

**MINUTES OF MEETING
SOUTHERN HILLS PLANTATION III
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Southern Hills Plantation III Community Development District held a Regular Meeting on November 14, 2022, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 10:00 AM, at the Southern Hills Plantation Clubhouse, located at 4200 Summit View Drive, Brooksville, Florida 34601.

Present at the meeting were:

Ellen Johnson	Assistant Secretary
Margaret Bloomquist	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Lauren Gentry	District Counsel
Jennifer Kilinski	KE Law Group, PLLC
Burt Bennett	District Engineer
Jim McGowan	Supervisor-elect
Bruce Noble	Supervisor-elect

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:03 a.m.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors [SEATS 1, 2 & 3]

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Jim McGowan, Mr. Bruce Noble and Ms. Ellen Johnson.

Supervisors Bloomquist, Johnson and Supervisors-elect McGowan and Noble were present in person. Supervisor Miars was not present.

Having served on other CDD Boards, the new Supervisors were familiar with the following:

- 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**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date

Mr. Adams presented Resolution 2023-01 and recapped the results of the Landowners’ Election, as follows:

Seat 1	Jim McGowan	183 votes	4-year-Term
Seat 2	Bruce Noble	183 votes	4-year-Term
Seat 3	Ellen Johnson	182 votes	2-year-Term

On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, Resolution 2023-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Southern Hills Plantation III Community

Development District, and Providing for an Effective Date

Mr. Adams presented Resolution 2023-02. Ms. Johnson nominated the following slate of officers:

Jim McGowan	Chair
Bruce Noble	Vice Chair
Chesley (Chuck) E. Adams, Jr.	Secretary
Ellen Johnson	Assistant Secretary
Margaret Bloomquist	Assistant Secretary
Grady Miars	Assistant Secretary
Craig Wrathell	Assistant Secretary

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Ms. Johnson and seconded by Mr. McGowan, with all in favor, Resolution 2023-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Southern Hills Plantation III Community Development District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2021, Prepared by Berger, Toombs, Elam, Gaines and Frank

Mr. Adams presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021

Mr. Adams presented Resolution 2023-03.

On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, Resolution 2023-03, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.

EIGHTH ORDER OF BUSINESS

Discussion: Reschedule Joint Meeting with Southern Hills Plantation I CDD and Southern Hills Plantation II CDD

Ms. Gentry provided the following update:

- The Proposed Settlement Agreement and Interlocal Agreement were emailed to the Board under separate cover.
- Staff has not heard back from Counsel for Southern Hills Plantation II CDD regarding the Interlocal Agreement but hoped to receive a response in the coming week.
- She recommended rescheduling the joint meeting to November 29, 2022 and authorizing Staff to commence litigation on December 1, 2022 if a settlement cannot be reached.

On MOTION by Ms. Bloomquist and seconded by Ms. Johnson, with all in favor, rescheduling the Joint Meeting with Southern Hills Plantation I CDD and Southern Hills Plantation II CDD to November 29, 2022, was approved.

Ms. Gentry reiterated that, in the event an acceptable agreement cannot be reached, she recommended authorizing District Counsel to file litigation on December 1, 2022.

Asked about the CDD's position regarding the Agreement, Ms. Gentry stated SHPIII would just be signing on to the maintenance funding that was already agreed to. Asked which entity is pursuing the lawsuit, Mr. Adams stated the lawsuit would be initiated by SHPI and SHPIII previously agreed to a payment plan and became mired in arrears, as outlined; however, SHPIII has since become current. SHPIII is involved in the suit because it is a party to the Interlocal Agreement that is in dispute.

On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, authorizing District Counsel to file litigation on December 1, 2022 if a suitable agreement cannot be reached on November 29, 2022, was approved.

NINTH ORDER OF BUSINESS

Consideration of Interlocal Agreement Between Southern Hills Plantation I Community Development District, Southern Hills Plantation II Community Development District and Southern Hills Plantation III Community Development District *(to be provided under separate cover)*

Mr. Adams noted an error in the above title. The following change would be made:

Change "Interlocal" to "Proposed Settlement"

Ms. Bloomquist asked if the Committee that is being recommended was made aware that they have no voting rights, cannot make decisions and can only provide recommendations or changes to the landscaping on the Boulevard. Ms. Gentry stated the Committee must report back to the Board otherwise, as a decision-making entity, they will be subject to the Sunshine Law.

Regarding how the votes will work, Mr. Adams stated a majority vote will be needed to make the recommendations and a majority vote of the three CDD Boards is needed to move forward. Staff will make sure the verbiage specifies that majority votes are needed; thus, two of the three Committee members are needed to make a recommendation back to the Boards and all three Boards must vote in the affirmative on any recommendation.

Ms. Bloomquist asked which CDD will pay the Attorney fees. Ms. Gentry stated she will have Ms. Kilinski check the cost-share agreement and notify the Board.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2022.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of September 12, 2022 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the September 12, 2022 Public Hearing and Regular Meeting Minutes.

On MOTION by Ms. Bloomquist and seconded by Ms. Johnson, with all in favor, the September 12, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Other Business

There was no other business.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC*

Ms. Gentry stated Ms. Kilinski is calling in to provide information regarding the role of SHPIII in the joint meeting, potential litigation and majority approval process of the Boards.

Ms. Kilinski reported the following:

- Regarding litigation, Staff hopes all three Boards will meet on November 29, 2022, review the Proposed Settlement Agreement together and reach a consensus regarding repayment captures, ongoing payments and annual maintenance installations.
- If SHPIII is comfortable not being a party to some of those discussions, the current structure is any change in maintenance must come back to the three Boards because SHPIII is committing to a certain percentage of the ongoing maintenance obligation.
- The idea of the joint meeting is for everyone to have a say in a joint discussion as it relates to maintenance on the Boulevard.

Ms. Bloomquist asked if SHPIII needs to approve the draft of the Interlocal Agreement that went to SHPII. Ms. Kilinski replied affirmatively.

Discussion ensued regarding edits to the Agreement and who will make the final decision to proceed with litigation.

B. District Engineer: *Coastal Engineering Associates, Inc.*

There was no report.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: December 12, 2022 at 10:00 A.M**
 - **QUORUM CHECK**

The next meeting would be held on December 12, 2022.

FOURTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

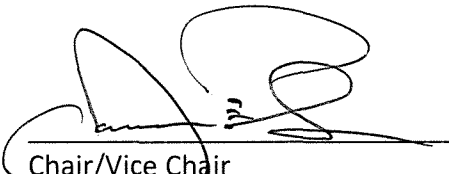
FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. McGowan and seconded by Ms. Bloomquist, with all in favor, the meeting adjourned at 10:35 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair