

**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, **December 2, 2024** at 11:30 a.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, FL.

Present and constituting a quorum:

Rob Bonin
Adam Morgan
Logan Lantrip
Barry Bichard

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

Jeremy LeBrun
Kristen Trucco *by phone*
Rey Malave *by phone*
Alan Scheerer

District Manager, GMS
District Counsel, LLEB
District Engineer, Dewberry
Field Manager

FIRST ORDER OF BUSINESS

Roll Call

Mr. LeBrun called the meeting to order and called the roll at 11:30 a.m.

Mr. LeBrun: We have four Supervisors present, so we have a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. LeBrun: Just for the record, there are no members of the public present, just Board and staff.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Appointment of Individuals to Fulfill Vacancies in Seats #1, #2, #4 & #5

Mr. LeBrun: This is the appointment of individuals to fill vacancies in seats #1, #2, #4 & #5. As the Board may recall, seats #3, #4, & #5 were up for election for general electors. No one qualified through the general elector process. At this time, the Board can opt to appoint those Board

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members that are currently in those seats. In seat #3 is Adam Morgan, seat #4 is Barry Bichard and seat #5 is Rob Robin. Like I said, if the Board wishes, we can just appoint those to the same seats.

Mr. Morgan: I make a motion to appoint the Board members to the same seats.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Appointing Barry Bichard to Seat #4 and Rob Bonin to Seat #5 and Carrying Over Adam Morgan, was approved.

B. Administration of Oaths of Office to Newly Appointed Board Members

Mr. LeBrun: Since you are starting a new term in this appointed Board seat, I will just go ahead and read the oath to our three Board members. You can just respond and affirm at the end. State your name as a citizen in the State of Florida, United States of America and being employed by or an officer of Shingle Creek CDD and recipient of public funds as such employee or officer do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

Mr. Morgan: I do.

Mr. Bonin: I do.

Mr. Bichard: I do.

C. Election of Officers

Mr. LeBrun: We will start looking for general electors to fill those seats but until that time comes, we will continue on as we have been for those vacancies.

Mr. Morgan: For the record, I know Mark McDonald is pushing and I have informed him that we have never had any eligible electorates come forward and have requested the assistance of the HOA and they are doing what they can. It is an ongoing process.

Mr. LeBrun: We reached out again to try and get some names of people that would want to join. For now, you guys are appointed to those seats and will continue on and we will continue looking for those general electors to serve.

D. Consideration of Resolution 2025-02 Electing Officers

Mr. LeBrun: Every time there is an appointment of a new Board member, we are required to do an election of officers. The Board can elect to change officers or keep everything the same.

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Currently for Shingle Creek, Rob Bonin is Chairman, Adam Morgan is Vice Chairman, and the remaining Board members are Assistant Secretaries. The Board can continue to keep that or make changes if they wish.

Mr. Morgan: Rob, do you want to stay Chair or want me to be Chair?

Mr. Bonin: I will stay Chair.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Resolution 2025-02 Electing Officers – Keeping same slate of Officers, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the October 7, 2024 Meeting

Mr. LeBrun: Next is the approval of the minutes of the October 7, 2024 meeting. Those are in your agenda packets starting on page 8. Happy to take any comments or questions, if not, just looking for a motion to approve.

Mr. Morgan: Make a motion to accept.

Ms. Trucco: I have some nonsubstantive comments I can go through now. I don't know if you had a chance to look at those or if the Board wants to approve subject to my minutes on there.

Mr. LeBrun: I didn't review those but if you want to give a quick rundown for them.

Ms. Trucco: Page 3, I made a few nonsubstantive comments on the minutes when I was going through the conveyance resolution that I introduced. If the Board wants, I can go through each individually or can circulate them to the Board or approve them subject to those comments.

Mr. Morgan: We will just approve subject to the comments.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Minutes of the October 7, 2024 Meeting Subject to Counsel's Comments, were approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Agreements Related to Potential Sale of Adjacent Property by Len-OT

Mr. LeBrun: Kristen, I think you are going to go through this one.

Ms. Trucco: Since the last Board meeting, I was approached by the developer about the sale of two tracts of land. If you look at page 15 of your agenda, the first is a future development

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tract right next to LA2. The map that I am looking at is the one with green, yellow, and blue. This is a tract that is in between Storey Lake Blvd to the left and then Osceola County Parkway is North of it, just right above it. It is next to LA2 and you will see that peach colored square there that is the lift station tract. The tract surrounding that, that is slightly outlined there is the future development tract that Len-OT is considering selling as well as the roadway tract that is right underneath that called Discovery Ridge Drive. The developer owns both of those tracts. Discovery Ridge Drive is within the CDD's boundaries but the future development tract is not. However, it is relevant to the CDD because we have gotten confirmation from the District Engineer that that future development tract utilizes the CDD's storm water drainage system so that tract actually drains into the blue pond. You will see on that map it is labeled tract D1. Because of this, we were all going to abide by the potential purchaser of the future development tract that applies to construct 240 residential units there. I believe it is planned for an apartment complex as of now. You can see the site plan on the following page, page 16 of your agenda. That is what we have received so far but anytime we get notice of something like this, we always ask for some type of cost sharing agreement to be entered into by the purchase with the CDD. Again, they are going to be utilizing the CDD's drainage system for those 240 units. The District engineer, the prior one Dave Reid, he provided this map. The red lines represent the drainage from the future development tract that is potentially going to be sold. In this case, we would ask the purchaser, the owner of that future development tract, to pay their proportionate share of the use of the system that the CDD currently maintains and operates. There would be potentially some impact that looks like from the maintenance of Storey Lake Blvd because people would live in this future development tract. The 240 units would be utilizing Storey Lake Blvd as well.

Mr. Morgan: Correct.

Ms. Trucco: The inspection period for the purchase has been extended to December 20th as of now. I wanted to take this opportunity to bring the form of these agreements back to the Board. I will go through and hopefully get a motion to approve this concept in substantial final form subject to follow up on details, the proportionate share that we would ask the future development tract to contribute to the CDD. At least this gives you an idea of the actual documents that we would request in this scenario. The first one starts on page 17 the cost sharing agreement for maintenance of shared infrastructure. As of now again, we think the drainage system will be utilized as well as Storey Lake Blvd. You will see section one just names those impacts so

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maintenance, replacement repair, landscaping, irrigation on Storey Lake Blvd, as well as use of the storm water pond that was pointed out. The master storm water system would be utilized as well. This is going to require assistance from the District Engineer as well as your methodology consultant at GMS to come up with what they would determine would be that proportionate share of the benefit and then we would ask the future owner of that tract to contribute that on an annual basis to the CDD. Following that is a drainage easement. The future development owner will need that to memorialize in writing as that will give them permission to utilize the storm water system. We would ask for the cost sharing that they are paying for that use. Following that is the funding agreement between the CDD and the future development owner. It could be with Len-OT if they want to enter into that with the CDD but right now we have it drafted with the future owner and the CDD. This would cover the cost of your staff to review this which includes District Counsel and the District Engineers assistance will be needed as well to try to configure that drainage as discussed, the drainage impact, cost share amount. Following that on page 47 of the agenda PDF is a temporary construction easement. The idea behind this is the purchaser would be utilizing Storey Lake Blvd potentially in order to construct those 204 units and we want them to indemnify the CDD for any damage that they cause as a result of their construction trucks, etc. These are the initial drafts. Like I said, we are not certain that it is going to be solved yet. The inspection period for that sale has been extended to December 20th. I did want to get this in front of the Board so we can get any questions that you have answered and also ask for permission basically to proceed with finalizing these documents.

Mr. Bichard: Would there be any consideration for their financial part in the installation of the traffic signal that had to be put at Osceola Parkway and Storey Lake? It is already there.

Ms. Trucco: There has not been discussion of that.

Mr. Bonin: That is not a CDD matter. It is not a CDD matter and is not anything that Ryan has chalked up on his agreement.

Ms. Trucco: Okay.

Mr. Bonin: Who are you getting the December 20th extension from? Who is providing that to you?

Ms. Trucco: That was Chuck Costar who confirmed that on November 13th. He said the inspection period was extended until December 20th.

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Mr. Morgan: My main concern is seeing how the system operated during Hurricane Milton and previous storms, I would like for the District Engineer to confirm that the system can comfortably capture this additional storm water that is going to be entering into the system because it was pretty much maxed out during those storms so I want to be sure we are not going to overwhelm it by adding this extra surface area.

Mr. Bonin: Here is the thing, that pipe is already stubbed out. The pipe is in the ground to the tract that we are talking about. The water that lands on that site right now goes to that drain inlet and crosses the street. It is already making its way to the pond.

Mr. Morgan: Was that designed for all of this additional impervious area because right now it is all grass.

Mr. Bonin: Yes.

Ms. Trucco: Len-OT's counsel would let me know that the period had been extended. He said he believes they are working on the extent to which the drainage system can accommodate the potential purchasers planned development. I think that is something that is still ongoing.

Mr. Morgan: Okay.

Ms. Trucco: Certainly, though these agreements would still cover that.

Mr. Morgan: Are you aware of this Rob? Do you know what is going on?

Mr. Bonin: Yes. Is Dave Reid still the engineer?

Mr. Malave: Just to confirm, were you saying that they used a post development imperviousness assuming it was going to be some type of apartments when it was originally approved and designed or was it just grass?

Mr. Scheerer: Some parking lot.

Mr. Morgan: That is what we are not sure of.

Mr. Bonin: There was a parking lot.

Ms. Trucco: It all needs to be ironed out basically. The prior engineer Dave Reid did confirm that tract currently drains as Rob mentioned through the CDD storm water system.

Mr. Malave: That is what I understand. It drains into our system under existing conditions and not under developed condition. The other question is that lift station, does that service our sewer and water?

Ms. Trucco: Yes, I believe so.

Mr. Bonin: That master lift station services everything in Storey Lake.

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Mr. Malave: That is on my list of what needs to be checked.

Ms. Trucco: I will forward you Dave Reid's responses on this too because we will need your help moving forward to iron out the terms of these agreements of course.

Mr. Bonin: Kristen, when did you receive Dave Reid's responses to the questions?

Ms. Trucco: I would have to go back and take a look at that. I forwarded them to Brian Cipollone and then Len-OT's counsel Chuck Costar. I am happy to forward that to you.

Mr. Bonin: Yes, send that to me because Brian is asking me all of these questions.

Ms. Trucco: Okay, I will do that. I am going to forward now to you and will also forward this stuff to Rey too.

Mr. Bonin: Brian and I have a call with the buyer whether it is this week or next week to go over some of this.

Mr. Morgan: Who is the buyer?

Mr. Bonin: It is a group. I can't think of their name but it's a group. They have been kicking their tires on this piece for about seven or eight months.

Mr. Morgan: Okay. Thanks Kristen, that is all I had.

Mr. LeBrun: I think Counsel is asking for approval in substantial final form.

Mr. Morgan: Are you good with that Rob?

Mr. Bonin: Yes.

Mr. Malave: Can you also add in there to have staff spend time on it, for the record?

Ms. Trucco: Yes.

Mr. LeBrun: I think Adam is okay with that amended motion.

<p>On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Agreements Related to the Potential Sale of Adjacent Property by Len-OT and Authorizing Staff to Finalize the Terms of the Agreement and Delegating Authority to the Chair/Vice Chair to Execute Time Sensitive Documents, was approved in substantial final form.</p>

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. LeBrun: District Counsel, anything to report?

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Ms. Trucco: No, I have no new updates. Only the Len-OT sale has come up since the last Board meeting. I sent out a reminder about the ethics training requirement last week. As a rule of thumb, we are recommending if you served as a CDD Supervisor in 2024 that you complete the 4 hours of ethics training requirement. If you cannot receive by email, please reach out to myself or Jeremy so we make sure you are all set and ready to go. That is all I have unless you have any questions for me.

B. Engineer

Mr. LeBrun: Rey?

Mr. Malave: I have no other information unless there are any questions.

C. District Manager's Report

i. Approval of Check Register

Mr. LeBrun: Next is the approval of the check register that is on page 57 of your electronic agenda. For the general fund we have checks 942-962. The total there is \$455,397.54. From the payroll fund we have checks 50055-50058. The total there is \$738.80. The grand total there is \$456,136.34. Behind that you have your line-by-line register that details those checks. Happy to take any questions, if not, look for a motion to approve.

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

ii. Balance Sheet and Income Statement

Mr. LeBrun: Behind that you have your balance sheet & income statement. These are your unaudited financials through October 31st. No action required on the Board's part. Just the first month of the new fiscal year.

SEVENTH ORDER OF BUSINESS

Other Business

Mr. LeBrun: Any other business or supervisor requests?

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

There being no comments, the next item followed.

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NINTH ORDER OF BUSINESS

Adjournment

Mr. Morgan: I will make a motion to adjourn.

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

Signed by:

Jeremy Lebrun

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Secretary / Assistant Secretary

DocuSigned by:

Rob Bonin

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Chairman / Vice Chairman