

**MINUTES OF MEETING  
HAWTHORNE MILL NORTH  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hawthorne Mill North Community Development District held a Public Hearing, Regular Meeting and Audit Committee Meeting on November 8, 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:**

Bill Fife	Chair
Mary Moulton	Vice Chair
John (JC) Nowotny	Assistant Secretary
Shelley Kaercher	Assistant Secretary (appointed at meeting)

**Also present:**

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Nicole Stalder (via telephone)	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Kantarzhi called the meeting to order at 10:53 a.m. Supervisors Fife, Moulton 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 of Shelley Kaercher to Fill Unexpired Term of Seat 4; Term Expires November 2024)**

Mr. Fife nominated Ms. Shelley Kaercher to Seat 4. No other nominations were made.

**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. Shelley Kaercher. Ms. Kaercher is 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 2024-01, Appointing and Removing Officers of the District and Providing for an Effective Date**

Mr. Kantarzhi presented Resolution 2024-01. Mr. Fife nominated the following slate:

Chair	Bill Fife
Vice Chair	Mary Moulton
Assistant Secretary	Chris Tyree
Assistant Secretary	John Nowotny
Assistant Secretary	Shelley Kaercher

No other nominations were made. Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer and Assistant Secretaries Cindy Cerbone and Andrew Kantarzhi remain unaffected by this Resolution.

**On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, Resolution 2024-01, Appointing and Removing Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments**

- A. **Proof/Affidavit of Publication**
- B. **Mailed Notice(s) to Property Owners**

These items were included for informational purposes.

- C. **Consideration of Resolution 2024-02, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; 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 2024-02. Ms. Cerbone stated Operations & Maintenance (O&M) assessments will be assessed retroactively to October 1, 2023; property owners were informed in advance.

**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. Kaercher, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, Resolution 2024-02, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; 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.**

**SIXTH ORDER OF BUSINESS**

**Recess Public Hearing and Regular Meeting/Commencement of Audit Selection Committee Meeting**

The Regular Meeting recessed at 10:58 a.m., and the Audit Selection Committee Meeting convened.

**SEVENTH ORDER OF BUSINESS**

**Review of Response to Request for Proposals (RFP) for Annual Audit Services**

- A. Affidavit of Publication**
- B. RFP Package**

The above items were included for informational purposes.

**C. Respondents**

- I. Berger, Toombs, Elam, Gaines & Frank**
- II. Grau & Associates**

Mr. Kantarzhi stated he and Ms. Cerbone have worked with both respondents and, in their opinion, both are qualified to perform the audit. Given that both firms are well qualified, cost is the factor that sets the firms apart. The proposals are identical to those presented at the Harmony on Lake Eloise CDD and Fox Branch Ranch CDD meetings earlier today.

**D. Auditor Evaluation Matrix/Ranking**

Mr. Kantarzhi stated that Grau is the lowest priced respondent. He presented the District Manager’s scores and rankings of the respondents, as follows:

1.	Grau & Associates	100
2.	Berger, Toombs, Elam, Gaines & Frank	99

**On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, accepting the District Manager’s scores and rankings, was approved.**

**EIGHTH ORDER OF BUSINESS**

**Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting**

The Audit Selection Committee Meeting terminated at 10:59 a.m., and the Regular Meeting reconvened.

**NINTH ORDER OF BUSINESS**

**Consider Recommendation of Audit Selection Committee**

- Award of Contract**

**On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, accepting the scores, rankings and recommendation of the Audit Selection Committee ranking Grau & Associates as the #1 ranked respondent to the RFP for Annual Audit Services and authorizing District Staff to negotiate an agreement with Grau & Associates, was approved.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-03, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; and Providing for an Effective Date**

Mr. Kantarzhi presented Resolution 2024-03 and the amended Fiscal Year 2024 budget change to off-roll assessments and inclusion of the Debt Service budget, beginning on Page 5.

Discussion ensued regarding assigning the Operation & Maintenance (O&M) assessments to the platted lots, in accordance with Florida Statutes. It was noted that, after the adoption of the assessment levy and of the amended Fiscal Year 2024 budget, off-roll invoices can be billed to M.I. Homes and DR Horton for their portion of the debt and O&M assessments.

**On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, Resolution 2024-03, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; and Providing for an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-04, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date**

Mr. Kantarzhi presented Resolution 2024-04 and suggested that only the Primary Administrative Office be designated, at this time. The Resolution will be amended, accordingly.

**On MOTION by Ms. Kaercher and seconded by Mr. Fife, with all in favor, Resolution 2024-04, as amended, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office of the District and Providing an Effective Date, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-05, Designating the Location of the Local**

This item was deferred.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-06, Directing the Chair and District Staff to Request the Passage of an Ordinance by the City Commission of the City of Lakeland, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date**

Mr. Kantarzhi presented Resolution 2024-06. Mr. Earlywine stated the Boundary Amendment will bring the boundary down to the southern edge of the project.

**On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, Resolution 2024-06, Directing the Chair and District Staff to Request the Passage of an Ordinance by the City Commission of the City of Lakeland, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, was adopted.**

**FOURTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of September 30, 2023**

**On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, the Unaudited Financial Statements as of September 30, 2023, were accepted.**

**FIFTEENTH ORDER OF BUSINESS**

**Approval of August 9, 2023 Public Hearing and Regular Meeting Minutes**

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

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Earlywine stated the bond issuance is proceeding on schedule.

▪ **Discussion of August 9, 2023 Public Hearing and Regular Meeting Minutes Resumed**

The following change was made:

Line 97: Change “Cherry Oaks” to “Hawthorne Mill North”

**On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, the August 9, 2023 Public Hearing and Regular Meeting Minutes, as amended, were approved.**

**B. District Engineer: Dewberry Engineers, Inc.**

There was no report.

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

- **NEXT MEETING DATE: December 13, 2023 at 9:30 AM, immediately following the adjournment of the Fox Branch Ranch CDD meeting and Harmony on Lake Eloise CDD meeting, scheduled to commence at 9:30 AM, respectively**

- **QUORUM CHECK**

The next meeting will be December 13, 2023, unless cancelled. Mr. Kantarzhi will check with the Board Members and District Counsel a few weeks prior to the meeting.

**SEVENTEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

Mr. Fife stated there were issues with United Land and, if results are not satisfactory, an RFP might need to be considered in the spring. The contract has a 30-day termination provision.

Mr. Fife stated he met with the Branch Manager on site at the Lake Eloise, Harmony West and Buena Lago CDDs. Ms. Cerbone stated Staff can provide the contracts, if necessary.

**EIGHTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Fife and seconded by Ms. Kaercher, with all in favor, the meeting adjourned at 11:15 a.m.**



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Secretary/Assistant Secretary



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Chair/Vice Chair