

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 on Monday, November 6, 2017 at 12:30 p.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, Florida.

Present and constituting a quorum were:

Scott Johnston	Chairman
Adam Morgan	Vice Chairman
Mark Revell	Assistant Secretary

Also present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
David Reid	District Engineer
Brian Smith	Field Manager
Michelle Barr	Lennar Homes
Darrin Mossing, Jr.	GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oaths of Office to Newly Elected Board Members**

*Mr. Flint, a Notary Public of the State of Florida and duly authorized, administered the Oath of Office to Mr. Johnston.*

**B. Consideration of Resolution 2018-01 Canvassing and Certifying the Results of the Landowners' Election**

Mr. Flint: The Board sits as the Canvassing Board for the Landowners' Meeting that occurred just prior to this meeting. Resolution 2018-01 canvasses and certifies the results of the

Landowners' Election. It will reflect that Mr. Scott Johnston received 700 votes, Mr. Joe Catanzariti received 700 votes and Mr. Alvy Kauffman received 699 votes.

Mr. d'Adesky: It's a statutory requirement and it's the same form as every other District.

Mr. Flint: Are there any questions on the resolution? Not hearing any, we need a motion to adopt the resolution.

On MOTION by Mr. Morgan, seconded by Mr. Johnston, with all in favor, Resolution 2018-01 Canvassing and Certifying the Results of the Landowners' Election was adopted.

**C. Electing Officers**

**D. Consideration of Resolution 2018-02 Electing Officers**

Mr. Flint: The Board is required to elect officers after each election. Currently, Mr. Johnston is designated as Chairman, Mr. Morgan is Vice Chairman, Mr. Revell is Assistant Secretary and there are two vacant seats that are now occupied by Mr. Kauffman and Mr. Catanzariti. I was designated Secretary and the District Accountant, Mr. Ariel Lovera is Treasurer. If you want to keep the same officers, we can handle it in one motion, with the exception that you would add Mr. Catanzariti and Mr. Kauffman as Assistant Secretaries.

On MOTION by Mr. Johnston, seconded by Mr. Morgan, with all in favor, Resolution 2018-02 Electing Officers, as previously nominated, adding Mr. Joe Catanzariti and Mr. Alvy Kauffman as Assistant Secretaries was adopted.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the October 2, 2017 Meeting**

Mr. Flint: You have the minutes from October 2, 2017 meeting. We had a misspelling of Mr. Revell's name that we need to correct. Were there any other comments? If not, we need a motion to approve the minutes as amended.

On MOTION by Mr. Morgan, seconded by Mr. Johnston, with all in favor, the minutes of the October 2, 2017 meeting, as amended, was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-03  
Authorizing the Filing of a Petition to  
Expand the District Boundaries with Osceola  
County**

Mr. d’Adesky: It’s a fairly standard resolution. The County requires that we have a written resolution whenever we try to expand the boundaries. The amount of area is a portion of the Miller property, Parcels B and C. That allows us to expand the District.

Mr. Morgan: Which tract is this David? Where is this? I can’t tell from this map.

Mr. Reid: It’s a portion of Bronson.

Mr. Morgan: We already talked about that. Is this the first take, sort of speak?

Mr. Reid: There’s an A and B pod in the front.

Mr. Morgan: So just the front part?

Mr. Reid: Yes. It will go east and north. That north island is not in yet.

Mr. Morgan: I tried to make heads or tails of the map.

Mr. d’Adesky: There’s a better one in color, but it’s more of like a sales map. Obviously, the addition will be reviewed by David, George and myself, and it will be submitted to the County. There will be a more formal sketch and legal that’s very clear.

Mr. Johnston: As long as we have that.

Mr. d’Adesky: Westgate hasn’t been completed, but it was previously approved by this Board, so we will be able to do those together and, fortunately, save on a filing fee.

Mr. Morgan: So we will do them together and there will be a single submission to the County.

Mr. d’Adesky: Exactly. We will save \$15,000 rather than doing it separately.

Mr. Morgan: Very good.

Mr. Flint: Are there any questions on the resolution? If not, we need a motion to adopt it.

On MOTION by Mr. Morgan, seconded by Mr. Johnson, with all in favor, Resolution 2018-03 Authorizing the Filing of a Petition to Expand the District Boundaries with Osceola County was adopted.

**SIXTH ORDER OF BUSINESS**

**Discussion of Disclaimer of Rights to  
Mitigation Credits - Added**

Mr. Flint: We added an item to the agenda, which is the discussion of the Disclaimer of Rights to Mitigation Credits. We are doing this, just to get this into the District's records. It's not required that the Board approve this, but we want to get it into the record, so that in the future, we can find it. I will allow Andrew to explain this.

Mr. d'Adesky: This relates to a long negotiation regarding the mitigation credits. We met with BTI, who are some of the underlying signatories of Shingle Creek Property, LLC. We started with a very long assignment, which was narrowed down to this simple disclaimer. This releases and disclaims the credits, which at this point, can only be used by Lennar, within the District, unless Lennar was to sell a portion of the property to another builder. They are the only feasible user of the mitigation credits.

Mr. Morgan: So this is just stating in black and white, that everyone else is disclaiming the rights to them and only Lennar and the CDD has rights.

Mr. d'Adesky: Correct. Without this, there was an argument that Shingle Creek Property might be entitled to the use of a certain amount of credits, but after this, this clarifies and gets rid of that argument, once and for all, that there might be another entity that could come in, swoop in and use those credits.

Mr. Morgan: Very good.

Mr. Flint: Is any action required to accept it?

Mr. d'Adesky: Since we set the disclaimer, we should accept the Disclaimer of Rights to Mitigation Credits. Under the previous agreement, David Reid monitors the mitigation credits and keeps track of them. By accepting it, we are acknowledging the fact that we will keep track of these, to be used in the future as they are needed. The good news is when we expand the District, these could be used on the expansion property, which would be useful for the CDD or Lennar.

On MOTION by Mr. Morgan, seconded by Mr. Johnston, with all in favor, accepting the Disclaimer of Rights to Mitigation Credits, was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Flint: Andrew, do you have anything?

Mr. d'Adesky: I have nothing additional to report.

**B. Engineer**

Mr. Flint: Dave, do you have anything?

Mr. Reid: I have nothing new.

**C. District Manager's Report**

**i. Approval of Check Register**

Mr. Flint: You have the Check Register for September 25<sup>th</sup> through October 30<sup>th</sup>, totaling \$34,303.02. The detailed register is behind the summary. If you have any questions we can discuss those.

On MOTION by Mr. Morgan, seconded by Mr. Johnston, with all in favor, the Check Register was approved.

**ii. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited financial statements through September 30, 2017. If you have any questions we can discuss those. Not hearing any, Mr. Brian Smith is here. He is the Field Manager. Are there any issues that you want to present to the Board from a Field Management perspective?

Mr. Smith: No. Everything is going well. I am trying to move ahead and get the ponds mowed. Our landscaper is performing well.

Mr. Flint: Are there any questions for the Field Manager?

Mr. Morgan: Were the fence posts removed on the silk fence on Storey Lake Boulevard?

Mr. Reid: They will be removed no later than Friday.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

There being none the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisor's Requests**

There being none the next item followed.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Johnson, seconded by Mr. Morgan, with all in favor, the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman