

**MINUTES OF MEETING  
EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Evergreen Community Development District held Multiple Public Hearings and a Regular Meeting on August 5, 2022 at 11:00 a.m., at the office of ZNS Engineering, 1023 Manatee Avenue W, Bradenton, Florida 34208 (7<sup>th</sup> Floor).

**Present were:**

Ryan Zook	Chair
Hal Lutz	Assistant Secretary
Greg Mundell	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Tucker Mackie (via telephone)	District Counsel
Brian Janek	D.R. Horton

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:35 a.m.

Supervisors Zook, Lutz and Mundell were present, in person. Supervisors Snyder and Mize were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor  
Anne Mize, SEAT 2 (*Term Expires  
November 2022*)**

Mr. Rom presented Ms. Anne Mize's resignation.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the resignation of Ms. Anne Mize from Seat 2, was accepted.**

**FOURTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired Term of Seat 2**

Mr. Lutz nominated Mr. Brian Janek to fill Seat 2. No other nominations were made.

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, appointment of Mr. Brian Janek to fill Seat 2, was approved.**

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

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Janek. He provided and explained the following items:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Chapter 190, Florida Statutes**
- D. **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**
- E. **Form 8B: Memorandum of Voting Conflict**

**FIFTH ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor John Snyder, SEAT 3 (*Term Expires November 2022*)**

Mr. Rom presented Mr. John Snyder's resignation.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the resignation of Mr. John Snyder from Seat 3, was accepted.**

**SIXTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired Term of Seat 3**

Mr. Lutz nominated Mr. Nicolas Aparicio to fill Seat 3. No other nominations were made.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, appointment of Mr. Nicolas Aparicio to fill Seat 3, was approved.**

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

As Mr. Aparicio was not present, the Oath of Office will be administered at another time.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06, Designating Certain Officers of the District, and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-06. Mr. Zook nominated the following slate of officers:

Chair	Ryan Zook
Vice Chair	Nicolas Aparicio
Secretary	Craig Wrathell
Assistant Secretary	Hal Lutz
Assistant Secretary	Greg Mundell
Assistant Secretary	Brian Janek
Assistant Secretary	Daniel Rom

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

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, Resolution 2022-06, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date.**

**EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2022/2023 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Rom reviewed the proposed Fiscal Year 2023 budget.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Public Hearing was closed.**

Mr. Rom presented Resolution 2022-07 and read the title.

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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. Rom presented Resolution 2022-08.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, Resolution 2022-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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.**

**TENTH ORDER OF BUSINESS**

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

Mr. Rom presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021. There were no findings, deficiencies, irregularities or instances of noncompliance; it was a clean audit.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-09, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021**

Mr. Rom presented Resolution 2022-09.

On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, Resolution 2022-09, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.

**TWELFTH ORDER OF BUSINESS**

**Ratification of 20-Year Stormwater Management Need Analysis Report**

Mr. Rom presented the Stormwater Management Need Analysis Report, which was submitted by the June 30, 2022, as required.

On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, the 20-Year Stormwater Management Need Analysis Report, was ratified.

**THIRTEENTH ORDER OF BUSINESS**

**Discussion/Update: Construction Costs and Acquisitions of Infrastructure**

This item was not addressed.

**FOURTEENTH ORDER OF BUSINESS**

**CONSENT AGENDA ITEMS**

Mr. Rom presented the following:

- A. **Acceptance of Unaudited Financial Statements as of June 30, 2022**
- B. **Approval of May 6, 2022 Regular Meeting Minutes**

On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the Consent Agenda Items, as presented, were accepted and approved.

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

- A. **District Counsel: *Kutak Rock LLP***

Ms. Mackie stated that approximately \$330,000 remains in the Construction account and suspected that there are completed improvements that are available for acquisition so that those remaining Construction funds can be drawn down and the Series 2019 Project can be closed out.

**B. District Engineer: *ZNS Engineering, L.C.***

There was no report.

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

- **NEXT MEETING: September 2, 2022 at 11:00 a.m.**
  - **QUORUM CHECK**

The next meeting will be on August 26, 2022, rather than on September 2, 2022.

**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**

<p><b>On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the meeting adjourned at 11:40 a.m.</b></p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair