

**MINUTES OF MEETING
SILVER OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Silver Oaks Community Development District held a Public Hearing and Special Meeting on March 15, 2023, at 9:00 a.m., at the offices of Culpepper and Terpening, Inc., 2960 South 25th Street, Fort Pierce, Florida 34981.

Present at the meeting were:

Michael Caputo	Chair
Tim Smith	Vice Chair
Jon Seifel	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Justin Frye	Kolter Land Partners LLC

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 9:21 a.m. Supervisors Caputo, Seifel and Tim Smith, were present, in person. Supervisors Meath and Candace Smith were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Supervisor
Greg Meath [SEAT 5]; Term Expires
November 2024**

Mr. Smith presented Mr. Greg Meath's resignation letter.

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

FOURTH ORDER OF BUSINESS

Consider Appointment of Justin Frye to Fill Unexpired Term of Seat 5

Mr. Smith nominated Mr. Justin Frye to fill Seat 5. No other nominations were made.

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, appointment of Mr. Justin Frye to fill Seat 5, was approved.

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

Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Justin Frye. Mr. Frye is already 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**

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2023-01. Mr. Smith nominated the following slate:

Chair	Michael Caputo
Vice Chair	Timothy Smith
Assistant Secretary	John Seifel

Assistant Secretary	Candice Smith
Assistant Secretary	Justin Frye
Assistant Secretary	Cindy Cerbone
Assistant Secretary	Andrew Kantarzhi

No other nominations were made.

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

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, Resolution 2023-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Florida-Friendly Fertilizer Use Rules

- A. Proofs/Affidavits of Publication**
- B. Consideration of Resolution 2023-02, Adopting Rules Relating to Fertilizer Use; and Providing for Severability and an Effective Date**

Mr. Kantarzhi stated that St. Lucie County has an ordinance addressing the use of fertilizer. Mr. Earlywine stated the CDD Rule essentially mimics the County ordinance/code. The CDD has authority to adopt and enforce rules and can fine and collect damages. As there is some question as to whether the CDD can enforce the Rule on private property, the Rule was drafted to primarily apply to CDD property; however, the South Florida Water Management District (SFWMD) believes and he essentially agrees that the CDD can do so.

Ms. Cerbone asked if the CDD should include this Rule in any landscaping or other contracts/agreements. Mr. Earlywine stated it applies regardless but it is good to have it in the agreements, etc. Mr. Frye questioned if this is necessary for other CDDs if it was not requested. Mr. Earlywine felt that, since it is a County Ordinance and the SFWMD requested it, it is at the Board’s discretion but it would be good to adopt it.

On MOTION by Mr. Frye and seconded by Mr. Smith, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Frye and seconded by Mr. Smith, with all in favor, the Public Hearing was closed.

Mr. Kantarzhi presented Resolution 2023-02.

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, Resolution 2023-02, Adopting Rules Relating to Fertilizer Use; and Providing for Severability and an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors for Fiscal Year 2022/2023 and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2023-03.

On MOTION by Mr. Frey and seconded by Mr. Smith, with all in favor, Resolution 2023-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Ratification of Engagement with Jere Earlywine at Kutak Rock LLP

Mr. Earlywine presented the Transition Letter and noted that the rates with Kutak Rock LLP will be the same as with his prior firm.

On MOTION by Mr. Frye and seconded by Mr. Caputo, with all in favor, engagement of Jere Earlywine/Kutak Rock LLP for District Counsel Services, was ratified.

Discussion ensued regarding who has signatory authority.

Ms. Cerbone stated that it is the Chair, Vice Chair and, as needed, the Secretary.

Regarding who had authority to sign the District Counsel Services transition letter, Ms. Cerbone felt that probably any Board Member could sign it. Mr. Earlywine stated as long as Ms. Smith is a Board Member, it is okay for her to sign it, as the rule states that the Chair, Vice Chair or, in their absence, an Assistant Secretary can sign.

NINTH ORDER OF BUSINESS

Discussion: Fiscal Year 2024 Proposed Budget

Ms. Cerbone stated that she and Mr. Kantarzhi will work with Mr. Frye on the proposed Fiscal Year 2024 budget.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2023

Mr. Kantarzhi presented the Unaudited Financial Statements as of January 31, 2023.

On MOTION by Mr. Smith and seconded by Mr. Frye, with all in favor, the Unaudited Financial Statements as of January 31, 2023, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of August 16, 2022 Public Hearings and Regular Meeting Minutes

Mr. Kantarzhi presented the August 16, 2022 Public Hearings and Regular Meeting Minutes.

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, the August 16, 2022 Public Hearings and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

Mr. Earlywine stated they are just waiting on permits needed in order to issue bonds and post the offering statement. The Construction Contract Assignment is fairly far along.

Discussion ensued regarding assignments to the CDD, using the same contractor as for the Preserve at Savannah Lakes CDD and setting up direct purchasing for this CDD.

B. District Engineer: *Michael B. Schorah and Associates, Inc.*

There was no report.

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

- **NEXT MEETING DATE: April 20, 2023, immediately following Solaeris CDD Meeting at 11:15 AM**
 - **QUORUM CHECK**

The next meeting will be April 20, 2023, unless cancelled.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FOURTEENTH ORDER OF BUSINESS

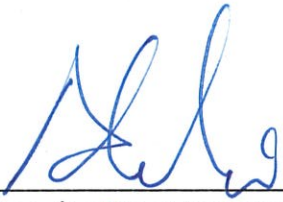
Public Comments

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, the meeting adjourned at 9:38 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair