

Minutes of Meeting  
Shingle Creek  
Community Development District

The regular meeting of the Board of Supervisors of the Shingle Creek Community Development District was held Monday, April 3, 2017 at 12:30 p.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Boulevard, ChampionsGate, Florida.

Present and constituting a quorum were:

Greg Ray	Vice Chairman
Michael Bundy	Assistant Secretary
Matt Cuarta	Assistant Secretary

Also present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
David Reid	District Engineer
Alan Scheerer	Field Manager
Brian Smith	GMS
Michelle Barr	Lennar Homes
Rob Miller	Main Street by Telephone

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Miller: I was wondering how the road was coming along.

Mr. Reid: They are going forward on the second phase of the road. It is paved halfway and they are starting the next section.

Mr. Miller: I have been talking to Janet Carpenter about the 800 acres and Jim Carson is asking to get it deeded over to him and I don't know who has the authority to sign the deed.

Mr. d'Adesky: Jan requested a lot of information from Dave Reid, which Dave provided to her as background and she confirmed that the foundation should be able to make that

conveyance and that BTI was completely removed. She said she received some documents from an attorney of theirs confirming this. I haven't personally seen it myself and I don't want to speak for her she is at a meeting with Osceola County today on separate CDD issues but we will follow-up with you and get that confirmed for you.

Mr. Miller: Just let me know if I'm not involved and I will let the CDD handle it or if I need to sign something.

Mr. d'Adesky: We will definitely let you know.

**THIRD ORDER OF BUSINESS                      Organizational Matters**

**A.    Acceptance of Resignation of Steven Williams and Appointment of Individual to Fill the Board Vacancy with a Term Ending November 2019**

Mr. Flint stated we received a resignation from Steve Williams that is in your agenda.

On MOTION by Mr. Bundy seconded by Mr. Ray with all in favor Mr. Williams' resignation was accepted.

**B.    Administration of oath of Office to Newly Appointed Board Member**

**C.    Consideration of Resolution 2017-03 Electing Officers**

Mr. Flint: We will place these items on the next agenda.

**FOURTH ORDER OF BUSINESS                      Approval of the Minutes of the February 6, 2017 Meeting**

On MOTION by Mr. Cuarta seconded by Mr. Bundy with all in favor the minutes of the February 6, 2017 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS                      Consideration of Proposed Land Swap with Developer**

**A.    Consideration of Resolution 2017-04**

Mr. d'Adesky: Previously we contemplated we would have an agreement but that structure wasn't as favorable so we are going to bring a swap before the Board to consider in terms of what is close to equivalent, equivalent value, equivalent size, equivalent utility some of those metrics are going to be met each time. Sometimes it is easy sometimes it is one for one .25

acres for .25 acres we previously approved that in this case based on Dave's certification he can explain the parcels more and the benefit to the CDD the rough equivalent, the short term and long term costs. Not constructing and maintaining a roadway was a significant part of this exchange. The actual size is a little bit off 13 to 11 but the value is there. The first resolution approves the swap of parcels between Lennar and the District and this should help both entities by reducing their maintenance and ongoing obligations and developer by allowing the plat to be developed quickly. It is beneficial to everybody.

Mr. Reid: I have the certificate of District Engineer I have to sign off on this and I have reviewed it and the cost and I feel it is a benefit to the District as well as the developer an equal benefit so I'm okay with the valuation. We are basing it off the existing appraisal that was done in 2014. The real estate comes to the District not having to construct the four-lane road we are just doing a two-lane road and the long-term maintenance of the landscape tracts will be a definite savings to the District. I'm okay with the valuation.

Mr. d'Adesky: Another good thing about this is, this will allow the District to control the entire stormwater system because we are getting some ponds so it won't be broken up.

On MOTION by Mr. Cuarta seconded by Mr. Bundy with all in favor Resolution 2017-04 was approved.

**B. Consideration of Resolution 2017-05 Approving the Plat Execution**

Mr. Flint: Next is a resolution approving the execution of the plat.

Mr. d'Adesky: This is a resolution stating that the CDD agrees in the joinder of the plat as it is currently prior to the swaps being executed just based on the timing of the swaps. The CDD will need to join in these plats and that allows development to go through quickly. This allows the CDD to get things built, things will be built by the developer and eventually transferred or utilized by the CDD. This is a resolution approving the joinder on several plats.

Mr. Reid: Osceola County is requiring the resolution of the Board in order to accept the plats. We need to identify the ones who are going to sign the plats representing Lennar and representing the District.

Mr. Flint: The District is usually the Chairman or the Vice Chairman. Steve was Chairman and Gregory is Vice Chairman so it would need to be Greg because right now you don't have a Chairman.

Mr. d'Adesky: We can get it signed as it is but we will need to make one amendment to delegate the Vice Chairman to execute.

On MOTION by Mr. Bundy seconded by Mr. Cuarta with all in favor Resolution 2017-05 was approved as amended in section 3 delegating authority to the Vice Chairman to execute.

**SIXTH ORDER OF BUSINESS**

**Review and Acceptance of Draft Fiscal Year 2016 Audit Report**

Mr. Flint: The District previously went through a competitive selection process to select an independent auditor you selected McDirmit Davis and they prepared the audit that is in your agenda package. On page 27 are the management comments and you will see that there are no findings or recommendations, and they found that we have complied with the relevant provisions of the Auditor General's Office. It is a clean audit.

On MOTION by Mr. Bundy seconded by Mr. Cuarta with all in favor the Fiscal Year 2016 audit was accepted and staff authorized to transmit the final report to the State of Florida.

**SEVENTH ORDER OF BUSINESS**

**Discussion of CDD Landscaping Services**

Mr. Flint: Michelle asked that this item be on the agenda. I don't know if there are any issues that we need to talk about.

Ms. Barr: I had spoken to Alan and asked if he could get a price from Down to Earth to take over the contract for the CDD because we contract with Down to Earth on the HOA side and are expecting great changes with Down to Earth.

Mr. Flint: We are still waiting on that proposal.

Mr. Scheerer: They did not provide it to me in advance of this meeting so we will put it on the next agenda.

Ms. Barr: I spoke to him and he said he sent it so I will check on that. He said it is the same amount.

Mr. Scheerer: Even if it is in the same amount they still need to present something in writing, an actual document for consideration.

Ms. Barr: At the last meeting we discussed the dead palm trees and I believe we were going to get a proposal.

Mr. Scheerer: The CDD approved the palm trees and they have been replaced and we do have a couple more we are keeping an eye on. We had an LED driver go out on one of the entry signs that was repaired. I met with Valerie and Derek on Thursday to go over the property, we had some irrigation areas that were broken and they had that fixed and we adjusted our run times for the sod for the higher temperatures going forward. All that work that was approved by the Board at the previous meeting is complete.

Mr. Flint: The dollar amount is below the statutory bidding threshold if that is what you were wondering. The issue is if the Board wants to make a change if Down to Earth's proposal is the same dollar amount as the current contractor and the scope is the same, you can make a change without having the proposal in front of you. It just depends on how quickly the Board wants to make a change. We don't need to wait another month if it is urgent. They can make a change and the motion would be a not to exceed amount of the current contract and the scope of work would be the same and we would draft an agreement to that affect. I think we have a 30-day termination provision in the Brightview contract so even if you made a decision today there would still be a 30-day termination provision that we have to deal with.

On MOTION by Mr. Ray seconded by Mr. Cuarta with all in favor staff was authorized to terminate the Brightview contract and send the 30-day termination notice and the Vice Chairman was authorized to execute a contract with Down to Earth subject to the contract price and scope of work being the same.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. d'Adesky: We are going to keep going with the land transfers and get those closed out and get the transfers done relatively quickly. We will follow-up with Rob Miller on his questions regarding his acquisition. There was some talk about future acquisition of a parcel that may come before the Board in the next several months.

#### **B. Engineer**

There being none, the next item followed.

**C. Manager**

**i. Approval of Check Registers**

Mr. Flint: You have the check register from January 30<sup>th</sup> through March 27<sup>th</sup> totaling \$74,201.03 and the detail is behind the summary.

On MOTION by Mr. Cuarta seconded by Mr. Ray with all in favor the check register was approved.

**ii. Balance Sheet & Income Statement**

Mr. Flint: You have the unaudited financial statements through February 28, 2017. There is no action required if the Board has any questions we can discuss those.

**NINTH ORDER OF BUSINESS**

**Other Business**

Ms. Barr: I talked to Alan before the meeting about the pond bank behind the club where the fence is. You went ahead and took care of mowing it because we weren't able to before because of the fences but we would like to see that area look more amenity friendly instead of wild. I'm asking the Board to consider a proposal for fresh Bahia out there.

Mr. Scheerer: It is just going to turn into the same thing if it is not watered.

Ms. Barr: It is on a hill so I think irrigation will run down but I don't know if that is something the Board can consider getting a proposal for irrigation and sod.

Mr. Flint: Do we want to get Down to Earth on Board and have them provide a proposal?

Ms. Barr: They are already providing services within the community so they could provide a proposal.

Mr. Scheerer: They are doing all the HOA stuff as of April 1<sup>st</sup>. I can get with them and get a proposal. I will reach out to Mike and we will walk it this week and figure it out.

Ms. Barr: Is there any way to get it done before the next meeting?

Mr. Scheerer: If we have a not to exceed amount we could do that. I think we have some money in contingency so if the Board allows us to work within our budget we might as well facilitate it if the number seems adequate. It is a pretty good area behind the club. We will take a look at it.

**TENTH ORDER OF BUSINESS**

**Supervisors Requests**

There being none,

On MOTION by Mr. Ray seconded by Mr. Cuarta with all in favor  
the meeting adjourned at 12:52 p.m.



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Chairman/Vice Chairman



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Secretary/Assistant Secretary