

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, September 14, 2020 at 12:00 p.m. at via Zoom Teleconference.

Present and constituting a quorum were:

Rob Bonin	Chairman
Adam Morgan	Vice Chairman
Lane Register	Assistant Secretary

Also present were:

George Flint	District Manager
Kristen Trucco	District Counsel
David Reid	District Engineer
Alan Scheerer	Field Manager
Tricia Adams	GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll at 12:00 p.m. Three out of the five Board members were present constituting a quorum. Due to COVID-19, the Governor passed an Executive Order allowing government agencies to waive the physical quorum requirements, and instead allowing the use of technology to hold remote meetings.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: We do not have any members of the public on, it is only staff and Board members.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the August 3, 2020 Meeting**

Mr. Flint: Did the Board have any comments or corrections to the August 3, minutes?

Mr. Morgan: No changes, they look good.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor the Minutes of the August 3, 2020 meeting, were approved.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-09  
Declaring the Series 2015 Project Complete**

Mr. Flint: This is required by the Trust Indenture to be able to close out the 2015 project. The funds and the construction and acquisition account have been depleted. In order for the Trustee to close out that account, the Board has to certify the project complete. In the certificate in the agenda, District Counsel has worked the Engineer to make sure all the improvements that were contemplated have been completed in accordance with the Engineer's Report and that they have been conveyed to the District. Any questions from the Board?

Mr. Morgan: I see where Dave has signed off on it, so I would assume it's good to go.

Mr. Flint: Yes, Dave is on the phone if you have comment?

Mr. Reid: I have no further comments on that, I think everything is good.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, Resolution 2020-09 Declaring the Series 2015 Project Complete, was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-10  
Declaring the Series 2019 Project Complete**

Mr. Flint: This is a similar resolution but for the 2019 Series Project. It is the same situation where the Indenture requires the Engineer to certify the project complete and for the Board to adopt a resolution. The executed Engineer's Certificate is attached to the resolution. It has been reviewed by and prepared by Counsel. Any questions on that resolution? Hearing none,

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, Resolution 2020-10 Declaring the Series 2019 Project Complete, was approved.

**SIXTH ORDER OF BUSINESS**

**Ratification of Towing & Enforcement  
Agreement with Storey Lake HOA**

Mr. Flint: At your last meeting I think this was approved. Tricia, was that approved by the Board?

Ms. Adams: Yes, the Board approved the concept of entering into a Towing Agreement with H&H Towing Services and also a Towing Enforcement Agreement with the HOA and the

Board is approving the agreement today. We haven't yet had it signed, so it's just approving the agreement.

Mr. Flint: Currently, it's just applied at the parcel we considered during the last meeting. We've had an issue with people parking on the grass along a strip of land. For us to be able to enforce towing from that property, the Board had to enter into an agreement with a towing company to enforce the agreement. We're authorizing the HOA on our behalf to be able to authorize the towing company to tow vehicles from that property. This agreement is between the District and the HOA.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, the Towing & Enforcement Agreement with Storey Lake HOA, was ratified.

#### **SEVENTH ORDER OF BUSINESS**

#### **Ratification of Towing Services Agreement with H&H Towing, Recovery & Transport**

Mr. Flint: This is a ratification of the agreement we just talked about between H&H Towing. In order to get this moving forward we signed the agreement with H&H, which will be attached to this in your agenda package.

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, Ratification of Towing Services Agreement with H&H Towing, Recovery & Transport, was ratified.

#### **EIGHTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2020-11 Declaring Vacancies in Certain Seats**

Mr. Flint: Next, is a resolution declaring that we have 2 seats transitioning. It's seat 4 and 5. Seats are transitioning to general election. No qualified electors qualified to run for those seats. The qualifying period ended in June. What this resolution does is, effective the second after the general election in November, it declares seats 4 and 5 vacant. Those seats are currently held by a Mark Revell and Rob Bonin. What happens is, at that point, if there are no qualifying members the Board would appoint individuals to those seats. However, those individuals have to be qualified electors. That means they have to reside within the boundaries of the District with that their primary address and be registered to vote with that address. In the event there are no qualified electors at that point, to be appointed to those seats the incumbents can go over in those seats for a period of time until such time is qualified electors are identified. That carry over period would

be temporary, however if there's no qualified electors that are identified then they could remain in that seat for a period of time. Are there any questions on the resolution? We may want to look at who is on the Board and what seats they are in. I don't know if you want to move anybody around. If you do want to do that, we can do that through an orderly transition of resigning and being reappointed so you get the people that you want in there. Then the three seats are going to remain land owner elected. We should probably look at that between now and the October meeting. In the event that there's any changes that the landowner would like to see, we could consider that in October. Any questions on that?

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, Resolution 2020-11 Declaring Vacancies in Certain Seats, was approved.

#### **NINTH ORDER OF BUSINESS**

#### **Consideration of Agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2020**

Mr. Flint: You appointed and solicited responses, and selected Grau as the independent auditor. You entered into annual engagement letters with them for preparation for the annual independent audit. This is the agreement for their audit for the Fiscal Year 2020 budget which ends at the end of this month. Any questions on the agreement?

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, Consideration of Agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2020, was approved.

#### **TENTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. Attorney**

Ms. Trucco: We are good. We've just worked on the agreements that you all approved today and the completion resolutions, but otherwise we are fine here.

##### **B. Engineer**

Mr. Reid: I do not have anything further for the Board.

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

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

Mr. Flint: You have approval of the check register for the General Funds from July 27<sup>th</sup> through September 8<sup>th</sup> totaling \$59,848. Any questions on the check register? Hearing none,

On MOTION by Mr. Morgan seconded by Mr. Register with all in favor, the Check Register totaling \$59,848, was approved.

**ii. Balance Sheet and Income Statement**

Mr. Flint: You also have the unaudited financial statements through August 31. Does the Board have any questions? Hearing none,

**ELEVENTH ORDER OF BUSINESS                      Other Business**

Mr. Flint: Alan, I think you mentioned there was a note from the homeowner's association to potentially allow for jet skis in one of the District's ponds. We've not received a formal request in writing to that extent. When we do, we will look at the Water Management District permit to see if motorized craft are allowed and if that's the case, we can bring it to the Board next month for discussion before we incur legal expense.

Mr. Morgan: Who is asking?

Mr. Flint: The homeowner's association, the property HOA manager.

Mr. Scheerer: Icon Manager, Elvis Martinez, called me. I asked him to submit his request in writing. As George indicated, we have some staff work to do before getting legal involved, if it was even allowed to allow motorized craft.

Mr. Register: Which HOA? The Resort or Reflections?

Mr. Scheerer: Reflections.

Mr. Register: Okay.

Mr. Flint: That's not formal in writing. It may not go anywhere. I'm just giving the Board a heads up. Is there any other business or supervisor's request?

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

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS                      Adjournment**

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

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman