

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

The Board of Supervisors of the Lowery Hills Community Development District held a Regular Meeting on April 3, 2024, at 1:30 p.m., at the Lake Alfred Public Library, 245 N Seminole Avenue, Lake Alfred, Florida 33850.

Present at the meeting were:

Candice Bain
Troy Simpson
Gregory Meath

Chair
Assistant Secretary
Assistant Secretary

Also present:

Ernesto Torres
Jere Earlywine (via telephone)
Bennett Davenport (via telephone)
Baron Woodard
Owen Budorick
Bill Fife

District Manager
District Counsel
Kutak Rock LLP
Supervisor-appointee
Supervisor-appointee
Supervisor-appointee

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 1:34 p.m. Supervisors Bain, Simpson and Meath were present. Two seats were vacant.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2024-16,
Declaring a Vacancy in Seat 2 on the Board
of Supervisors; and Providing an Effective
Date**

Mr. Torres presented Resolution 2024-16.

On MOTION by Ms. Bain and seconded by Mr. Simpson, with all in favor, Resolution 2024-16, Declaring a Vacancy in Seat 2 on the Board of Supervisors; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consider Appointment of Bill Fife to Fill Unexpired Term of Seat 2; Term Expires November 2027

Ms. Bain nominated Mr. Bill Fife to fill Seat 2. No other nominations were made.

On MOTION by Ms. Bain and seconded by Mr. Simpson, with all in favor, the appointment of Mr. Bill Fife to Seat 2, was approved.

- **Administration of Oath of Office (the following will also be provided in a separate package)**

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Bill Fife and provided him with a new Supervisor packet.

Mr. Earlywine and Mr. Davenport discussed the following items:

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FIFTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 3; Term Expires November 2025

Mr. Fife nominated Mr. Owen Budorick to fill Seat 3. No other nominations were made.

On MOTION by Mr. Fife and seconded by Ms. Bain, with all in favor, the appointment of Mr. Owen Budorick to Seat 3, was approved.

- **Administration of Oath of Office to Appointed Supervisor**

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Owen Budorick and provided him with a new Supervisor packet.

- **Acceptance of Verbal Resignations: Troy Simpson (Seat 4) and Greg Meath (Seat 5)**

This item was an addition to the agenda.

Mr. Meath and Mr. Simpson tendered their resignations from the Board.

Mr. Torres stated Management will follow up with a resignation form.

On MOTION by Mr. Simpson and seconded by Mr. Fife, with all in favor, the resignation of Mr. Greg Meath from Seat 5, was accepted.

On MOTION by Ms. Bain and seconded by Mr. Budorick, with all in favor, the resignation of Mr. Troy Simpson from Seat 4, was accepted.

- **Consider Appointment to Fill Unexpired Term of Seat 4**

This item was an addition to the agenda.

Ms. Bain nominated Mr. Baron Woodard to fill Seat 4. No other nominations were made.

On MOTION by Ms. Bain and seconded by Mr. Fife, with all in favor, the appointment of Mr. Baron Woodard to Seat 4, was approved.

- **Administration of Oath of Office to Appointed Supervisor**

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Baron Woodard, and provided him with a new Supervisor packet.

Appointment to fill Seat 5 was deferred.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-17, Appointing and Removing Officers of the District and Providing for an Effective Date

Mr. Torres presented Resolution 2024-17. Ms. Bain nominated the following slate:

Chair

Bill Fife

Vice Chair	Owen Budorick
Assistant Secretary	Candice Bain
Assistant Secretary	Baron Woodard

No other nominations were made.

The Resolution removes the following from the Board:

Vice Chair	Alexjandro "Alex" Azan
Assistant Secretary	Gregory Meath
Assistant Secretary	Troy Simpson

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

On MOTION by Ms. Bain and seconded by Mr. Fife, with all in favor, Resolution 2024-17, Appointing, as nominated, and Removing Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-18, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Torres presented Resolution 2024-18. He reviewed the proposed Fiscal Year 2025 budget, which is a professional and administrative type of budget.

Ms. Bain stated the budget must be reconsidered because the development cycle will continue into Fiscal Year 2025 and several field maintenance items will come online.

Mr. Torres stated Staff can insert an amount of the anticipated costs and confirm it in 60 days.

Discussion ensued regarding common area landscaping items, the Landowner contribution amount of \$96,873, the ponds, amenity completion timing, a deficit funding

agreement, estoppel letter process, how much to apportion for Field Ops and potential public hearing dates.

The following change was made to the proposed Fiscal Year 2025 budget:

Page 1: Increase "Revenues" from \$96,873 to \$250,000

On MOTION by Mr. Fife and seconded by Mr. Woodard, with all in favor, Resolution 2024-18, Approving a Proposed Budget for Fiscal Year 2024/2025, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for July 10, 2024 at 11:00 a.m., at the Lake Alfred Public Library, 245 N Seminole Avenue, Lake Alfred, Florida 33850; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-19, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, *Florida Statutes*; Providing for Severability; and Providing an Effective Date

Mr. Torres presented Resolution 2024-19.

On MOTION by Mr. Fife and seconded by Mr. Woodard, with all in favor, Resolution 2024-19, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, *Florida Statutes*; Providing for Severability; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2024-20, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Remainder of Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Torres presented Resolution 2024-20.

Discussion ensued regarding the Fiscal Year 2024 Meeting Calendar.

The following changes were made to the meeting calendar:

April 10, 2024: Cancel

May 15, 2024 at 1:30 p.m.: Retain

June 12, 2024 and September 11, 2024: Change 1:30 p.m. to 5:00 p.m.

July 10, 2024: Change Regular Meeting at 1:30 p.m. to Public Hearing and Regular Meeting at 11:00 a.m.

August 14, 2024: Change 1:30 p.m. to 11:00 a.m.

On MOTION by Mr. Fife and seconded by Ms. Bain, with all in favor, Resolution 2024-20, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Remainder of Fiscal Year 2023/2024, as amended, and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2024-21, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

This item was tabled.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-13, Designating the Location of the Local District Records Office and Providing an Effective Date

This item was tabled.

TWELFTH ORDER OF BUSINESS

Consideration of Assignment of Petitioner's Agreement

Mr. Torres presented the Assignment of Petitioner's Agreement.

Ms. Bain asked if the document is for ratification. Mr. Torres replied affirmatively.

On MOTION by Ms. Bain and seconded by Mr. Budorick, with all in favor, the Assignment of Petitioner's Agreement, was ratified.

THIRTEENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of February 29, 2024**

On MOTION by Ms. Bain and seconded by Budorick, with all in favor, the Unaudited Financial Statements as of February 29, 2024, were accepted.

FOURTEENTH ORDER OF BUSINESS

**Approval of December 13, 2023 Public
Hearings and Regular Meeting Minutes**

On MOTION by Mr. Budorick and seconded by Mr. Woodard, with all in favor, the December 13, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Kutak Rock, LLP**
- B. District Engineer (Interim): Stephens Barrios Engineering**
There were no District Counsel or District Engineer Reports.
- C. District Manager: Wrathell, Hunt and Associates, LLC**
 - NEXT MEETING DATE: TBD**
 - QUORUM CHECK**

Supervisors Bain, Budorick and Woodard confirmed their attendance at the May 15, 2024 meeting, to be held at 1:30 p.m.

SIXTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SEVENTEENTH ORDER OF BUSINESS

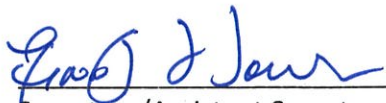
Public Comments

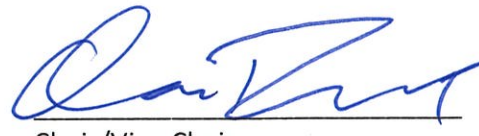
There were no public comments.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Fife and seconded by Mr. Budorick, with all in favor, the meeting adjourned at 2:35p.m.


Secretary/Assistant Secretary


Chair/Vice Chair