

CALENDAR YEAR 2021 HERONS GLEN RECREATION DISTRICT RESOLUTIONS

Res. No.	TITLE/DEFINITION	Date Approved
2021-01	A RESOLUTION SETTING THE DATES OF MEETINGS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT FOR 2021 CALENDAR YEAR; DESIGNATING TIME AND PLACE; AND, DIRECTING PUBLICATION OF NOTICE OF SAME.	1/5/21
2021-02	A RESOLUTION OF HERONS GLEN RECREATION DISTRICT ("DISTRICT") AUTHORIZING THE CLOSING OF THAT CERTAIN CONTRACT FOR SALE AND PURCHASE BETWEEN THE DISTRICT AND D.R. HORTON, INC. ("HORTON"); DELEGATING TO THE OFFICERS OF THE BOARD OF SUPERVISORS AND AGENTS OF THE DISTRICT, THE AUTHORITY TO CONVEY THE PROPERTY AND TO EXECUTE ALL CLOSING DOCUMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	1/5/21
2021-03	A RESOLUTION CALLING AND FIXING AN ELECTION FOR TWO (2) MEMBERS OF THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT ON MARCH 23, 2021; DESIGNATING HOURS AND PLACE OF VOTING; PROVIDING FOR QUALIFICATIONS; AND, OTHERWISE PROVIDING FOR THE HOLDING OF SAID ELECTION.	1/26/21
2021-04	A RESOLUTION CANCELING THE ELECTION FOR TWO MEMBERS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT ON MARCH 23, 2021; ACCEPTING THE QUALIFICATION OF CANDIDATES PETER OVERS AND JAYNE SCHWARZ; DECLARING CANDIDATES PETER OVERS AND JAYNE SCHWARZ ELECTED TO THE POSITION OF SUPERVISOR FOR A TERM OF THREE YEARS COMMENCING APRIL 1, 2021.	2/25/21
2021-05	A RESOLUTION SETTING THE DATES OF MEETINGS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT FOR 2022 CALENDAR YEAR; DESIGNATING TIME AND PLACE; AND, DIRECTING PUBLICATION OF NOTICE OF SAME.	3/25/21
2021-06	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR IRRIGATION SYSTEM EFFLUENT POND LINER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	4/26/21
2021-07	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A SPECIAL ASSESSMENT BUDGET REPORT RELATING TO SPECIAL ASSESSMENTS TO BE LEVIED IN THE DISTRICT TO OPERATE AND MAINTAIN THE RECREATIONAL FACILITIES; STATING THE INTENTION TO USE CHAPTER 170 OR CHAPTER 197, FLORIDA STATUTES AS METHODS OF COLLECTING SUCH ASSESSMENTS; CALLING FOR A PUBLIC HEARING TO BE HELD AT WHICH THE DISTRICT SHALL CONSIDER THE ADOPTION OF A NON AD VALOREM ASSESSMENT ROLL IN CONNECTION WITH SUCH ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	6/25/21
2021-08	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM GOLF OPERATIONS BUDGET FOR GOLF CART EQUIPMENT LEASE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	6/25/21

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2021-09	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM 2021/2022 OPERATIONS BUDGET FOR PREPARATION OF DISTRICT'S TAX ROLL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	6/25/21
2021-10	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR IMPROVED KITCHEN FLOOR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	7/29/21
2021-11	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING RE-ALLOCATION OF WORKING CAPITAL FUNDS TO LONG-TERM CAPITAL AND CORRESPONDING ADMENDMENT TO DISTRICT'S BUDGET FOR THE 2020-2021 FISCAL YEAR; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	8/19/21
2021-12	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A FINAL BUDGET FOR THE 2021-2022 FISCAL YEAR; PROVIDING FINDINGS; PROVIDING CONFIRMATION OF ANNUAL BUDGET; PROVIDING FOR ANNUAL ASSESSMENTS AND QUARTERLY INSTALLMENTS; PROVIDING FOR SEVERABILITY; AND PROMOTING AN EFFECTIVE DATE.	9/2/21
2021-13	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT FINDING SPECIAL BENEFITS; APPROVING METHODOLOGY FOR ASSESSMENT AND COLLECTION AND FINAL 2021-2022 ASSESSMENT ROLL; PROVIDING FOR PAYMENT, PROVIDING FOR SEVERABILITY, AND PROVIDING EFFECTIVE DATE.	9/2/21
2021-14	RESOLUTION OF BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT IN HONOR OF CONRAD E. WEYER	10/11/21
2021-15	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2021/2022 GOLF COURSE SPECIAL IMPROVEMENT FUND FOR GOLF COURSE STARTER SHACK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	10/11/21
2021-16	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020/2021 CAPITAL ACCOUNT FOR VM SERVER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	10/11/21
2021-17	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR DINING ROOM/KITICEN HVAC PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	10/11/21
2021-18	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING THE DISTRICTS' POLICIES AND PROCEDURES REGARDING CHECK SIGNING; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	10/11/21
2021-19	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR TENNIS COURT LIGHTING PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	11/22.21

RESOLUTION 2021-01

A RESOLUTION SETTING THE DATES OF MEETINGS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT FOR 2021 CALENDAR YEAR; DESIGNATING TIME AND PLACE; AND, DIRECTING PUBLICATION OF NOTICE OF SAME.

BE IT RESOLVED by the Board of Supervisors of the Herons Glen Recreation District that:

1. The Herons Glen Recreation District Board of Supervisors will hold their regular Meetings in the calendar year 2021 pursuant to the following schedule:

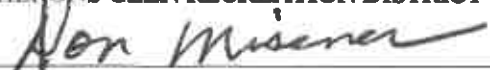
2021 HGRD BOARD WORKSHOPS & MEETINGS	
WORKSHOPS	MEETINGS
January 25 at 9:30 a.m.: Joint meeting with Finance Committee	January 25 Special Board Meeting
	January 28
February 22	February 25
March 22	March 25
	April 1 Board Organization Meeting
April 26 at 9:30 a.m.: Joint Meeting with Finance Committee – Mid-year review AND 2:00 p.m.	April 29 Board Meeting
May 24	May 27
June 21 – 25 Budget Workshops	June 28
July 26	July 29
NONE IN AUGUST	NONE IN AUGUST
	September 1 Budget Approval at 5 p.m.
September 27	September 30
October 25	October 28
November 15	November 18
NONE IN DECEMBER	NONE IN DECEMBER

2. All meetings and workshops will be held in the Herons Glen Clubhouse, Card Room C, at 2250 Herons Glen Boulevard, North Fort Myers, Florida 33917, and will begin at 2:00 p.m., unless otherwise noted above.

3. Counsel for the District is authorized and directed to publish notice of said election as required by law.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 5th day of January, 2021.

HERONS GLEN RECREATION DISTRICT



Don Misener, Chair

ATTEST:



Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2021-02

A RESOLUTION OF HERONS GLEN RECREATION DISTRICT (“DISTRICT”) AUTHORIZING THE CLOSING OF THAT CERTAIN CONTRACT FOR SALE AND PURCHASE BETWEEN THE DISTRICT AND D.R. HORTON, INC. (“HORTON”); DELEGATING TO THE OFFICERS OF THE BOARD OF SUPERVISORS AND AGENTS OF THE DISTRICT, THE AUTHORITY TO CONVEY THE PROPERTY AND TO EXECUTE ALL CLOSING DOCUMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District has previously authorized and entered into a contract (the “Land Purchase Contract”) with D. R. Horton, Inc., whereby the District agreed to sell and Horton agreed to purchase a certain portion of District’s vacant property for development by Horton (the “Property”); and

WHEREAS, the Closing of said sale and purchase contract is scheduled to take place on or about January 7, 2021; and

WHEREAS, such Closing will require the execution of a number of closing documents by officers of the District; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT, as follows:

SECTION 1. Definitions. All words and phrases, and the legal description of the Property used or referred to herein, unless otherwise defined herein, shall be and shall have the meaning ascribed to them in the Land Purchase Contract.

SECTION 2. Authorization. The Chair, the Vice Chair, the Secretary and any Assistant Secretary of the District, and any authorized designee thereof (collectively, the “District Officers”), the General Manager, Knott Ebelini, Hart, Counsel to the District, and any other consultant or experts retained by the District, are hereby authorized and directed to take all actions necessary or desirable in connection with the conveyance of the Property. The District Officers are hereby authorized and directed to execute all necessary or desirable certificates, documents, papers, and agreements necessary to the undertaking and fulfillment of all transactions referred to in or contemplated by the Land Purchase Contract.

SECTION 3. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 5th day of January, 2021.

**HERONS GLEN RECREATION
DISTRICT**

By: Don Misener
Don Misener,
Chair, Board of Supervisors

[SEAL]

Attest:

By: Mary Ann P. Spencer
Secretary

RESOLUTION 2021-03

A RESOLUTION CALLING AND FIXING AN ELECTION FOR TWO (2) MEMBERS OF THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT ON MARCH 23, 2021; DESIGNATING HOURS AND PLACE OF VOTING; PROVIDING FOR QUALIFICATIONS; AND, OTHERWISE PROVIDING FOR THE HOLDING OF SAID ELECTION.

Now, therefore, be it RESOLVED by the Board of Supervisors of the Herons Glen Recreation District that:

1. The Herons Glen Recreation District shall hold an election on **March 23, 2021** to elect two (2) members of the Board of Supervisors, each for a term of three (3) years, such term to begin April 1, 2021. The two (2) candidates receiving the highest vote total shall be elected.

2. Qualifying shall commence on **February 1, 2021** and conclude at 5:00 p.m. on **February 15, 2021**.

3. Qualification of candidates shall be performed by Counsel for the District, Knott Ebelini Hart, 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901, by the receipt of the following information in writing.

- (1) Name, as it is to appear on the ballots;
- (2) Residence Address;
- (3) A signed statement certifying that the candidate is 18 years old, a resident of Florida, is an owner of property within the District and resides within the District for at least ninety (90) days per year.
- (4) Signed and notarized candidate's oath prescribed by Florida Statutes.

PLEASE NOTE: COMPLETION OF THE CANDIDATE'S OATH AND QUALIFYING FORM ATTACHED HERETO AS EXHIBIT "C" MAY BE USED FOR THESE PURPOSES.

4. Candidates may also submit a one-page info sheet for distribution to public. This item is optional, but if the candidate wishes the page to be provided as part of the District's election package the sheet must be provided to District Counsel, Knott Ebelini Hart, at the above address, prior to the end of qualifying.

5. The place and time of voting in said election is: The Herons Glen Country Club, Administration Office, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida, between the hours of 11:00 a.m. and 4:00 p.m. on March 23, 2021.

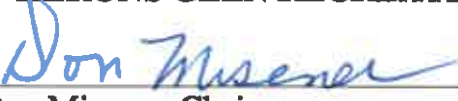
6. Legal Counsel for the District is authorized and directed to serve as elections qualifying officer, prepare and mail the ballots, publish Notice of said election in the form attached hereto as **Exhibit "A"** and serve as counsel to the Board and its Election committee.

7. Qualified voters are the property owners as shown by the records of the Lee County Property Appraiser, unless otherwise shown by proof acceptable to the Board, or its Election Committee.

8. Legal counsel for the District is further authorized to conduct said election with the assistance of an Election Committee to be named by the Board of Supervisors in accord with the Election Procedures set forth in the attached **Exhibit "B."**

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this day 26th day of January, 2021.

HERONS GLEN RECREATION DISTRICT



Don Misener, Chair

ATTEST:


District Secretary

EXHIBIT "A"

NOTICE OF ELECTION AND CANDIDATE QUALIFYING

The Herons Glen Recreation District will hold the election of two (2) members of its Board of Supervisors on **March 23, 2021**, at the Herons Glen Country Club, Administration Office, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida between the hours of 11:00 a.m. and 4:00 p.m., each for a term of three (3) years commencing April 1, 2021. The election is non-partisan.

The Board of Supervisors is comprised of five (5) residents of the Herons Glen Recreation District, elected at large by owners in the District. A candidate for the position of Supervisor must be 18 years old, a property owner in the Herons Glen Recreation District, a Florida resident and must reside in the District for at least 90 days each year. Members of the Board of Supervisors serve without compensation.

Qualification of candidates to run for the position shall be performed by Counsel for the District, Knott Ebelini Hart, 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901, by the receipt of the following information in writing on or after February 1, 2021, but not later than 5:00 p.m. on February 15, 2021:

- (1) Name, as it is to appear on the ballots;
- (2) Residence Address;
- (3) A signed statement certifying that the candidate is 18 years old, a resident of Florida, is an owner of property within the District and resides within the District for at least ninety (90) days per year.
- (4) Signed and notarized candidate's oath prescribed by Florida Statutes.

COMPLETION OF THE CANDIDATE'S OATH AND QUALIFYING FORM ATTACHED HERETO AS EXHIBIT "C" MAY BE USED FOR THESE PURPOSES.

All qualifying information above, must be received no later than 5:00 p.m. at the offices of Knott Ebelini Hart, 1625 Hendry Street, Fort Myers, Florida 22901. The Candidate's Oath and Qualifying form may be obtained in the District's office.

EXHIBIT "B"

ELECTION PROCEDURES FOR HERONS GLEN RECREATION DISTRICT ELECTION ON MARCH 23, 2021

The Election for two Supervisors will be held on March 23, 2021. The terms of Supervisors Don Misener and Jayne Schwarz will expire on March 31, 2021.

Notice of the election will be published during both the 5th and 3rd weeks prior to the election in the legal section of the Cape Coral Breeze and also posted on the District's bulletin board. A Notice of Qualifying will be published as near to February 1, 2021 as reasonably possible. The notice will also advise that nominations, including Candidates Oath, for any open position of Supervisor must be provided to Thomas B. Hart at Knott Ebelini Hart in writing by the close of qualifying period at 5:00 p.m. on February 15, 2021.

After the close of nominations/qualifying for candidates, Thomas B. Hart will prepare a ballot listing alphabetically the names of all persons who have qualified. Ballot Instructions will say to vote for no more than two (2). The two candidates with the highest vote totals will each be elected for a term of three years beginning April 1, 2021.

One ballot will be mailed to each property owner within the Herons Glen Recreation District boundaries as determined from the records of the Lee County Property Appraiser. The voting instructions will tell each recipient that an election will be held in the clubhouse of the Herons Glen Country Club for the election of two members to the District Board of Supervisors between the hours of 11:00 a.m. and 4:00 P.M. on March 23, 2021 and that they may attend and vote in person or may vote by the absentee method outlined in the instructions.

The instructions will direct each voter who wishes to vote absentee to insert his or her marked ballot into an envelope (enclosed with the initial mailing) labeled "BALLOT." The "BALLOT" envelope is then to be placed into a second envelope ("Mailing Envelope") addressed on the front to Herons Glen Recreation District, 2250 Herons Glen Boulevard, Suite 100, North Fort Myers, Florida 33917, and mailed in time to be received prior to the close of the election. Only those ballots with the Voter Certificate signed by the voter and received by 4:00 p.m. on the day of the election will be counted.

The Mailing Envelope will contain on the back a line for the voter's signature swearing to the following certification:

Under penalty for false swearing, pursuant to Florida Statutes, I do solemnly swear or affirm: that I am a qualified voter in the Herons Glen Recreation District because I own property in the District; that I will not

vote more than one ballot in this election; that I understand that a failure to sign this certificate will invalidate my BALLOT.

Directions for Voting on the back of Mailing Envelope will also state:

“NO BALLOT WILL BE COUNTED UNLESS VOTERS CERTIFICATE IS PROPERLY SIGNED AND COMPLETED.”

The voter's signature will not be required to be notarized, but the instructions will also contain the following notice:

Pursuant to Section 104.011, Florida Statutes, a person who willfully swears or affirms falsely to any oath or affirmation or willfully procures another person to swear or affirm falsely to an oath or affirmation in connection with or arising out of voting or elections, commits a felony of the Third Degree punishable as provided in Florida Statutes.

Those persons voting in person will be required to use the same procedure except that a member of the Election Committee will be present at the polling place to accept their Mailing Envelope. In this way, all voters will be required to sign the certification, but there will be no way to link a voter's signature to his or her ballot.

Ballot counting will be conducted by the Election Committee appointed by the Board in the presence of any members of the public wishing to observe. The Committee will open the Mailing Envelopes, take out Ballot envelopes and mix the unopened ballot envelopes together. Opening of Mailing Envelopes, but not Ballot Envelopes, by the Elections Committee may begin at 9:00 A.M. on the day of the election. The Mailing Envelopes will be separated, names checked for duplications then put aside. At 4:00 P.M. the Committee will then open and count the ballots. Any ballots received at the mailing address before 4:00 p.m. on Election Day will be brought to the Clubhouse to be opened and counted with the others.

The Election Committee may publicly report the result of the election immediately after counting all ballots. The official report of election results by the Committee will be made a part of the Minutes of the next Board meeting and the winners will then be announced. The ballots and Mailing Envelopes will be available for inspection by the public after the ballots are counted, but they may not be handled by anyone other than the Committee members.

Counsel for the District will serve as qualifying officer for candidates. Nominations by any person for the position of Supervisor will be accepted at the Counsel's office, in writing, beginning on February 1, 2021 and until 5:00 p.m. on February 15, 2021.

Counsel will inspect the statement of qualification of all nominees and inquire of all nominees, if unclear, whether they are qualified, i.e. are 18 years old, a resident of Florida, own property in the District and reside there at least 90 days out of the year, have signed a notarized candidate's oath (Exhibit "C), and whether they wish to have their name placed on the ballot.

Counsel for the District will include with the mailed ballots, if provided by or for the candidate by the end of the qualifying period, one page 8 ½ inch by 11 inch page, but not more, of candidate biographical and/or qualifications information.

The records of the Lee County Property Appraiser will be the official records of eligible voters within the District unless an owner provides alternate proof of ownership, acceptable to the Elections Committee and District Board. Counsel for the District may order the Property Appraiser's list of owners in Herons Glen, i.e. eligible voters, at his discretion but not earlier than eight (8) weeks prior to the election.

Counsel for District may include a "Meet the Candidates" notice in the envelope containing the ballot, return envelopes and candidate biographical information, if sufficient information is made available to Counsel at least five (5) days before the projected mailing date of March 5, 2021.

Over the years, a number of questions have come up regarding what it means to be a property "owner" in Herons Glen and therefore be entitled to vote in elections. The following are the guidelines we have followed to date. The Board, however, is the final decision maker whenever there are disputes as to such matters.

1. If a property within the District is owned by a single individual, that individual is entitled to a vote in the election.
2. If a single parcel in the District is owned by 2 or more individuals, the law considers them each to be the owner of a partial interest in the property. For that reason, each of them should be considered an owner and, therefore, each of them is entitled to a vote in the election.
3. If a single parcel in the District is owned by a single trustee, e.g. "John Doe, Trustee," the trustee, John Doe, is the legal owner of the property and would be entitled to a vote in the election. It is true, however, that the trustee holds title to the property for the benefit of another party. That other party is said to be a beneficial owner of the parcel. In other words, both the trustee and the beneficial owner could be considered owners of property in the District, however, their ownership interest is not a partial interest but is exactly the same. Therefore, one or the other could vote in the election, but not both.

We have seen evidence in the county public records that certain parcels are owned by "John Doe and Mary Doe, Trustees." In those cases, it is my opinion that both John Doe and Mary Doe should be permitted to vote because it appears likely that each of them owns an undivided beneficial interest in the property and thus each of them is an owner in the District.

However, in another case, which we have seen, the property is owned by John Doe, Trustee and Mary Doe, Co-Trustee, for the "Doe Family Trust." Given that the Doe Family Trust might include dozens of beneficiaries, this situation will be handled by the same process that is used for corporations and other legal entities owning property in the District. In those cases, as described below, the Board will accept only one vote for the parcel. It is the trust, a single "person," that owns the property and the Trust gets one vote, to be voted by one of the Trustees.

However, if the property owner can prove to the Elections Committee, the person(s) who in fact, own the property and so long as that owner, or those owners if more than one, are also Trustees and each signs the voter's certificate under oath saying that they are the owners, then their votes will be accepted as valid.

4. In some cases, a parcel may be owned by a corporation or partnership. In those cases the Board will accept a vote by one individual with the legal right to represent the entity. In other words, the president or vice president of the corporation may vote on behalf of the corporation or an individual partner may vote on behalf of the partnership. In these cases, it is the entity which is the owner and only one vote may be cast on behalf of that entity.

5. In some cases, an individual or entity owns more than one parcel in the District. This is the issue raised previously by Developers because they own a number of individual lots in the District. The District's Charter calls for one vote per owner. The individual or corporation in these cases is an owner in the District and is entitled to one vote, not one vote per lot.

That is also the case where one person owns two lots. The District charter states in Section IV: "Each property owner and resident in the District shall have the right to vote in the election. It has been argued that this language was intended to give such owners one vote per parcel owned. That, however, is not what the document literally says. It says owners and residents are permitted to vote, but then it goes on to define "resident" as an "owner" who lives in the District at least 90 days per year.

Exhibit "C"

CANDIDATE OATH and QUALIFYING

STATE OF FLORIDA)
COUNTY OF LEE)

Before me, an officer authorized to administer oaths, personally appeared the undersigned, to me well known, who, being sworn, says:

- I am a candidate for the office of Supervisor of Herons Glen Recreation District;
- I am a qualified elector of (i.e. registered to vote in) _____ County, Florida;
- I am qualified under the Constitution and the laws of Florida to hold the office to which I am seeking to be elected;
- I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office I seek;
- I have resigned from any office from which I am required to resign pursuant to § 99.012, Florida Statutes;
- I will support the Constitution of the United States and the Constitution of the State of Florida.
- I am over the age of 18;
- I am an owner of property in the Herons Glen Recreation District;
- I reside in the District for at least 90 days each year;
- My name, as it is to appear on the ballot, is: _____

Signature of candidate

Residence address of candidate

City, State, Zip Code

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20__, at Lee County, Florida, appeared _____ who is known to me or who has produced _____, as identification.

Signature of Notary Public -- State of Florida

Printed Name of Notary Public

My Commission Expires:

RESOLUTION NO. 2021-04

A RESOLUTION CANCELING THE ELECTION FOR TWO MEMBERS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT ON MARCH 23, 2021; ACCEPTING THE QUALIFICATION OF CANDIDATES PETER OVERS AND JAYNE SCHWARZ; DECLARING CANDIDATES PETER OVERS AND JAYNE SCHWARZ ELECTED TO THE POSITION OF SUPERVISOR FOR A TERM OF THREE YEARS COMMENCING APRIL 1, 2021.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of Florida law.

SECTION 2. FINDINGS.

- A. Pursuant to Resolution 2021-03 adopted January 28, 2021, the Herons Glen Recreation District called for its regular election to elect two (2) members of the Board of Supervisors for a three (3) year term beginning April 1, 2021 and setting qualification for said positions to be opened on February 1, 2021 and closed on February 15, 2021 at 5:00 P.M.
- B. The election and qualifying process were publicly declared at the District's general meeting and Notices of the same have been posted and published as required by law.
- C. The time for qualifying has expired.
- D. Only two (2) candidates, Peter Overs and Jayne Schwarz, have qualified to run for the two open positions on the Board of Supervisors.

SECTION 3. CANCEL ELECTION AND DECLARE WINNER. There being only two qualified candidates and only two open positions on the Board of Supervisors, it is hereby determined and declared that the election scheduled and noticed for March 23, 2021 is not needed, should be and is, canceled and candidates Peter Overs and Jayne Schwarz, being the only qualified candidates, should be and are declared the winners of the said election, each to take a position on the Board of Supervisors of the District for a three year term beginning April 1, 2021.

SECTION 4. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 25th day of February 2021.


[SEAL]

**HERONS GLEN RECREATION
DISTRICT**



Don Misener, Chair

ATTEST:



District Secretary

RESOLUTION 2021-05

A RESOLUTION SETTING THE DATES OF MEETINGS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT FOR 2022 CALENDAR YEAR; DESIGNATING TIME AND PLACE; AND, DIRECTING PUBLICATION OF NOTICE OF SAME.

BE IT RESOLVED by the Board of Supervisors of the Herons Glen Recreation District that:

1. The Herons Glen Recreation District Board of Supervisors will hold their regular Meetings in the calendar year 2022 pursuant to the schedule attached hereto as Exhibit "A".
2. All meetings and workshops will be held in the Herons Glen Clubhouse, Card Room C, at 2250 Herons Glen Boulevard, North Fort Myers, Florida 33917, and will begin at 2:00 p.m., unless otherwise noted in the attached Exhibit "A."
3. Counsel for the District is authorized and directed to publish notice of said election as required by law.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 25th day of March, 2021.

HERONS GLEN RECREATION DISTRICT



Don Misener, Chair

ATTEST:



Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2021-06

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR IRRIGATION SYSTEM EFFLUENT POND LINER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2-25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Capital Account funds are necessary and prudent and in the best interests of the District.

D. This Resolution ratifies prior District actions taken on March 14, 2021.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. **Expend from 2020 Bond Funds a not to exceed amount of \$57,000.00 for New Liner for irrigation system effluent pond.**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the

District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 26th day of April 2021.

**HERONS GLEN RECREATION
DISTRICT**


Howard Young, Chair

ATTEST:


District Secretary

RESOLUTION NO. 2021-07

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A SPECIAL ASSESSMENT BUDGET REPORT RELATING TO SPECIAL ASSESSMENTS TO BE LEVIED IN THE DISTRICT TO OPERATE AND MAINTAIN THE RECREATIONAL FACILITIES; STATING THE INTENTION TO USE CHAPTER 170 OR CHAPTER 197, FLORIDA STATUTES AS METHODS OF COLLECTING SUCH ASSESSMENTS; CALLING FOR A PUBLIC HEARING TO BE HELD AT WHICH THE DISTRICT SHALL CONSIDER THE ADOPTION OF A NON AD VALOREM ASSESSMENT ROLL IN CONNECTION WITH SUCH ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended), Chapter 189, Florida Statutes, Chapter 170, Florida Statutes and Chapter 197, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The Board of Supervisors expressly finds as follows:

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418 Florida Statutes. The District was established for the purpose of acquiring and operating the Recreational Facilities (hereinafter defined).

B. "Recreational Facilities" shall collectively refer to the land and any and all buildings and other improvements that are owned, or acquired subsequently, by the District including, without limitation, clubhouse, maintenance buildings, cart storage area, outbuildings, supports, foundations, structures, golf course, practice facilities, ranges, pitching and putting greens, tennis courts, shuffleboard courts, swimming pools, bocce courts, pickle ball courts, fitness center, the former property a portion of which is under contract to D.R. Horton, storage areas and storage buildings, lakes, landscaping, signs, paths, sidewalks, curbs, driveways, parking lots, bridges, lighting, water systems, drainage systems, waste water facilities, maintenance facilities and irrigation water storage and distribution facilities (CLIS), machinery, fixtures and equipment, including all substitutions for, replacements of and additions to the same located within or without the Herons Glen Development of Regional Impact in North Fort Myers, Lee County, Florida, and any such other facilities as the District may acquire from time to time. The Recreational Facilities may also be referred to herein as the "Improvements."

C. The Board has annually since their acquisition, and has again, this date, considered and does now determine that the operation, maintenance and improvement of said Recreational Facilities serves a proper, essential and valid public purpose which specially benefits each lot and each potential ("anticipated") lot in the District.

D. The District is empowered by the Act to provide facilities such as the Recreational Facilities to the residents of the District and others.

E. Management has submitted a **Preliminary Budget Report ("Budget Report")** for operation and management of the Recreational Facilities during the District's **2021-2022** Fiscal Year, which Budget Report supports the special benefit to the properties in the District as a result of the operation, maintenance and improvement of the Recreational Facilities and allocates such benefit to the properties in the District. The Budget Report provides a method, based upon the 1999 report of Fishkind & Associates, Ltd., entitled "Preliminary Special Assessment Methodology" as amended in 2006 (the "Fishkind Report") for levying non ad valorem special assessments on the specially benefitted properties in the District in order to provide all funds necessary (the "Special Assessments") to operate, maintain, replace, improve and manage the District and its Facilities and which Report anticipates no general tax revenue for the District. The Fishkind Report in conjunction with the Budget Report, is the basis for the methodology used for determining the District's Preliminary Assessment Roll.

F. The District now desires to approve and adopt the Budget Report and the Preliminary Assessment Roll, evidence its intent to collect the Special Assessments by the Methods authorized by Chapter 170 and Chapter 197, Florida Statutes and to call a public hearing for the purpose of hearing evidence from assessed owners and for adopting a final non ad valorem assessment roll with respect to such Special Assessments, all as required by Florida Statutes.

G. The Board finds that all lots and parcels, existing and anticipated to be developed, as well as the residents, existing and anticipated, of the District will be specially benefitted by the Special Assessments through fulfillment of the operation and management of the District and the operation, maintenance and replacement of its Recreational Facilities, because the Recreation Facilities were purchased or otherwise acquired on the basis that they had been determined to be a special benefit to all property within the District and the District having acquired them for the benefit of the property and property owners in the District, finds that those facilities must be properly operated, maintained, replaced, improved, increased and managed in order for them to continually provide the special benefit to such property and to the property owners of the District, in accord with the original intent for formation of the District and as was contemplated at the time of initial acquisition of the Recreational Facilities.

H. The Board finds that the Budget Report provides a fair and equitable apportionment of the Special Assessments for the next fiscal year of the District.

SECTION 3. APPROVAL OF BUDGET REPORT AND PRELIMINARY ASSESSMENT ROLL. The **Budget Report**, substantially in the form submitted at the **June 25, 2021** Board meeting, including the preliminary assessment roll included therein, i.e. the per lot annual operation and maintenance assessments, attached hereto as **Exhibit A**, as well as the annual debt service on the District's Bonds, is hereby approved and adopted. The proposed per lot assessments as stated therein are for the existing and the lots and parcels anticipated-to-be developed as lots, located within the Herons Glen DRI, Phases 1A and 1B, and within the District's jurisdictional boundaries.

SECTION 4. INTENT TO ASSESS AND COLLECT SPECIAL ASSESSMENTS.

The Findings have been considered by the Board and found to be true and correct. The District hereby states its intent to use the method of collecting the Special Assessments as permitted by Section 189.4065, Florida Statutes, and, primarily, Chapter 170, Florida Statutes as to developed lots and property owned by a Homeowner Associations and primarily, Chapter 197, Florida Statutes, as to the debt service assessments and annual operation and maintenance assessments on vacant lots and on lots owned by owners who are, or were recently, delinquent in paying prior District assessments. The levy of the Special Assessments is required to provide funds to pay debt service and to operate, maintain, replace, improve and manage the District and its Facilities during its fiscal year **2021-2022** in the amounts set forth in the Report. The assessments shall be made on all lots and lands adjoining and contiguous or bounding upon such improvements or otherwise specially benefited thereby and as further designated by the assessment roll hereinafter provided for. The assessments shall be made on a platted (developed and vacant) and on an anticipated-to-be-platted, per lot basis; they shall be in the amount described in the Report per Lot (or anticipated Lot), unless modified at the final hearing described herein; they shall be imposed on an annual or a monthly basis, collected quarterly for developed lots, or, as determined by the Board at the Public Hearing, on an annual basis, either collected by the District directly or collected by the County Tax Collector on the tax roll, for each platted lot, each anticipated to be platted lot and each platted Lot the owner of which is two or more quarters delinquent in paying prior assessments as of the effective date of this Resolution, in accord with the Report; and further, they shall be paid by each owner of developed lots in quarterly installments as billed by the District during the District's **2021-2022 Fiscal Year**, and further, the assessments shall be the personal obligation of each owner, whether collected by direct billing or by the uniform method of Section 197.3632, Florida Statutes, i.e. on the County tax bill. The legal description of the lands within the District which shall be subject to the levy of the Special Assessments is attached hereto as **Exhibit B**.

SECTION 5. PUBLIC HEARING TO ADOPT SPECIAL ASSESSMENT ROLL.

The District hereby calls and sets a final public hearing for on **September 2, 2021 at 5:00 p.m.** to be held in the Clubhouse of the Herons Glen Golf & Country Club, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida (the "**Final Adoption Hearing**") for the purpose of receiving testimony and objections from affected property owners, adopting a final Budget and final non ad valorem assessment roll (the "Assessment Roll") with respect to the Special Assessments. At the Final Adoption Hearing, the Board will sit as an equalizing board, will hear objections of all interested persons to the final Assessment Roll and will finally confirm and adopt an Assessment Roll and allocate such assessments as appropriate among any property, or take such action relative thereto as it deems just and right.

SECTION 6. NOTICE AND PUBLICATION. As required by Section 170.07, Florida Statutes and Section 197.3632, Florida Statutes, at least thirty (30) days prior to the Adoption Hearing, notice thereof shall be given by first-class United States mail. The notice shall be in substantially the form attached hereto as **Exhibit C (the "Notice")**. The Notice to be given by mail shall be sent to each person shown by the Lee County Property Appraiser as owning property subject to the Special Assessments on the effective date of this Resolution. The Notice shall include the information required by Florida Statutes. This Resolution shall be published once a week for a period of two (2) weeks in a newspaper of general circulation published in Lee County. Further, the Notice of the time and place of the Final Adoption Hearing shall be published two times, one week apart in a newspaper of general circulation published in Lee County such that the final publication is at least one week prior to the Final Public Hearing.

SECTION 7. GOLF AND TENNIS ANNUAL FEES. The preliminary Golf Membership and Tennis Membership fees and charges, which are also shown on the attached Exhibit "A," are hereby approved for the 2021-2022 fiscal year, subject to final adoption of the Budget.

SECTION 8. MISCELLANEOUS. The Chairman, and other officers of the Board of Supervisors, the District Management and the District Legal Counsel are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the effectuation of this Resolution and which are not inconsistent with the terms and provisions herein.

SECTION 9. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 10. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

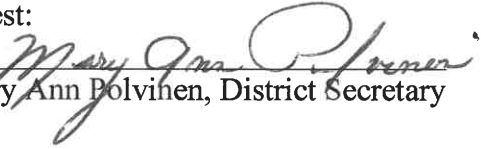
PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 25th day of June, 2021.

HERONS GLEN RECREATION DISTRICT



Peter Overs, Vice Chair

Attest:



Mary Ann Polvihien, District Secretary

PROPOSED
HERONS GLEN RECREATION DISTRICT 2021-2022 OPERATING BUDGET

DEPARTMENTS (1285 lots FY20, FY21 & 1300 lots FY22)	2019-20		2020-21		2021-22	+/- over	% Δ
	BUDGET	ACTUALS	BUDGET	YR END PROJ	BUDGET	20-21 budget	
Administration	(\$733,317)	(\$723,693)	(\$801,325)	(\$707,217)	(\$802,357)	\$1,031	0.1%
Restaurant	(\$322,769)	(\$396,659)	(\$379,785)	(\$479,469)	(\$410,176)	\$30,390	8.0%
Clubhouse	(\$709,684)	(\$691,295)	(\$745,984)	(\$710,071)	(\$790,812)	\$44,828	6.0%
Fitness Center	(\$42,454)	(\$44,419)	(\$61,349)	(\$56,936)	(\$68,526)	\$7,177	11.7%
TOTAL (1300 lots assessed FY22):	(\$1,808,223)	(\$1,856,066)	(\$1,988,444)	(\$1,953,694)	(\$2,071,871)	\$83,427	4.2%
CLIS (1284 lots assessed Oct-Dec 2021) (1299 lots assessed Jan-Sep 2022)	(\$223,872)	(\$182,932)	(\$198,458)	(\$185,393)	(\$229,164)	\$30,706	15.5%
CAPITAL AND DEFERRED MAINTENANCE							
Capital (1285 lots FY20, FY21 & 1300 lots FY22)			(\$348,235)	(\$348,235)	(\$364,000)	\$15,765	4.5%
Deferred Maint. (1285 lots FY20, FY21 & 1300 lots FY22)			(\$344,380)	(\$344,380)	(\$332,800)	(\$11,580)	-3.4%
TOTAL ANNUAL ASSESSMENT			(\$2,879,517)		(\$2,997,835)	\$118,318	4.1% ***
GOLF OPERATIONS							
Pro Shop	\$1,365,642	\$1,430,943	\$1,262,135	\$1,088,051	\$1,405,913	\$143,777	11.4%
Golf Course Maint	(\$1,365,642)	(\$1,233,235)	(\$1,262,136)	(\$1,193,644)	(\$1,405,914)	\$143,778	11.4%
NET GOLF OPERATIONS:	\$0		(\$1)		(\$1)	(\$1)	

	2020-21	2021-22	2021-22	% Δ
	Quarterly	Quarterly	Annual	
O&M (1300 lots FY22)	\$386.86	\$398.00	\$1,592.00	2.9%
Irrigation (1284 lots thru Dec21 1299 lots Jan-Sep22)	\$38.64	\$44.00	\$176.00	13.9%
Capital Replacement Reserve (1300 lots FY22)*	\$67.86	\$70.00	\$280.00	3.1%
Deferred Maint Reserve (1300 lots FY22)**	\$67.14	\$64.00	\$256.00	-4.7%
Total O&M Assessment per lot (1300 lots FY22):	\$560.50	\$576.00	\$2,304.00	2.8% ***

GOLF & TENNIS ASSOC. FEES		
2020-21	2021-22	% Δ
Golf Members	Golf Members	
\$4,171	\$4,505	8.0%
\$2,503	\$2,703	8.0%
2020-21	2021-22	
Tennis Assoc	Tennis Assoc	
\$10,000	\$10,000	

* Capital Replacement amounts were calculated based on a 20-yr average of annual needs according to the Long Range Plan

** Deferred Maint Reserve amounts were calculated on the 10-yr average of annual needs according to the Long Range Plan

*** 4.1% increase in total annual assessment vs 2.8% increase in individual annual assessment is due to the divisor increasing from 1285 in FY21 to 1300 for FY22

Debt service (bond payments) are an amount of \$1,424.58 per year, which will appear on your Lee County Property Tax bill.

EXHIBIT B
LEGAL DESCRIPTION OF HERONS GLEN RECREATION DISTRICT

Hérons Glen Unit 1 as described in Official Records Instrument No. 4568865, Plat Book 63, Page 51; and
Hérons Glen Unit 2 as described in Official Records Instrument No. 4664888, Plat Book 64, Page 16; and
Hérons Glen Unit 3 as described in Official Records Instrument No. 4769889, Plat Book 65, Page 21; and
Hérons Glen Unit 4 as described in Official Records Instrument No. 4992933, Plat Book 67, Page 9; and
Hérons Glen Unit 5 as described in Official Records Instrument No. 5865368, Plat Book 74, Page 82; and
Hérons Glen Unit 7 as described in Official Records Instrument No. 4992938, Plat Book 67, Page 11; and
Hérons Glen Unit 7A as described in Official Records Instrument No. 2007000068527; and
Hérons Glen Unit 8 as described in Official Records Instrument No. 5477271, Plat Book 71, Page 33; and
Hérons Glen Unit 9 as described in Official Records Instrument No. 5158223, Plat Book 69, Page 1; and
Hérons Glen Unit 10 as described in Official Records Instrument No. 5829907, Plat Book 74, Page 51; and
Hérons Glen Unit 11A as described in Official Records Instrument No. 2007000038434; and
Hérons Glen Unit 11 and 12 as described in Official Records Instrument No. 6347420, Plat Book 78, Page
57; and
Hérons Glen Unit 13 as described in Official Records Instrument No. 6379670, Plat Book 78, Page 87; and
Del Vera Unit 1 as described in Official Records Instrument No. 2885891, Plat Book 46, Page 7; and
Del Vera Unit 2 as described in Official Records Instrument No. 3276799, Plat Book 50, Page 69; and
Mystic at Herons Glen as described in Official Records Instrument No. 2021000164953 in the Public
Records of Lee County, Florida.

RESOLUTION NO. 2021-08

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM GOLF OPERATIONS BUDGET FOR GOLF CART EQUIPMENT LEASE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the ABoard@) of the Herons Glen Recreation District (the ADistrict@) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the AAct@).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District=s Capital Account funds are necessary and prudent and in the best interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to execute a lease and to expend the Operating funds in amounts not to exceed those described for the following items or services:

- A. **Expend from the 2021/2022 Golf Operations Budget for golf course equipment to lease fifty (50) Golf Carts from Yamaha Motor Finance Corporation, at \$76.00 per cart per month for forty-eight (48) months, subject to Master Lease Agreement with Yamaha.**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 8. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 9. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 25th day of June, 2021.

HERONS GLEN RECREATION DISTRICT



Peter Owers, Vice Chair

ATTEST:



Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2021-09

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM 2021/2022 OPERATIONS BUDGET FOR PREPARATION OF DISTRICT'S TAX ROLL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the AAct@).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Operating funds are necessary and prudent and in the best interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in amounts not to exceed those described for the following items or services:

A. **Expend from 2021/2022 Operations Budget for preparation of the District's 2021/2022 Assessment Roll for Tax Collector by PFM Group Consulting, LLC, in amount not to exceed \$5,000.00.**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 25th day of June, 2021.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs Vice Chair

ATTEST:



Mary Ann Polvinen Secretary

RESOLUTION NO. 2021-10

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR IMPROVED KITCHEN FLOOR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2-25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Capital Account funds are necessary and prudent and in the best interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

- A. *Expend from the Acquisition and Construction fund a not to exceed amount of \$75,000 for the preparation, cleaning, and installation of new flooring tile for the District's kitchen, to include: .*
- (i) Engage Stultz Construction to install new flooring tile to the District's kitchen; and*
 - (ii) Engage Fat Free, Inc. to prepare and clean the District's kitchen in preparation for the new tile installation*

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.


PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 29th day of July 2021.

**HERONS GLEN RECREATION
DISTRICT**



Peter Owers, Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2021-11

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING RE-ALLOCATION OF WORKING CAPITAL FUNDS TO LONG-TERM CAPITAL AND CORRESPONDING AMENDMENT TO DISTRICT'S BUDGET FOR THE 2020-2021 FISCAL YEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended), Chapter 197, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The Board of Supervisors ("Board") hereby finds and determines as follows:

- A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes.
- B. The District adopted a final Budget for the District's 2020-2021 fiscal year which Budget was intended to serve the need to operate and maintain the District's Facilities and the District for the period October 1, 2020, to September 30, 2021.
- C. The District Board after due consideration has determined to amend its 2020-2021 Operation and Maintenance Budget to allocate those funds as described in this Resolution.

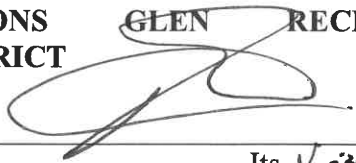
SECTION 3. AUTHORIZATION. The District's Budget is hereby amended to re-allocate Working Capital funds, previously collected through quarterly capital assessments for the Golf Course renovation and which account is now being funded through the 2020 Series Bonds Acquisition and Construction account, in the amount of \$931,563, to Long Term Capital Reserve.

SECTION 4. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 5. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a Special Meeting of the Board of Supervisor of the Herons
Glen Recreation District this 19th of August 2021.

**HERONS GLEN RECREATION
DISTRICT**



Its *Vice* Chair

ATTEST:

M. A. Palmeroni
District Secretary

RESOLUTION NO. 2021-12
A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A FINAL BUDGET FOR THE 2021-2022 FISCAL YEAR; PROVIDING FINDINGS; PROVIDING CONFIRMATION OF ANNUAL BUDGET; PROVIDING FOR ANNUAL ASSESSMENTS AND QUARTERLY INSTALLMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended), Chapter 189, Florida Statutes, Chapter 170, Florida Statutes, and Chapter 197, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The Board of Supervisors hereby finds and determines as follows:

A The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Florida Statutes. The District was established for the purpose of acquiring recreational facilities (hereinafter defined). The District is authorized, pursuant to the Act, to acquire recreational facilities, to equip and improve such facilities, to operate and maintain such facilities and to enter into arrangements with others to accomplish such purposes, and to levy non ad-valorem special assessments, among other purposes. In furtherance thereof, the District acquired the Recreational Facilities. For purposes hereof, the term "Recreational Facilities" shall mean the recreational and related facilities comprised of land, improvements, and equipment owned or controlled by the District.

B The District has heretofore determined that the acquisition of the Recreational Facilities, the operation, improvement and maintenance of them, and the levying of the Special Assessments for such purposes serves a proper, essential and valid public purpose.

C On June 25, 2021, the District held a first public meeting wherein, the District, among other matters, considered a preliminary Budget for the District's 2021-2022 fiscal year which Budget was intended to serve the need to operate and maintain the District's Recreational Facilities and the District for the period October 1, 2021 to September 30, 2022.

D On the date of this Resolution the District held a second meeting and conducted a Public Hearing. At that meeting, the District, among other matters, considered the adoption of a final Budget for the District's 2021-2022 fiscal year which Budget is intended to serve the need to operate and maintain the District and its Recreational Facilities for the period October 1, 2021 to September 30, 2022.

SECTION 3. APPROVAL AND CONFIRMATION OF 2021-2022 ANNUAL BUDGET. The 2021-2022 Budget, attached hereto as **Exhibit A**, including the final per unit annual assessments stated therein, is hereby approved, confirmed and adopted.

SECTION 4. PAYMENT OF SPECIAL ASSESSMENTS. The per unit Special Assessments described in the final approved 2021-2022 Annual Budget shall be payable annually in quarterly installments, or in such other periodic installments, including monthly, as the Board may from time to time determine; except that such assessments on undeveloped lots and including lots the owners of which are two or more quarters delinquent in paying past assessments, may be collected on the County Tax Roll.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a Special Meeting of the Board of Supervisor of the Herons Glen Recreation District this 2nd day of September 2021.

HERONS GLEN RECREATION DISTRICT



Peter Overs, its Vice Chair

[SEAL]

ATTEST:



District Secretary

RESOLUTION NO. 2021-13

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT FINDING SPECIAL BENEFITS; APPROVING METHODOLOGY FOR ASSESSMENT AND COLLECTION AND FINAL 2021-2022 ASSESSMENT ROLL; PROVIDING FOR PAYMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the “Board”) of the Herons Glen Recreation District (the “District”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended), Chapters 189, 170 and 197, Florida Statutes and other applicable provisions of law (collectively, the “Act”).

SECTION 2. FINDINGS. The Board of Supervisors (“Board”) hereby finds and determines as follows:

A The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Florida Statutes. The District was established for the purpose of acquiring recreational facilities (hereinafter defined) for the benefit of residents of the Herons Glen community. The District was authorized, pursuant to the Act, to acquire recreational facilities, to levy non ad-valorem special assessments (the “Special Assessments”) and to issue Special Assessment Bonds, which it did as Series 1999 and Series 2006 and Series 2020 (the “Bond”), payable from such Special Assessments to pay the costs and expenses of such acquisition, among other purposes. In furtherance thereof, the District acquired and is acquiring the Recreational Facilities. For purposes hereof, the term “Recreational Facilities” shall mean the recreational facilities comprised of land, improvements, facilities and equipment located within or without the District which facilities are owned or operated by the District.

B The District has heretofore determined, and had validated by Judicial decree, that the acquisition of said Recreational Facilities, the issuance of the Bonds and the levying of the Special Assessments to repay the Bonds serves a proper, essential and valid public purpose.

C Pursuant to Resolutions No. 99-02, No. 2006-10, and 2020-33, among others, the District approved Special Assessment Methodologies prepared by Fishkind & Associates and PFM Financial which methodology determined that all residential property in the Herons Glen District is specially benefitted by the District’s acquisition and operation of the Recreational Facilities, all as is more particularly set forth in Resolution 2020-40.

D Pursuant to Resolutions 2006-11 and 2006-24, and 2020-33 the District has previously imposed Special Assessments for Bond refunding which assessments are collected by the Uniform Method described in Sections 197.3632 and 197.3635, Florida Statutes (the “bond debt service”).

E. The District hereby finds and determines that the continued payment of bond debt service, the operation, improvement and maintenance of the Recreational Facilities and the operation of the District to carry out such purposes will specially benefit all real property within the Herons Glen community by enhancing the aesthetic qualities and the actual, as well as potential, recreational opportunities of the property owners and their guests and, thereby, will enhance the property values of all real property located within the Herons Glen District.

F. On June 25, 2021 the District adopted, Resolution 2021-07, approving a preliminary budget report for the operation, improvement and maintenance of the Recreational Facilities and the District for the District's 2021-2022 fiscal year and expressing therein its intent to fund the same by the levy of special assessments on all platted lots and all parcels with anticipated-to-be-developed lots within the District.

G. On September 2, 2021, the District adopted its Final Budget for the year 2020-2021, pursuant to Resolution 2021-12.

H. As required by Chapters 170 and 197, Florida Statutes, Resolution No. 2021-12 evidenced the District's intent to adopt a non-ad valorem assessment roll levying the Special Assessments and called for a public hearing to be held on September 2, 2021 ("Public Hearing") for the Board to consider the adoption of a final assessment roll. In accordance with Chapter 170 and Section 197.3632, Florida Statutes, at least twenty (20) days prior to the Public Hearing, notice thereof (the "Public Hearing Notice") was given by first-class United States mail and by appropriate publication in a newspaper generally circulated within Lee County, Florida.

I. On this date, at the time and place specified in the September 2, 2021 Public Hearing Notice, the Board met as an equalizing board, conducted a public hearing and heard and considered all comments and complaints as to: (i) the propriety and advisability of operating and maintaining the recreation facilities and District and of the District's related facilities, (ii) the cost thereof, (iii) the manner of payment therefor: (iv) the amount thereof to be assessed against each parcel of specially benefitted property, and (v) the special benefit to each existing and each potential residential lot within the District; and based thereon, has made such modifications in the preliminary assessment roll as it deems just and proper, commensurate with special benefit and fair apportionment.

J. Having considered the bond debt service requirements, the costs of the operation, improvement and maintenance of the Recreational Facilities and all complaints and evidence presented at such public hearing, the Board finds that: (i) each of the platted lots in the Recreation District will derive special benefits as a result of the operation and maintenance of the Recreational Facilities and the District; (ii) the estimated costs are reasonable; (iii) the Special Assessments are an appropriate and reasonable method of paying for those costs; (iv) all of the residential property within the District and the Herons Glen community benefit equally from the operation and maintenance of the Recreational Facilities and the District, with the exception that undeveloped lots are entitled to a discount for the costs of the Common Lot Irrigation System (CLIS) service; (v) the allocation of such expenses on a per lot basis is a fair and reasonable method of allocation; (vi) the payment of the Special Assessments in not more than twelve (12) monthly installments or four quarterly installments, or in the case of the bond debt service assessments and of lots, the

owners of which are two or more quarters delinquent, on the property tax bill as permitted by the “uniform method” under Florida Statutes, and with interest at the rates established by law, is appropriate; and (vii) the methods established for collecting the Special Assessments, including by direct bill and pursuant to Sections 197.3632 and 197.3635 for bond debt service and lots whose owners are delinquent in paying assessments, are authorized and are appropriate.

K. Pursuant to the Public Hearing and Resolutions 2020-33, 2021-07 and 2021-12, the Special Assessments, all as specified in the **Budget, Exhibit “A”** attached hereto, and bond debt service assessments previously approved, were equalized, approved, confirmed, fairly apportioned and levied and may be reported as the District’s Assessment Roll for the designated year.

SECTION 3. APPROVAL AND CONFIRMATION OF ASSESSMENT METHODOLOGY. The 2021-2022 Budget attached hereto as Exhibit “A”, including the final per unit assessment, approved pursuant to Resolution 2021-12, is hereby confirmed and ratified. The Special Assessments against each parcel, and interest and penalties thereon, as set forth by law shall be and shall remain a legal, valid and binding obligation of the property owners and a first lien on such parcel until paid; such lien shall be co-equal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

SECTION 4. OPERATION AND MAINTENANCE ASSESSMENT RECORD. The Special Assessments described in Resolutions 2020-33, 2021-07, 2021-12, and this Resolution are hereby confirmed and imposed.

SECTION 5. PAYMENT OF SPECIAL ASSESSMENTS. The Special Assessments on developed lots shall be payable in quarterly installments, or in such other manner as the District shall from time to time determine. Unless later revised by the District’s Board, collection of the Special Assessments on lots the owners of which are two or more quarters delinquent in paying past assessments, shall be payable on the property tax bill pursuant to the Uniform Method set forth in Section 197.3632, Florida Statutes and said Special Assessment shall be included on each such bill along with the District’s bond debt service special assessments as set forth in Resolutions 2020-33 and 2020-37.

SECTION 6. MISCELLANEOUS. The Chairman, Vice Chairman, Treasurer and Secretary of the Board, the General Manager and the District’s legal counsel are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the levy and collection of the Special Assessments which actions are not inconsistent with the terms and provisions of this Resolution.


SECTION 7. SEVERABILITY. Should any sentence, section, clause, provision or part of this Resolution, or the Special Assessments imposed hereby, be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 8. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a Special Meeting of the Board of Supervisors of the Herons Glen Recreation District this 2nd day of September, 2021.

[SEAL]

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, its Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2021-14

**RESOLUTION OF BOARD OF SUPERVISORS OF
HERONS GLEN RECREATION DISTRICT
IN HONOR OF CONRAD E. WEYER**

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
HERONS GLEN RECREATION DISTRICT:**

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of Florida law.

SECTION 2. FINDINGS.

WHEREAS, Conrad E. (Connie) Weyer, as a resident of Herons Glen from 1996 until his death on October 22, 2019, provided faithful and valuable service and guidance to the Herons Glen Recreation District, its officers, staff and constituents; and

WHEREAS, Conrad E. Weyer served with great honor and distinction, beginning with his election to the first Board of Supervisors in 1998 and for over fifteen (15) years of accumulated service as an elected Board member; and

WHEREAS, Conrad E. Weyer, applied his financial and banking experience and bright mind to give invaluable leadership and service to the District as Chairman, Vice Chairman, Treasurer and Finance Committee member over a span of 22 years, beginning with the inception of the District; and

WHEREAS, Conrad E. Weyer otherwise contributed immensely of his time and talents by assisting the District in its acquisition and improvement of each of the District's major Recreational and other Amenities and the facilities required to operate and maintain those Facilities; and

WHEREAS, Conrad E. Weyer, further contributed his time and talent to the District serving as the District's primary liaison to the Bond Underwriter and Financial Consultants in each of the District's Bond issues; and

WHEREAS, Conrad E. Weyer performed his many services to the District and the community with exemplary warmth, courtesy, friendliness and virtue; and

WHEREAS, it is not only fitting, but altogether necessary that the District recognize, honor and remember Conrad E. Weyer in an appropriate manner befitting his extraordinary service to the Herons Glen Recreation District and the Herons Glen Community.

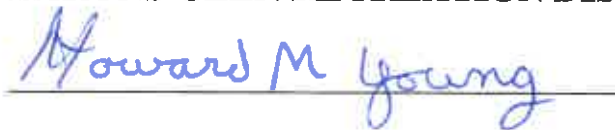
SECTION 3. NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the Herons Glen Recreation District that in recognition of his long and highly valued service and in gratitude for his farsighted and untiring efforts on behalf of the District, its staff and its residents, the District shall name and designate its grand entry roadway as the: **“CONRAD E. WEYER WAY.”**

SECTION 4. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein.

SECTION 5. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.


PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 11th day of October 2021.

HERONS GLEN RECREATION DISTRICT



Howard Young, Chair

ATTEST:


District Secretary

RESOLUTION NO. 2021-15

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2021/2022 GOLF COURSE SPECIAL IMPROVEMENT FUND FOR GOLF COURSE STARTER SHACK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the “Board”) of the Herons Glen Recreation District (the “District”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the “Act”).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District’s Capital Account funds are necessary and prudent and in the best interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

- A. **Expend from 2021/2022 Golf Course Special Improvement Fund a not to exceed amount of \$6,800.00 to improve Golf Course Starter Shack by C. W. Haber, Inc..**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.


PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 11th day of October 2021.

HERONS GLEN RECREATION DISTRICT



Peter Overs, Vice-Chair

ATTEST:



Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2021-16

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020/2021 CAPITAL ACCOUNT FOR VM SERVER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the “Board”) of the Herons Glen Recreation District (the “District”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the “Act”).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District’s Capital Account funds are necessary and prudent and in the best interests of the District.

D. This Resolution ratifies prior District actions.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. Expend from 2020/2021 Capital Account a not to exceed amount of \$13,229.00 for Internet Server and installation by Interlink Computer Consulting, Inc.

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the

District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 11th day of October 2021.

HERONS GLEN RECREATION DISTRICT



Peter Owers, Vice-Chair

ATTEST:



Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2021-17

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR DINING ROOM/KITICEN HVAC PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Acquisition and Construction for Dining Room and Ballroom equipment funds are necessary and prudent and in the best interests of the District.

D. This Resolution ratifies prior District action.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. Expend from the Bond Acquisition and Construction fund a not to exceed amount of \$160,000.00 for Air Conditioning, Heat Pump, Exhaust and Make-up air, installation by B&I Contractors, plus 10% contingency.

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the

District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 11th day of October 2021.

HERONS GLEN RECREATION DISTRICT



Peter Owers, Vice-Chair

ATTEST:



Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2021-18

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING THE DISTRICTS' POLICIES AND PROCEDURES REGARDING CHECK SIGNING; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

- A. Pursuant to the Act, the District shall set its operating policies.
- B. District has previously adopted from time to time Policies, Procedures and Rules and Regulations.
- C. District now desires to amend its Policies and Procedures consistent with the amendments set forth herein.

SECTION 3. PREVIOUSLY ADOPTED POLICIES. The District hereby acknowledges and ratifies those previously adopted policies which are not inconsistent with this Amendment.

SECTION 4. AMENDMENT OF POLICIES AND PROCEDURES. The Policies and Procedures of the District are hereby amended in accordance with the following:

Exhibit "A" attached hereto and incorporated herein.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this resolution or the attachments hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole or any part thereof other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 11th day of October 2021.

HERONS GLEN RECREATION DISTRICT



Peter Overs, Vice-Chair

ATTEST:



Mary Ann Polvinen, District Secretary

G. Check Signing Authorization

It is the policy of the District that invoices must be present for review with checks provided for signature. All Invoices are to be approved by the department manager and authorized for payment by the General Manager.

1. **Operating Accounts:**
 - a. Checks for \$5,000 or less and for any amount for Board-approved recurring vendors are to be signed by the General Manager, the Treasurer, or a Board member authorized as a signer on the account.
 - b. Checks over \$5,000 are to be signed by the Treasurer or a Board member authorized as a signer on the account.
 - c. All Checks payable to the General Manager are to be signed by the Treasurer or a Board member authorized as a signer on the account.
2. **Reserve Accounts (Restricted - Capital, Deferred Maintenance, Uninsured Losses, etc.)**
 - a. All checks are to be signed by the Treasurer or a Board member authorized as a signer on the account.
 - b. All transfers between the checking and investment accounts for reserve/restricted accounts are to be approved by the Treasurer or a Board member authorized on the accounts.
3. The Treasurer should, at least annually, review the documentation of a sampling of invoices signed by the General Manager for payments under \$5,000 and recurring vendors.
4. Management is to present annually to the Board for approval the recommended list of recurring vendors.

RESOLUTION NO. 2021-19

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR TENNIS COURT LIGHTING PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Bond Acquisition and Construction funds are necessary and prudent and in the best interests of the District.

D. This Resolution ratifies prior District action.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. Expend from the Bond Acquisition and Construction fund a not to exceed amount of \$50,000.00 for tennis-specific lighting on all six Tennis Courts with installation by Kirkwood Electric.

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the

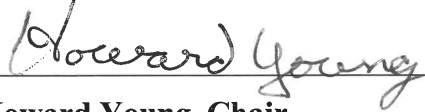
District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

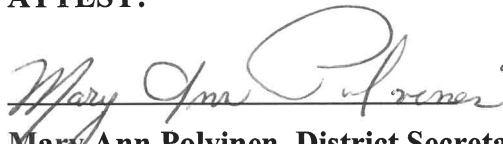
PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 22nd day of November 2021.

HERONS GLEN RECREATION DISTRICT



Howard Young, Chair

ATTEST:



Mary Ann Polvinen, District Secretary