

MINUTES OF MEETING  
SHINGLE CREEK AT BRONSON  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Shingle Creek at Bronson Community Development District was held on Monday, November 7, 2022 at 11:00 a.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd. ChampionsGate, Florida.

Present and constituting a quorum were:

Adam Morgan	Chairman
Rob Bonin	Vice Chairman
Brent Kewley	Assistant Secretary
Seth Yawn	Assistant Secretary

Also present were:

George Flint	District Manager
Kristen Trucco	District Counsel
Amanda Udstad	District Engineer
Alan Scheerer	Field Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll at 11:00 a.m. Four Board members were present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: Next is public comment period and we don't have anybody other than staff and Board members.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oaths of Office to Newly Elected Supervisors**

Mr. Flint: Pat, Brent, and Seth were elected at the Landowner election, which had to be on November 1<sup>st</sup> to do the oath.

Mr. Morgan: Do you have to do that even if he is already on another one?

Mr. Flint: Yes, because he was reelected.

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**B. Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election**

Mr. Flint: Next is Resolution 2023-01 canvassing and certifying the results of the Landowners' election. We had a Landowner election last week and the Board sits as the canvassing Board to certify the results of that election. You can see that Pat Quaranta received 350 votes for a four-year term, Brent Kewley 350 votes for a four-year term, and Seth Yawn 349 votes for a two-year term. Any questions on the resolution? If not, is there a motion to approve it.

Mr. Morgan: I will make a motion.

On MOTION by Mr. Morgan seconded by Mr. Kewley, with all in favor, Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election, was approved.

**C. Election of Officers**

Mr. Flint: After each election, the statutes require that you elect officers.

**D. Consideration of Resolution 2023-02 Electing Officers**

Mr. Flint: Currently, Adam Morgan is Chair, Rob Bonin is Vice Chair, and the other three Board members are Assistant Secretaries. I am Secretary, Jill Burns is Treasurer, and Katie Costa is Assistant Treasurer.

Mr. Morgan: I will make a motion to keep it the same.

On MOTION by Mr. Morgan seconded by Mr. Kewley, with all in favor, Resolution 2023-02 Electing Officers, was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the October 3, 2022 Meeting**

Mr. Flint: Did the Board have any comments or corrections to those?

Mr. Morgan: I just wanted to go back, Kristen, to our Storey Lake Drive plat; we had a long discussion about that at the last meeting. Are we good on the plat?

Mr. Bonin: What do you mean about the plat?

Mr. Morgan: Pending plat conveyances.

Mr. Bonin: Are you talking about the lift station tract?

Mr. Morgan: Yes, the lift station conveyance.

Ms. Trucco: Yes, that's right. That is all done.

Mr. Morgan: We're all done? The plats good?

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Ms. Trucco: That is correct.

Mr. Morgan: We can get CO's?

Mr. Bonin: We have always been able to get CO's. It was the final conveyance of the lift station tract, which is now recorded, right?

Ms. Trucco: That is correct. The deed from Lennar to the District was recorded and the deed from the District to Toho was also recorded.

Mr. Morgan: Perfect. Rob was requesting that once we got that.

*\*The audio recording stopped at this time.*

On MOTION by Mr. Morgan seconded by Mr. Kewley, with all in favor, the Minutes of the October 3, 2022 Meeting, were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Ratification of Series 2021 Requisition #10**

*\*The audio recording restarted at the beginning of the fifth order of business.*

Mr. Flint: Next is ratification of Series 2021 Requisition #10. This is for engineering services related to preparing the reimbursement to Lennar for \$2,110. Is there a motion to ratify?

Mr. Morgan: I will make a motion.

On MOTION by Mr. Morgan seconded by Mr. Kewley, with all in favor, Series 2021 Requisition #10, was ratified.

**SIXTH ORDER OF BUSINESS**

**Ratification of Agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2022**

Mr. Flint: Next is ratification of the agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2022. The Board selected Grau & Associates as the independent auditor. They provided pricing for five years. In order to get the audit started, I executed the agreement. I am asking the Board to ratify that.

Mr. Morgan: I will make a motion to ratify it.

On MOTION by Mr. Morgan seconded by Mr. Kewley, with all in favor, the Agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2022, was ratified.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Landscape Maintenance Agreement with Down to Earth Landscape**

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Mr. Flint: Next is a landscape proposal from Down to Earth. They are asking for a 20% increase in their contract. This came out of left field for us. When they came forward with their contract renewal, they asked for 20% increase on all their contracts that we are involved with and across the Board. Although I don't agree with the 20% increase, our contracts have a 30-day out with no cost. In order to not have a gap in service, my suggestion would be to approve this, but authorize us to bid out landscape maintenance.

Mr. Morgan: We are not exactly happy with the service we are getting from them right now. Is that correct?

Mr. Flint: No, we are not.

Mr. Bonin: Does this \$8,700 a month reflect the increase, or it is on top of that?

Mr. Flint: This reflects the increase.

Mr. Scheerer: Yes, but we are still short the two ponds and a piece on Nature's Ridge that has not been turned over.

Mr. Bonin: Is there a map with this quote?

Mr. Scheerer: No sir. I have a Bronson map for you though, Rob, if you would like to see it.

Mr. Bonin: You're saying this includes everything but what?

Mr. Scheerer: The two ponds that are left to be turned over.

Mr. Morgan: The one on the right as soon as you come in.

Mr. Scheerer: The one just past the creek on the right.

Mr. Bonin: The one as your leaving on the right and then the one on the back side.

Mr. Morgan: Yes, that is correct.

Mr. Scheerer: There is funding in the budget right now for us to do that until, like George said, to bid it out and I have sent this information to Mark Kirkland.

Mr. Morgan: We are working towards that goal?

Mr. Scheerer: Yes.

Mr. Morgan: Okay.

Mr. Flint: Yes, this is under the formal bid threshold, so we can get the bidding done a little quicker than we would if we had to advertise it and do the bid opening. We do have significant concerns about their performance.

Mr. Morgan: This is for everything in Shingle Creek?

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Mr. Scheerer: No, just Bronson.

Mr. Morgan: Just Bronson Phases 1, 2, and 3?

Mr. Scheerer: Yes.

Mr. Bonin: When would this take effect?

Mr. Flint: This is effective October 1.

Mr. Scheerer: I believe they agreed to hold their price in October at the old contract rate, so we would pay the rate from 2022 and if this is approved today it would go effective November 1<sup>st</sup>. So, that would be just this month. They have not invoiced me for November yet.

Mr. Bonin: Okay, I am not agreeing to a full contract. I will agree to one month term. Can we do a partial?

Mr. Flint: We have a 30-day termination provision in our agreement.

Mr. Bonin: I don't like that.

Mr. Flint: Okay.

Mr. Bonin: So, what can we do here? Do we have the option to just authorize them through November or through the end of the year?

Mr. Morgan: I would say go at least to the end of the year because we are already halfway through November.

Mr. Flint: They would have to agree to hold their price. Are you agreeing to the 20% increase, but you want to define the limit?

Mr. Bonin: Yes.

Mr. Flint: Okay, we could go back to them and just go with through the end of December.

Mr. Bonin: I want to get their attention on top of this. I want to get their attention with this price increase.

Mr. Flint: They will get the attention when we issue the RFP, but I understand what you're saying.

Mr. Morgan: Let's just go back and say we approve the increase for November and December, through the end of the year.

Mr. Trucco: Do we want to do a motion and delegate authority to perhaps Rob to have the final say.

Mr. Morgan: He is already Vice Chair. He is already delegated, right?

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Mr. Flint: Well, you need to set the parameters if we are going to negotiate and agree to something other than what we're talking about. If we go to them and we say that we just want to extend the contract through the end of the calendar year at the increased rate and they say no we are not going to do that, then we will have to call a special meeting and scramble to get someone else to replace them, if they don't agree.

Mr. Morgan: Just because we are approving it, Rob, doesn't mean we are paying it. We are going to put out an RFP next month, so it's going to get their attention.

Mr. Bonin: Is the RFP a public bid or is it under the price limit?

Mr. Morgan: It is under the price limit.

Mr. Flint: It is under the price limit. The only difference is we don't have to put an ad in the newspaper, we don't have to do a sealed bid, but we would still reach out to a half dozen companies.

Mr. Bonin: What if we forwarded to Frank Polly?

Mr. Scheerer: I forwarded it in the map and the scope of services, which is what you asked me to do last month.

Mr. Bonin: How long has he had it?

Mr. Scheerer: About ten days now. We have been trying to meet up. We are meeting this week to look at everything in the field because he is kind of doing everything. We need to make sure that he understands that this is the only thing the CDD is doing.

Mr. Morgan: This is Mark?

Mr. Scheerer: Yes, this is the map. That is just a generic map. It covers everything that the CDD has. Like I said, about 85% has been turned over, maybe 90%, with the exception of the two ponds and the other side of Nature's Ridge heading towards Pioneer Village. He has all of that. By next month I will have a number for you. I don't think that there is anything missing off of that map.

Mr. Bonin: Why aren't these ponds counted? Those last two.

Mr. Scheerer: Because when you asked me to meet with Mark and Pat, Pat said that the ponds weren't ready to turn over yet, so they weren't turned over.

Mr. Bonin: That was quite a while ago.

Mr. Scheerer: Yes.

Mr. Morgan: Yes, they are ready to be turned over.

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Mr. Bonin: Probably since I said that three months ago, they are ready.

Mr. Scheerer: We just met two months ago because we brought that addendum back to the Board in our previous meeting.

Mr. Morgan: Rob, the most efficient thing to be, if I understand George correctly, would be to go ahead and approve the increase and then we will proceed with putting out an RFP. Most likely, at the most we would pay this increase would be for two months.

Mr. Bonin: Alright.

Mr. Morgan: Otherwise, we might get stuck if they decide to not agree.

Mr. Flint: We may find that Frank Polly is higher than this, even with the 20%.

Mr. Bonin: Yes, that very well may end up being the case. We want someone other than Frank Polly quoting.

Mr. Flint: We plan to send it out to several. We will get with Michelle and whoever else and decide who we want to send it to.

Ms. Udstad: Is that just for a specific phase or area?

Mr. Morgan: It is for all of Bronson.

Ms. Trucco: If the ponds are ready to go, then we can draft conveyance documents, get them signed, and then have the Board ratify it, if they are complete.

Mr. Bonin: They have been completed. We didn't need to maintain them because no residents had closed homes in there yet, but they have now.

Mr. Scheerer: Yes, we were ready when you asked us to do it, but that was not ready to be turned over.

Mr. Bonin: I am the one that says if they are ready or not.

Mr. Scheerer: Okay.

Ms. Trucco: Alan, can you send me the name of those ponds.

Mr. Scheerer: Yes mam, I can meet with the gang and have them cleaned up and mowed.

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

On MOTION by Mr. Morgan seconded by Mr. Kewley, with all in favor, Landscape Maintenance Agreement with Down to Earth Landscape, was approved.

**EIGHTH ORDER OF BUSINESS**

**Discussion of Pending Plat Conveyances**

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Mr. Flint: Pending plats and conveyances, anything we need to talk about? I think we talked about this last month; we got the lift station taken care of.

Ms. Trucco: That is done now, but I will get on the ponds.

Mr. Flint: These two ponds.

Mr. Morgan: Yes, that would be good and then we are done. That will be a completion of all conveyances, right Rob?

Mr. Bonin: Yes.

Mr. Morgan: Let's get that done.

Mr. Scheerer: When we do the RFP document, we will make sure that we call out those two ponds and the only thing that will leave is the remainder of Nature's Ridge where the homes are being done.

Mr. Morgan: Okay, they haven't installed the landscaping because of the pools.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Flint: Kristen, anything else?

Ms. Trucco: No, that is it from me. Thank you.

**B. Engineer**

Mr. Flint: Amanda, anything?

Ms. Udstad: No.

**C. District Manager's Report**

**i. Approval of Check Register**

Mr. Flint: District manager's report, you have the check register from September 26<sup>th</sup> through October 31<sup>st</sup> for \$7,061.09. Any questions on the check register?

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

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

**ii. Balance Sheet and Income Statement**

Mr. Flint: You also have the financials through the September 30<sup>th</sup>. If there are any questions, we can discuss those. If not, then there is no action required.



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**TENTH ORDER OF BUSINESS**

**Other Business**

Mr. Flint: Any other business or Supervisor’s request?

Mr. Morgan: We have funds left in the construction budget?

Mr. Flint: There is \$614,000.

Mr. Morgan: \$648,000 or \$614,000?

Mr. Flint: \$614,000.

Mr. Morgan: Do we have anything we can bill out on that? Must be something in there.

Mr. Flint: I’m sure.

Mr. Morgan: Amanda, is there anything left that you know of?

Ms. Udstad: I do not, but I can look and see if there is.

Ms. Trucco: Has Lennar already been paid for the lift station?

Mr. Morgan: I don’t think we’ve been paid for the lift station, have we? The CDD been paid for the lift station yet? We have got \$614,00 left in the construction budget. So, we need to figure out how we can bill that out. Amanda, I will get with you. I will follow up with you, Rob.

Mr. Bonin: If we utilized all the infrastructure money, then we are talking Toho mobility fees are up.

Mr. Morgan: Toho mobility fees and lift station.

Ms. Trucco: We can pay those out after the lift station.

Mr. Morgan: Ok, lift station. That will probably wrap it up, Rob.

Mr. Morgan: Okay, I’m good.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor’s Requests**

There being none, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

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

*George Flint*

Secretary / Assistant Secretary

*Adam Morgan*

Chairman / Vice Chairman