

**MINUTES OF MEETING**

*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

**TROUT CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

The **regular** meeting of the Board of Supervisors of Trout Creek Community Development District was held on **Tuesday, April 4, 2017 at 3:00 p.m.** at the offices of Freehold Capital Management located at 322 Paseo Reyes Drive, St. Augustine, FL. 32095.

Present and constituting a quorum:

Andy Smith	<b>Board Supervisor, Chairman</b>
Don Davis	<b>Board Supervisor, Vice Chairman</b>
Doug Davis	<b>Board Supervisor, Assistant Secretary</b>
Henry Green	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Melissa Dobbins	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Katie Buchanan	<b>District Counsel, Hopping Green &amp; Sams</b>
Michael McCollum	<b>Freehold Capital Management</b>
Jill Flores	<b>CCMC, Community Director</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Dobbins called the meeting to order at 3:11 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There was no audience present.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of  
Supervisors' Regular Meeting held  
February 7, 2017**

<p>On a motion by Mr. Green, seconded by Mr. Doug Davis, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisors' regular meeting February 7, 2017 for Trout Creek Community Development District.</p>
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**FOURTH ORDER OF BUSINESS**

**Ratification of Operations and Maintenance Expenditures for January 2017 and February 2017**

On a motion by Mr. Smith, seconded by Mr. Don Davis, with all in favor, the Board of Supervisors ratified the Operations and Maintenance Expenditures for January 2017 in the amount of \$105,873.67 and for February 2017 in the amount of \$42,196.72 for Trout Creek Community Development District.

**FIFTH ORDER OF BUSINESS**

**Ratification of Custody Account, Series 2015, #2- #6, #7 - #8, #9 - #15, #16 - #19, #20 - #23, #24 - #28 and #29 - #30, #31 - #34 and #35 - #38**

REQUISITION NO.	PAYEE	AMOUNT
CUS 2	Hopping, Green & Sams	\$984.50
CUS 3	Kopman, Inc.	\$50,835.18
CUS 4	Prosser, Inc.	\$422.50
CUS 5	Dedge's Lock & Key Shop, Inc.	\$858.50
CUS 6	O.R. Dicky Smith & Co., Inc.	\$ 270,896.00
CUS 7	O.R. Dicky Smith & Co., Inc.	\$18,715.00
CUS 8	Prosser, Inc.	\$2,501.08
CUS 9	O.R. Dicky Smith & Co., Inc.	\$382,014.46
CUS 10	Prosser, Inc.	\$962.49
CUS 11	Ansana Interior Design	\$10,152.31
CUS 12	Hopping, Green & Sams	\$215.00
CUS 13	Sun State Nursery & Landscaping	\$6,739.30
CUS 14	Sun State Nursery & Landscaping	\$70,728.80
CUS 15	Sun State Nursery & Landscaping	\$79,393.67
CUS 16	Atlantic Companies, Inc.	\$3,800.00
CUS 17	Hopping, Green & Sams	\$204.00
CUS 18	Prosser, Inc.	\$340.00
CUS 19	Stephens Advertising	\$542.32
CUS 20	Bill Fenwick Plumbing	\$5,215.75
CUS 21	Hopping, Green & Sams	\$322.50
CUS 22	Owen Electric Company	\$ 895.00
CUS 23	Prosser, Inc.	\$2,920.00
CUS 24	Prosser, Inc.	\$200.42
CUS 25	Riverview Millworks	\$980.00
CUS 26	Southern Recreation	\$6895.00
CUS 27	Tree Amigos	\$15,842.00
CUS 28	C&H Marine	\$31,650.00
CUS 29	C&H Marine	\$31,650.00
CUS 30	O.R. Dicky Smith & Co., Inc.	\$20,000.00

CUS 31	Ansana Interior Design	\$13,852.82
CUS 32	C&H Marine	\$31,650.00
CUS 33	Owen Electric Company	\$11,856.00
CUS 34	Vesta Property Services	\$659.08
CUS 35	10-S Tennis Supply	\$20,000.00
CUS 36	Atlantic Companies, Inc.	\$3,500.00
CUS 37	Owen Electric Company, Inc.	\$4,997.00
CUS 38	Prosser, Inc.	\$1,020.00

On a motion by Mr. Smith, seconded by Mr. Doug Davis, with all in favor, the Board of Supervisors ratified the Custody Account, Series 2015, #2- #6, #7 - #8, #9 - #15, #16 - #19, #20 - #23, #24 - #28 and #29 - #30, #31 - #34 and #35 - #38 for Trout Creek Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
 Ms. Buchanan presented draft memo to the HOA on behalf of the CDD regarding Resident Clubs and Internet Groups (Exhibit A). Ms. Buchanan noted that CDD states rules that these groups would need to follow to use CDD facilities, but CDD would not be in any way managing, organizing or responsible for these groups.  
  
 Discussion ensued.

On a motion by Mr. Smith, seconded by Mr. Doug Davis, with all in favor, the Board of Supervisors approved the HOA/CDD Agreement in substantial form for Trout Creek Community Development District.

- B. District Engineer  
 Not Present
  
- C. Construction Administrator
  - i.) Ratification of C&H Marine Construction Final Invoice

On a motion by Mr. Smith, seconded by Mr. Don Davis, with all in favor, the Board of Supervisors ratified the C&H Marine Construction Final Invoice for Trout Creek Community Development District.

- D. Community Director
  - i.) Management Report, March 2017
  - ii.) Charles Aquatics Pond Service Report, March 17, 2017

Jill Flores reviewed report under Tab 5 and pond report under Tab 6.

E. District Manager

The Board of Supervisors directed the District Manager to move the May 2, 2017 meeting on site at Shearwater Amenity Center.

On a motion by Mr. Smith, seconded by Mr. Green, with all in favor, the Board of Supervisors directed the District Manager to move the May 2, 2017 meeting to be held at Shearwater Amenity Center for Trout Creek Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-09,  
ReDesignating a Treasurer**

On a motion by Mr. Green, seconded by Mr. Don Davis, with all in favor, the Board of Supervisors adopted Resolution 2017-09, ReDesignating a Treasurer for Trout Creek Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of CCMC Contract  
Amendment**

After discussion, the Board approved CCMC Contract Amendment in substantial form and authorized the Chair to execute.

On a motion by Mr. Green, seconded by Mr. Don Davis, with all in favor, the Board of Supervisors approved CCMC Contract Amendment in substantial form and authorized the Chair to execute for Trout Creek Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Pine Straw Replenishment**

On a motion by Mr. Doug Davis, seconded by Mr. Don Davis, with all in favor, the Board of Supervisors approved the Everglades Pine Straw Proposal in the amount not to exceed \$27,380.00 for Trout Creek Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Shearwater HOA/CDD  
Agreement for use of CDD Roads for 5K Run**

Discussion ensued regarding District's Insurance Agent requesting HOA to also obtain Spectators Liability.

The Board of Supervisors approved in substantial form to include additional insurance requirements.

On a motion by Mr. Smith, seconded by Mr. Doug Davis, with all in favor, the Board of Supervisors approved in substantial form to include additional insurance requirements for Trout Creek Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Audience Comments and  
Supervisor Requests**

There was no audience present.

There were no Supervisor Comments.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On a motion by Mr. Smith, seconded by Mr. Green, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 4:01 p.m. at for Trout Creek Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman

# Exhibit A

[INSERT LOGO]

## RESIDENT CLUBS AND INTEREST GROUPS

April 2017

**Greetings! The Trout Creek Community Development District is proud to make available Resident Clubs and Interest Groups. This memo will explain the benefits each can offer you. Please contact the Lifestyle Director with any questions.**

**PURPOSE:** The District will be facilitating Resident Clubs and Interest Groups, as further described below, to expand the activities available to Shearwater Residents and support and promote Resident-sponsored and Resident-run local community groups and activities.

- **RESIDENT CLUB:** Restricted to Shearwater Residents. Clubs will meet in a Resident's home or in a Shearwater facility, when available. Examples include Book Club and Cooking Club.
- **INTEREST GROUP:** Open to Residents and Non-Residents. Groups will meet outdoors and all activities will be on the trails, public roads or public park areas. Examples include Running Groups and Bicycle Groups.

### ARE THESE DISTRICT CLUBS AND INTEREST GROUPS?

No, the Clubs and Interest Groups are not District-sponsored, organized or controlled. The District is pleased to offer the use of its resources to assist Shearwater Residents in getting to know each other and the Shearwater community. The District's role is to:

1. Facilitate the promotion of the Clubs or Interest Groups through emails and the Shearwater website.
2. Receive requests to join a Club or Interest Group.
3. Verify the person requesting to join a Club is a Shearwater Resident.
4. [The District may provide limited meeting or activity space, when available, in a manner that is equitable for all. This may be based on criteria such as membership numbers or length of time as a registered group.]

**Comment [AS1]:** Do the clubs have to pay for the space if reserved?

### HOW DO I START A CLUB OR INTEREST GROUP?

As a Club or Interest Group Leader, you may:

1. Create a concept for the Club or Interest Group.

2. Apply to the District for inclusion in the program and for the use of District resources.
3. Find a location for the Club to meet.
4. Be responsible for activities and content for Club or Interest Group meetings.
5. Abide by the rules set forth by Shearwater.
6. Report Club and Interest Group attendance to the District.
7. Provide reasonable information on Clubs and Interest Groups, including membership and activities, upon request by the District.

**Comment [AS2]:** Should this be the district?

WHAT RULES APPLY TO CLUBS AND INTEREST GROUPS?

1. All records and activities of all Clubs are public record and subject to public disclosure upon request. This includes Club membership rolls.
2. ALL members of Resident Clubs must be Shearwater Residents. No exceptions. Non-Residents may attend up to two Club meetings per year.
3. Each Club and Interest Group member must register with the Lifestyle Director.
4. Clubs and Interest Groups must provide the District office a list of all members before using District resources.
5. Clubs and Interest Groups need at least two (preferably more) events, activities, or Club meetings per year to remain “active” as well as have at least three active members.
6. Clubs and Interest Groups need to appoint a co-leader and/or someone designed to take primary leader’s place or serve as next- in-line for decisions if leader is unavailable or leaves the role. If this does not occur, Shearwater has the right to discontinue listing and promoting the group as an official Club or Interest Group.
7. Clubs must not use the name Shearwater in published or advertised materials or any other manner without expressed written permission.
8. No fees shall be charged except for nominal amounts to cover incidental Club and Interest Group expenditures.
9. Clubs and Interest Groups must provide reasonable information, including membership and activities, upon request by the District.
10. All activities of the Clubs and Interest Groups must be legal.
11. Note that the District does not endorse or express an opinion on any Club or Interest Group or any activities within or opinions expressed by a Club or Interest Group.

**Comment [AS3]:** Why in caps?

**Comment [AS4]:** District?

**Comment [AS5]:** Or the district?

PLEASE RETURN APPLICATION TO:

Dylan Reed  
 Shearwater Lifestyle Director  
 Trout Creek CDD

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



[INSERT LOGO]

### Club and Interest Group Application

Clubs and Interest Groups are strongly encouraged and supported by Shearwater. Clubs in Shearwater are designed to help residents pursue common interests in hobby, recreational, social, service and cultural endeavors, while building community spirit and expanding horizons. Clubs and Interest Groups should encourage their members to fully participate and enjoy the diverse programs and facilities within the Shearwater Community that make life here so enjoyable and rewarding. All Clubs and Interest Groups are required to complete the following form in order to receive the benefits offered.

Starting a Club or Interest Group is a simple three-step process:

- A. Complete the form below and return it to the Lifestyle District, as noted below.
- B. Shearwater will review the form for completeness and compliance.
- C. If approved, Shearwater will inform you of next steps within ten (10) business days.

1. Proposed name: \_\_\_\_\_

2. Name of leader/main contact: \_\_\_\_\_

3. Leader/main contact info:

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone 1: \_\_\_\_\_

Phone 2: \_\_\_\_\_

Email: \_\_\_\_\_

4. Is this a:  Resident Club  Interest Group?

**Comment [AS6]:** Should we define the difference?

5. Please tell us about your Club or Interest Group, e.g. what kinds of activities/functions does your club plan to host? (Please attach additional pages as necessary.)

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6. When, including how often, will your Club or Interest Group meet? \_\_\_\_\_

7. Where will your Club and Interest Group meet? \_\_\_\_\_

8. The targeted audience for the Club or Interest Group is:

- Adults    Children/Teens/Youth    All Ages

9. Please mark which categories are applicable to the Club or Interest Group:

- Arts & Crafts                       Community                       Culture  
 Education                               Social                               Family & Children  
 Recreation & Leisure               Sports & Athletics               Youth  
 Other \_\_\_\_\_

10. If a similar Shearwater Club or Interest Group already exists, what distinguishes your club? \_\_\_\_\_

11. In addition to Shearwater recruiting, how will you recruit members and participation in Club activities? \_\_\_\_\_

12. Will you be collecting dues or managing any funds associated with club activities?

- Yes    No

**Comment [AS7]:** I thought you could not charge per rules above.

13. Who will be responsible for the management and protection of the Club and Interest Group financial funds? \_\_\_\_\_

14. Is any person compensated, in any form, for their involvement or leadership of a Club or Interest Group? This includes Clubs and Interest Groups for fitness related or sports related activities.

- Yes    No

15. How will the Club or Interest Group and its activities be promoted? (Please list):

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16. Do you currently have any proposed advertising and/or logo? (If yes, provide sample.)

- Yes    No

17. Please list the contact information of at least one other Club or Interest Group member who may be an alternate leader in your absence or departure:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone 1: \_\_\_\_\_

Phone 2: \_\_\_\_\_

Email: \_\_\_\_\_

18. Did you read and understand the rules applying to your Club or Interest Group?

Yes  No

**Trout Creek CDD reserves the right to grant or reasonably deny a request for a Club or Interest Group. The Leader, as well as Club events, activities, programs, etc., should reflect the spirit and values of Shearwater at all times. The District reserves the right to disassociate with a club at any time, for reasons including but not limited to: inactivity by leader and/or lack of participation by members, Leader not being in good standing with Trout Creek CDD, unreasonable actions of the Leader, action arising from members concerns, etc. All Clubs and Interest Groups, and their respective members, are solely responsible for the financial management of funds, maintenance, repair and safe operation of the equipment provided or otherwise obtained by the Club and Interest Group, as well as for the safety of members and others participating in activities. Trout Creek CDD reserves the right, without further approval or compensation, to include activities, photographs, etc. for marketing, promotional and educational purposes.**

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_