaercher execute Form 8B. Mr. Kantarzhi stated that Ms. Kaercher will complete and execute Form 8B and it will be kept on file at Management’s office.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2023-06.

Mr. Fife nominated the following slate:

William (Bill) Fife	Chair
Mary Moulton	Vice Chair
Chris Tyree	Assistant Secretary
John (JC) Nowotny	Assistant Secretary
Shelley Kaercher	Assistant Secretary
Cindy Cerbone	Assistant Secretary

Andrew Kantarzhi

Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, Resolution 2023-06, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-11, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Kantarzhi presented Resolution 2023-11.

Mr. Kantarzhi recalled that, when adoption of the Fiscal Year 2023/2024 budget was addressed at the last meeting, there was an issue in the revenue section, which has since been corrected. He pointed out the revision being presented today.

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

No members of the public spoke.

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

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, Resolution 2023-11, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owner(s)**
- C. Consideration of Resolution 2023-08, Providing for Funding for the Fiscal Year 2023/2024 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Kantarzhi presented Resolution 2023-08. This Resolution levies and imposes the operations and maintenance (O&M) assessments and sets forth the means of collecting those assessments.

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

No members of the public spoke.

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

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, Resolution 2023-08, Providing for Funding for the Fiscal Year 2023/2024 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred.

EIGHTH ORDER OF BUSINESS

Consideration of Landscape Maintenance Agreement Between Polk County and the District

Mr. Earlywine presented the Landscape Maintenance Agreement Between Polk County and the District.

It was noted that the Agreement in the agenda packet is incorrect, as it lists Mr. Tyree as Chair and Mr. Fife as Vice Chair. Mr. Earlywine stated the change listing Mr. Fife as Chair and Ms. Moulton as Vice Chair will be made and suggested approval in substantial form.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Landscape Maintenance Agreement Between Polk County and the District, in substantial form, was approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2023

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, the Unaudited Financial Statements as of July 31, 2023, were accepted.

TENTH ORDER OF BUSINESS

Approval of August 9, 2023 Public Hearings and Regular Meeting Minutes

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, the August 9, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Kutak Rock LLP
- B. District Engineer: Dewberry Engineers, Inc.
- C. Field Operations: Leland Management Inc.

There were no District Counsel, District Engineer or Field Operations reports

D. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: October 11, 2023 at 9:30 AM, immediately following the adjournment of the Fox Branch Ranch CDD meeting, scheduled to commence at 9:30 AM**
 - **QUORUM CHECK**

The October 11, 2023 meeting will likely be cancelled. Mr. Kantarzhi will check with the Board Members and District Counsel a few weeks prior to the meeting to confirm.

In response to Mr. Earlywine’s question regarding the next phase of development, Mr. Fife stated Harmony on Lake Eloise Phase 2 recently commenced civil construction and lots must be delivered in April 2024. Regarding the status of the other CDDs, Mr. Fife stated Hawthorne Mill North CDD Phase 1 is in the closeout phase with the City and County. It is anticipated that the plat recording will be received later today. Lots for home construction will be delivered to builders at the end of the month. Earthwork is underway in Phase 2 and Fox Branch Ranch CDD has not yet commenced.

Discussion ensued regarding the boundary amendment for Hawthorne Mill North CDD, and Harmony West CDD.

TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests

Mr. Kantarzhi stated there was a suggestion to switch to using tablets instead of hardcopy agendas. The Board consensus was to switch to tablets.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, the meeting adjourned at 9:52 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair