

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, August 5, 2019 at 12:00 p.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, Florida.

Present and constituting a quorum were:

Rob Bonin	Chairman
Adam Morgan	Vice Chairman
Lane Register	Assistant Secretary

Also present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
David Reid	District Engineer
Alan Scheerer	Field Manager
Nora Schuster	Lennar Homes

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll at 12:05 p.m. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the June 3, 2019 Meeting**

Mr. Flint: You have the minutes from the June 3, 2019 meeting. Are there any comments from the Board?

Mr. Morgan: No.

Mr. Flint: Then we need a motion to approve them.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the minutes of the June 3, 2019 meeting were approved, as presented.

**FOURTH ORDER OF BUSINESS                      Public Hearing**

Mr. Showe: We need a motion to open the public hearing.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the public hearing was opened.

**A.        Consideration of Resolution 2019-16 Adopting the Fiscal Year 2020 Budget and Relating to the Annual Appropriations**

Mr. Flint: The Board previously approved the Proposed Budget and set the public hearing for today. We have Resolution 2019-16 adopting the budget for 2020, which is attached to the Resolution as Exhibit A. Are there any questions or comments on the resolution or Exhibit A?

Mr. Morgan: Is the London Creek maintenance going to remain the same from 2019 to 2020?

Mr. Flint: That's how we have it in here. We just received a proposal from Austin Environmental. It remains the same.

Mr. Reid: The first year is the same, but the second and third year will change.

Mr. Flint: Its flat in here.

Mr. Morgan: That's why I was asking because that was my understanding.

Mr. Reid: It raised a little bit.

Mr. Flint: It increased by \$600 in years two and three.

Mr. Morgan: So this is the second year.

Mr. Reid: He's done. This is his third year so I asked him to provide another one to give you a heads up for the budget.

Mr. Flint: This is a new three year agreement.

Mr. Morgan: I understand.

Mr. Register: Which line item is this?

Mr. Morgan: The London Creek maintenance.

Mr. Flint: The \$30,000.

Mr. Register: That's the property to the south, right?

Mr. Morgan: Yes. We still need to go down there and take a look. I'm not sure what Mr. Frank is up to down there. I had a conversation with him, but I haven't spoken to him since so I just want to go down and check.

Mr. Reid: I went down there a couple of weeks ago.

Mr. Morgan: The cows were all good?

Mr. Reid: Yes. He has a lot of them out there, but they are all fenced in.

Mr. Morgan: Okay.

Mr. Reid: One got out.

Mr. Morgan: Because they were all wandering about the last time I was down there.

Mr. Register: In September, the Board needs to do something.

Mr. Morgan: Yes. In my conversations with him, evidently, he's having trouble with people coming onto to the property from the lakes via airboats. They are literally taking his gates off of the hinges and setting them aside and the cows just wander around.

Mr. Register: Are the gates in the stream?

Mr. Morgan: No. They can come right up the stream if they want to. It's like the wild west down there. Plus, they come onto Water Management District land and access through there. They removed the District gate and the cattle gate off at the same time. It looked like they were driving four wheelers through there. He had to hire cowboys twice to come in and catch the cattle and put them back in the pen. That's why I was wondering if they were all still there because I haven't been back down there.

Mr. Register: Two had gotten out. You can see where they got out.

Mr. Flint: Are there any other questions or discussion on the Proposed Budget? Hearing none, no members are here to provide comment. Therefore, we need a motion to approve Resolution 2019-16.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor Resolution 2019-16 Adopting the Fiscal Year 2020 Budget and Relating to the Annual Appropriations was adopted.
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**B. Consideration of Resolution 2019-17 Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Flint: The next resolution, imposes the O&M assessments, based on the budget that you just approved. The Assessment Roll will be attached to it. Are there any questions on the resolution? If not, we need a motion to adopt it.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor Resolution 2019-17 Imposing Special Assessments and Certifying an Assessment Roll was adopted.

Mr. Flint: We need a motion to close the public hearing.

On MOTION by Mr. Register seconded by Mr. Morgan with all in favor the public hearing was closed.

**FIFTH ORDER OF BUSINESS**

**Consideration of Agreement with LLS Tax Solutions, Inc. to Provide Arbitrage Rebate Calculation Services**

Mr. Flint: This is the company you used in the past and they are charging \$550. It is a budgeted item. We need a motion to approve the agreement.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the Agreement with LLS Tax Solutions, Inc. to provide Arbitrage Rebate Calculation Services in the amount of \$550 was approved.

**SIXTH ORDER OF BUSINESS**

**Discussion of Additional Maintenance Service Proposals**

**A. Aquatic Maintenance**

Mr. Flint: These are for the new areas. Is it to add four ponds?

Mr. Scheerer: There are four ponds; one in Windermere, two at the roundabout in Phase 3 and the P-2 pond, which is just past the Target pond. I think those are ready to be turned over to the District for maintenance. We are already mowing everything, but the P-2 pond. We have cattails. I know the engineer identified some of those ponds for maintenance, but we don't have a contract for those ponds. As far as I know, they are ready to go. We have a price of \$210 a month to maintain all four ponds from our current provider. If the Board has no objections, we would like to get started on spraying those.

Mr. Morgan: So that would just be an addendum to the existing contract?

Mr. Scheerer: Yes.

Mr. Morgan: Okay.

Mr. Bonin: Does anyone do anything with the control structures? Are they clear of any vegetation?

Mr. Scheerer: Yes. They will spray in and around the control structure from the lakeside. If we have to remove anything, I always asked Down to Earth to help me out to clean them, but these are all wet. We don't remove them after we spray them, if that's what you are asking.

Mr. Bonin: Sometimes the control structure is missing a grate or a skimmer gets busted. Does anybody flag that or is it a yearly inspection?

Mr. Flint: If Alan becomes aware of it, we get it fixed.

Mr. Scheerer: We do have people that can make repairs. This is just for the aquatic maintenance portion.

Mr. Flint: Yes. Any of the items you may have identified in your annual review, we are working on getting addressed.

Mr. Morgan MOVED to approve the addition of four additional ponds for aquatic maintenance services in the amount of \$210 per month and Mr. Register seconded the motion.

Mr. Flint: Are there any additional questions? Hearing none,

On VOICE VOTE with all in favor the addition of four additional ponds for aquatic maintenance services in the amount of \$210 per month was approved.

Mr. Scheerer: There is another one after that, George, I believe. I don't think the P-1, P-3 and B-1 ponds are ready to be turned over to the District. I just included them for the Board's information. We already have prices for that.

Mr. Morgan: I noticed that some of our trees planted along Natures Ridge and the road behind that where the residents are, were knocked over and dying.

Mr. Scheerer: She stood them all up. She actually replaced five of them on CDD property with new trees. Then I road down with Down to Earth last week and four of them are starting to shock. Down to Earth thinks they are going to do okay, but as part of this landscape discussion, there are bunch of areas on your map highlighted in yellow. These are areas that have not been

turned over to the District. We would like to try to set up a meeting to do that. Ken from Southern sent out an invite last week to everybody. I'm good and Down to Earth is good. Rob and Pat were included. I'm not sure if you are available on Friday at 9:00 a.m. to meet. If you are not, we can find a different day, but I think we are ready to move with that. Those trees will be identified as part of that. We have an area that we talked about, the lift station, which I guess was ready, but it's no longer ready because of irrigation issues. We are ready to go. We are ready to maintain them. I think Southern is done. We just need to do the formal turnover and we are good to go.

Mr. Bonin: So where would it start?

Mr. Scheerer: With Phase 3 at the traffic circle for Natures Ridge Drive and Storey Lake Boulevard. That's at 9:00 a.m. I haven't heard from Pat. I knew I was going to see you today.

Mr. Bonin: Do an Evite for 9:00 a.m. We can both do that.

Mr. Scheerer: Yes sir.

Mr. Flint: Have Stacy do it on the special Lennar computer. Our calendar doesn't seem to sync up with you guys so we set up a special Lennar computer. It's an IBM. No action is necessary on the pond maintenance proposal at this point.

Mr. Scheerer: That is correct.

## **B. Landscape Maintenance**

Mr. Scheerer: The areas that we are looking to turn over are listed in your agenda package. We can probably do the same thing with this, George, do the walk through with Lennar and give the power to the Chair to execute it.

Mr. Flint: Okay. There is a summary sheet before the proposals.

Mr. Scheerer: Then the actual proposals are listed after that. You have the maps in yellow, the associated summary and the actual costs associated with all of those areas. Those are the areas that we are looking to get turned over to the CDD for maintenance once we have this walk through on Friday morning.

Mr. Bonin: That's good.

Mr. Scheerer: Yes sir.

Mr. Flint: So if the Board approves, we need a motion pending the walk through, authorizing the Chair to execute whatever documents are necessary to engage the landscape contractor as well as any conveyance that are required.

On MOTION by Mr. Register seconded by Mr. Morgan with all in favor authorization for the Chair to execute whatever documents are necessary to engage the landscape contractor as well as any conveyances that are required, pending the walk through was approved.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Wayfinding Signage License Agreement**

Mr. d’Adesky: A long time ago, the Board approved a form of Wayfinding Agreement, but it was never executed. So, we finally got that executed and finalized. I don’t know why it was never signed.

Mr. Flint: We don’t have the executed version in your agenda, but it was signed by Brock.

Mr. d’Adesky: Yes it was signed by Brock. The only thing that changed was the date, from 2017 to 2019.

Mr. Flint: This allows directional signage on CDD property.

Mr. d’Adesky: This is an agreement between the CDD and Lennar to put signage on our property.

Mr. Morgan: Would we go through county approval?

Mr. Flint: It would have to be permitted.

Mr. d’Adesky: It has to meet any county standards.

Mr. Morgan: Yes, because they are making us take down a couple of signs and then we have to go through approval to get them re-installed.

Mr. d’Adesky: It just allows you to put it on CDD property because otherwise, it requires a public purpose. The public purpose is people finding where to go.

Mr. Morgan: Okay.

Mr. Flint: So we need a motion to ratify the agreement.

On MOTION by Mr. Register seconded by Mr. Morgan with all in favor the Wayfinding Signage License Agreement was ratified.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Series 2015 Requisition #25 and Series 2019 Requisitions #2 - #3**

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor Requisition #25 for Series 2015 and Requisitions #2 - #3 for Series 2019 were ratified.

- **Discussion of Proposal from Austin Environmental Consultants, Inc. for Maintenance Services at London Creek Ranch – Added (*Tenth Order of Business*)**

Mr. Flint: This is a new three year agreement. The first year, which starts on October 1<sup>st</sup> is for \$30,000, which is what we have in the budget. The second year increases by \$600 and the third year is the same as the second year. Are there any questions on the agreement? If not, we need a motion to approve it.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the Proposal from Austin Environmental Consultants, Inc. for Maintenance Services at London Creek Ranch in the amount of \$30,000 was approved.

**NINTH ORDER OF BUSINESS**

**Acceptance of Audit Committee Recommendation and Selection of #1 Ranked Firm to Provide Auditing Services**

Mr. Flint: Sorry I skipped this item. The Audit Selection Committee met prior to this meeting. Grau & Associates was ranked number one. I would ask for a motion from the Board to accept the Audit Committee’s ranking.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor approving the ranking of Grau & Associates as the number one ranked firm for auditing services was approved.

**TENTH ORDER OF BUSINESS**

**Discussion of Proposal from Austin Environmental Consultants, Inc. for Maintenance Services at London Creek Ranch - Added**

This item was discussed.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. d'Adesky: Do you know if there is anything related to Westgate that needs to be cleaned up? I received a voicemail from Mark late last week that I think I need to follow up with. There may have been a conveyance mistake. I will follow up with him.

Mr. Register: Is it related to the lift station?

Mr. d'Adesky: She just said Westgate.

Mr. Register: We just did a Bill of Sale, conveying a deed to Toho for the lift station.

Mr. d'Adesky: Okay. If it didn't, it would have to come out.

**B. Engineer**

Mr. Flint: Dave, do you have an Engineer's Report?

Mr. Reid: I think I emailed you Austin Environmental's invoice. I went down to London Creek Ranch a couple of weeks ago with Randy, just to review everything. There is still an issue with someone cutting the lock and putting a new one on. The CDD locks were still there.

Mr. Morgan: There should be two CDD locks. I labeled them one and two.

Mr. Reid: Both of them are there.

Mr. Morgan: Okay. There shouldn't be any other guy with a lock.

Mr. Reid: It was either Toho or...I don't know who else it could be.

Mr. Morgan: Toho has no right to be in there. Only the Water Management District, Frank and us need to be in there. The Water Management District has a lock and the power company has a lock.

Mr. Reid: It was the power company guy.

Mr. Morgan: Okay.

Mr. Reid: There is a lot of rain and things are growing fast.

Mr. Morgan: In my discussions with Frank, he was complying with the Water Management District to have the hog control permit transferred from the Carrs to him. I'm sure that's been done now.

Mr. Reid: They have to get a permit for that?

Mr. Morgan: Yes, because we are required to kill 150 hogs a year on the property through our permit. That traditionally has been done by the person that owns the home. So, for the last few years it's been the Carrs, but since they are out now, it is Frank's responsibility.

Mr. Reid: The hogs are a problem.

Mr. d'Adesky: Do we have to kill them?

Mr. Morgan: It's in the permit that we have to kill 150 hogs.

Mr. Reid: There's a lot of them. They cause a lot of problems.

Mr. d'Adesky: I never heard of a minimum threshold.

Mr. Morgan: It was 100 for a couple of years and then they increased it two years ago to 150 because of damage to the adjacent property, the District property.

Mr. Reid: Is it in the hog permit?

Mr. Morgan: It's in the hog permit.

Mr. Reid: Okay. I remember seeing it.

Mr. Morgan: There is a paragraph in the District permit that requires hog control. There's just not a number.

Mr. d'Adesky: Is it because he's trying to run that as a business venture?

Mr. Flint: No its to prevent damage.

Mr. d'Adesky: No, no, no, the reason for the transfer.

Mr. Morgan: We as a CDD can go in and kill all the hogs we want without a permit, but the private property owner must have a permit. He also has the permit to the adjacent District land to control their hogs as well. It's a big problem. It's been better though.

Mr. Reid: I didn't see quite as much damage, but you could see some. They got wise to the trap so you can't trap them anymore. They won't go.

Mr. Morgan: I told Frank if he didn't keep them under control, the CDD would take over and come in and do a ratification.

Mr. Flint: Do you have anything else, Dave?

Mr. Reid: No. That's it.

### **C. District Manager's Report**

#### **i. Approval of Check Register**

Mr. Flint: You have the check register from May 27, 2019 through June 29, 2019 in the amount of \$134,956.89. Are there any questions? If not, we need a motion to approve it.

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

**ii. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited financial reports. No action is required, but if you have any questions, we can discuss those.

**iii. Presentation of Arbitrage Rebate Calculation Report**

Mr. Flint: You have the Arbitrage Rebate Calculation Report for the Series 2015 bonds. You have a negative cumulative rebate requirement of \$2,111,000 million. So, there are no arbitrage issues. We need a motion to accept that report.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the filing of the Arbitrage Rebate Calculation Report was approved.

**iv. Approval of Fiscal Year 2020 Meeting Schedule**

Mr. Flint: You have the annual meeting schedule showing the District meeting the first Monday of each month at 12:00 p.m. in this location, with the exception of July and moving the September meeting one week later due to a holiday. We need a motion to approve the 2020 meeting schedule.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the Fiscal Year 2020 meeting schedule as presented was approved.

**TWELFTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS            Supervisor's Requests**

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS        Adjournment**

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



Secretary/Assistant Secretary



Chairman/Vice Chairman