MINUTES OF MEETING
HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on September 19, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

Shelley Kaercher	Chair
Chris Tyree	Vice Chair
Roger Van Auker	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas	Wrathell, Hunt and Associates, LLC
Clif Fischer	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Mark Hills	Field Operations Manager
Robyn Bronson	Forestar

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mr. Rom called the meeting to order at 10:33 a.m. Supervisors Kaercher, Tyree and Van Auker were present. Supervisor Williams was not present. One seat was vacant.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Acceptance of Resignation of Ayden Williams (Seat 3); Term Expires November 2024**

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, the resignation of Mr. Ayden Williams from Seat 3, was accepted.

FOURTH ORDER OF BUSINESS **Consider Appointment to Fill Unexpired Term of Seat 3**

Mr. Tyree nominated Robyn Bronson to fill Seat 3. No other nominations were made.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, the appointment of Ms. Robyn Bronson to fill Seat 3, was approved.

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

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Robyn Bronson. Ms. Bronson is already familiar with the following:

A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1

B. Membership, Obligations and Responsibilities

C. Guide to Sunshine Amendment and Cost 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 **Consideration of Resolution 2024-10, Electing and Removing Officers of the District and Providing for an Effective Date**

Mr. Rom presented Resolution 2024-10. Mr. Tyree nominated the following:

Shelley Kaercher	Chair
Chris Tyree	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
Kristen Thomas	Assistant Secretary

No other nominations were made. This Resolution removes the following:

Ayden Williams	Assistant Secretary

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Daniel Rom	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-10, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS **Consideration of Fiscal Year 2025 Deficit Funding Agreement**

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, the Fiscal Year 2025 Deficit Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS **Consideration of Irrigation Ownership**

A. Bills of Sale and Limited Assignment [Irrigation Improvements]

I. Forestar (USA) Real Estate Group Inc.

The following change was made:

Remove verbiage related to “Harmony West Townhomes Homeowners Association, Inc.” and “Townhomes Association”

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Bill of Sale and Limited Assignment, as amended, and authorizing the Chair to review and execute, was approved.

Discussion ensued about the tracts, utilities, the irrigation system that runs throughout the tracts, ownership of the irrigation system by the HOA and maintenance responsibilities.

II. DHIR – Orlando East I LLC

B. Non-Exclusive Perpetual Utility Easement (Irrigation)

I. Forestar (USA) Real Estate Group Inc.

II. DHIR – Orlando East I LLC

The consensus was to table Items 7A and 7B, pending further review.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, rescinding the motion approving the Bill of Sale and Limited Assignment, as amended, and authorizing the Chair to review and execute, was approved.

EIGHTH ORDER OF BUSINESS **Consideration of ERP Permit Modifications**

A. Villages at Harmony Phase 2 Boulevard, Phase 2A and Phase 2B

B. Villages at Harmony Phase 2C and Phase 2D

On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, the ERP Permit Modifications for Villages at Harmony Phase 2 Boulevard, Phase 2A and Phase 2B; and for Villages at Harmony Phase 2C and Phase 2D, were approved.

NINTH ORDER OF BUSINESS **Consideration of Resolution 2024-11, Amending Resolution 2023-13 and Declaring the District's Intent to Accept Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System and Conservation Areas Within the District**

A. Letter to South Florida Water Management District Regarding the Villages at Harmony Phase 2G & 2H Operating Entity Responsibilities Permit No 49-107702/App No. 240510-43777

On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, Resolution 2024-11, Amending Resolution 2023-13 and Declaring the District's Intent to Accept Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System and Conservation Areas Within the District, was adopted.

TENTH ORDER OF BUSINESS **Consideration of Resolution 2024-12, to Designate Date, Time and Place of a Public Hearing to Consider a Lake and Trespass Rule; Providing for Interim Use and Enforcement; Authorizing Publication; and Providing an Effective Date**

A. Sample Notices of Rule Development and Rulemaking

Mr. Rom presented Resolution 2024-12.

Mr. Earlywine stated the Rules provide for prohibition of swimming and boating; catch and release fishing is permitted from sunrise to sunset.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-12, to Designate November 21, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744, as the Date, Time and Place for a Public Hearing to Consider a Lake and

Trespass Rule; Providing for Interim Use and Enforcement; Authorizing Publication; and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS **Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]**

Mr. Rom presented the Memorandum detailing this new requirement and explained that newly adopted legislation requires special districts to establish goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives, publish an annual report on its website detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved. District Management and District Counsel collaborated on identifying Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability as the key categories to focus on for Fiscal Year 2025. He presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD and explained how the CDD will meet the goals.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

TWELFTH ORDER OF BUSINESS **Consideration of Straightline Fence Pond Fencing Proposal**

Mr. Rom presented the Straightline Fence Pond Fencing Proposal, to remedy previously discussed resident complaints about trespassing near ponds, cars parking in the street and parties on Buck Lake. Mr. Hills stated the gate will allow landscapers to access property for maintenance, while preventing access to trespassing vehicles. He requested that the quote include both residential and commercial fencing, which is more resistant to damage.

Mr. Tyree left the meeting at 11:00 a.m.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Straightline Fence Pond Fencing Proposal for commercial fencing, in the amount of $14,000, was approved.

THIRTEENTH ORDER OF BUSINESS **Ratification Items**

A. Allsmiths Services Estimates

Mr. Rom and Mr. Hills presented the Allsmiths Services Estimates.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Allsmiths Services Estimates, as presented, were ratified.

B. Conservation Covenant

Mr. Earlywine presented the Conservation Covenant, which is a precautionary document meant to ensure that these areas are treated as conservation areas for tax purposes.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Conservation Covenant and execution and recording of it, were ratified.

FOURTEENTH ORDER OF BUSINESS **Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Berger, Toombs, Elam, Gaines & Frank (to potentially be provided under separate cover)**

A. Consideration of Resolution 2024-09, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023

This item was deferred.

FIFTEENTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of July 31, 2024**

On MOTION by Ms. Bronson and seconded by Ms. Kaercher, with all in favor, the Unaudited Financial Statements as of July 31, 2024, were accepted.

SIXTEENTH ORDER OF BUSINESS **Approval of July 18, 2024 Public Hearings and Regular Meeting Minutes**

The following change was made:

Line 23: Change “Resident” to “Forestar”

On MOTION by Ms. Bronson and seconded by Ms. Kaercher, with all in favor, the July 18, 2024 Public Hearings and Regular Meeting Minutes, as amended, were approved.

SEVENTEENTH ORDER OF BUSINESS Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Earlywine estimated that the next bonds will be issued in January 2025.

B. District Engineer: Poulos & Bennett, LLC

There was no report.

C. Field Operations Manager: Association Solutions of Central Florida, Inc.

Mr. Hills reported the following:

➢ Three areas of fencing were repaired.

➢ All signs were cleaned and/or painted over the last few weeks and look really good.

➢ Landscaping looks very good, apart from a few issues related to copious amounts of rain.

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

- **NEXT MEETING DATE: October 17, 2024 at 10:30 AM**
  - **QUORUM CHECK**

The next meeting will be held on October 17, 2024, unless canceled.

EIGHTEENTH ORDER OF BUSINESS Board Members' Comments/Requests

There were no Board Members' comments or requests.

NINETEENTH ORDER OF BUSINESS Public Comment

No members of the public spoke.

TWENTIETH ORDER OF BUSINESS Adjournment

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the meeting adjourned at 11:07 a.m.

Shelley Kaercher

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Secretary/Assistant Secretary

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Chair/Vice Chair