

**MINUTES OF MEETING  
FOX BRANCH RANCH  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Fox Branch Ranch Community Development District held a Regular Meeting on May 8, 2024 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:**

Mary Moulton  
John (JC) Nowotny  
Shelley Kaercher

Vice Chair  
Assistant Secretary  
Assistant Secretary (appointed at meeting)

**Also present:**

Andrew Kantarzhi  
Cindy Cerbone (via telephone)  
Ashley Ligas (via telephone)  
Christopher Allen (via telephone)  
Roger Van Auker

District Manager  
Wrathell, Hunt and Associates, LLC (WHA)  
District Counsel  
District Engineer  
Forestar

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Kantarzhi called the meeting to order at 10:08 a.m.

Supervisors Moulton, Kaercher 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**

**Acceptance of Resignation of Bill Fife [Seat 2]**

Mr. Kantarzhi presented Mr. Bill Fife's resignation letter.

**On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the resignation of Mr. Bill Fife from Seat 2, was accepted.**

**FOURTH ORDER OF BUSINESS****Consideration of Appointment to Fill  
Unexpired Term of Seat 2; Term Expires  
November 2024**

Ms. Moulton nominated Mr. Van Auker to fill Seat 2.

No other nominations were made.

**On MOTION by Ms. Moulton and seconded by Ms. Kaercher, with all in favor, appointment of Mr. Roger Lee Van Auker to fill of Seat 2, was approved.**

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

Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Roger Van Auker.

Having served on other Boards, Mr. Van Auker is familiar with the following:

- A. Required Ethics Training and Disclosure Filing**
  - **Sample Form 1 2023/Instructions**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code 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 2024-04,  
Electing and Removing Officers of the  
District and Providing for an Effective Date**

Mr. Kantarzhi presented Resolution 2024-04.

Ms. Moulton nominated the following slate:

Shelley Kaercher

Chair

John Nowotny	Vice Chair
Mary Moulton	Assistant Secretary
Chris Tyree	Assistant Secretary
Roger Van Auker	Assistant Secretary

No other nominations were made.

This Resolution removes the following from the Board:

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

Craig Wrathell	Secretary
Cindy Cerbone	Assistant Secretary
Andrew Kantarzhi	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

**On MOTION by Ms. Moulton and seconded by Ms. Kaercher, with all in favor, Resolution 2024-04, Electing, as nominated, and Removing Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

#### **SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-05, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Mr. Kantarzhi presented Resolution 2024-05 and read the title. He reviewed the proposed Fiscal Year 2025 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes. He noted that this is a Landowner-contribution budget with expenses funded as they are incurred.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2024-05, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 14, 2024 at 9:30 a.m., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

**SEVENTH ORDER OF BUSINESS**

Consideration of Resolution 2024-06, Designating a Date, Time and Location for Landowners' Meeting; Providing for Publication; Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-06.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, Resolution 2024-06, Designating November 5, 2024 at 10:00 a.m., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808 for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date, was adopted.

**EIGHTH ORDER OF BUSINESS**

Consideration of Resolution 2024-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-07.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, Resolution 2024-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

**NINTH ORDER OF BUSINESS**

Consideration of Resolution 2024-02, Designating the Primary Administrative

**Office and Principal Headquarters of the  
District and Providing an Effective Date**

Mr. Kantarzhi presented Resolution 2024-02.

**On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, Resolution 2024-02, Designating the offices of Wrathell, Hunt and Associates, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office and a location within Polk County, Florida, as the Principal Headquarters of the District and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-03,  
Designating the Location of the Local  
District Records Office and Providing an  
Effective Date**

This item was deferred.

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of March 31, 2024**

**On MOTION by Ms. Moulton and seconded by Mr. Van Auker, with all in favor, the Unaudited Financial Statements as of March 31, 2024, were accepted.**

**TWELFTH ORDER OF BUSINESS**

**Approval of November 8, 2023 Regular  
Meeting & Audit Committee Meeting  
Minutes**

The following change was made:

Line 14: Change "Shelly" to "Shelley"

**On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the November 8, 2023 Regular Meeting & Audit Committee Meeting Minutes, as amended, were approved.**

**THIRTEENTH ORDER OF BUSINESS****Staff Reports****A. District Counsel: Kutak Rock LLP****B. District Engineer: Dewberry Engineers, Inc.**

There were no District Counsel or District Engineer reports.

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

Mr. Kantarzhi reported the following:

- The bond timing for the CDD is set for early 2025.
- Every Supervisor should have received an email from the Commission on Ethics to file Form 1; the link in the email will expire in 14 days.

Ms. Cerbone stated, if a Supervisor has not received the email, there is a strong likelihood that a second email will be sent to them at the end of May, reminding them that they need to register with the Commission on Ethics and file Form 1 by the July 1, 2024 deadline.

- A Board Member recently advised that the CDD is in the final stages of engaging an Operations Management Company. This item will be included as a discussion item on the August agenda.

- **0 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: June 12, 2024 at 9:30 AM**
  - **QUORUM CHECK**

The June 12, 2024 meeting will likely be canceled. Then next meeting will be on August 14, 2024.

**FOURTEENTH ORDER OF BUSINESS****Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**FIFTEENTH ORDER OF BUSINESS****Public Comments**

There were no public comments.

**SIXTEENTH ORDER OF BUSINESS****Adjournment**

**On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor,  
the meeting adjourned at 10:26 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair