

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, March 3, 2015 at 3:00 p.m.** at the offices of Freehold Capital Management located at 352 Paseo Reyes Drive, St. Augustine, FL. 32095.

Present and constituting a quorum:

Andy Smith	Board Supervisor, Chairman
Don Davis	Board Supervisor, Vice Chairman
Henry Green	Board Supervisor, Assistant Secretary (late arrival)
Michael Gruber	Board Supervisor, Assistant Secretary
Doug Davis	Board Supervisor, Assistant Secretary

Also present were:

Melissa Dobbins	District Manager, Rizzetta & Company, Inc.
Katie Buchanan	District Counsel, Hopping Green & Sams
Sarah Warren	Hopping Green & Sams
Michael McCollum	Freehold Capital Management
Brad Davis	District Engineer, Prosser, Inc.

FIRST ORDER OF BUSINESS

Call to Order

Ms. Dobbins called the meeting to order at 3:00 p.m.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

There were no audience members present.

THIRD ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.

(Mr. Green joined the meeting already in progress.)

B. District Engineer

1.) Consideration of Change Order

Mr. Brad Davis reviewed the Amendment to the Vallencourt Contract #1. He noted items and costs not included in the original contract which came up when final permits were being issues. Discussion ensued.

The Board of Supervisors approved the change order.

On a motion by Mr. Doug Davis, seconded by Mr. Gruber, with all in favor, the Board Approved the Amendment to the Vallencourt Contract #1 change order for Trout Creek Community Development District.

2.) Consideration of Work Authorizations

Mr. Brad Davis requested the following work authorizations for Trout Creek under the Prosser, Inc agreement with the district; #1 Construction Administration with an amount not to exceed \$8,000; #2 General Engineering Services with an amount not to exceed \$12,000; and #3 Amenity Center Work with an amount not to exceed \$65,000.

Discussion ensued.

On a motion by Mr. Smith, seconded by Mr. Don Davis, with four in favor and one abstention (Doug Davis), the Board approved Work Authorization #1 Construction Administration with an amount not to exceed \$8,000, Work Authorization #2 General Engineering Services with an amount not to exceed \$12,000; and Work Authorization #3 Amenity Center Work with an amount not to exceed \$65,000 under the Prosser, Inc. agreement and authorized the Chairman to execute in final form for Trout Creek Community Development District.

3.) Consideration of Requisition #2: Acquisition of Phase 1 Improvements

Mr. Brad Davis reviewed Requisition #2: Acquisition of Phase 1 Improvements which will pay the developer back a total of \$597,045.71 for what they spent prior to bonds being issued.

Ms. Buchanan recommended having the Board of Supervisors approve Requisition #2 with an amount not to exceed \$600,000 incase of incidentals.

On a motion by Mr. Doug Davis, seconded by Mr. Gruber, with all in favor, the Board approved Requisition #2 with an amount not to exceed \$600,000 in substantial form, with the final form to be executed by the Chairman for Trout Creek Community Development District.

4. Requisition Summary

Mr. Brad Davis noted he will be providing a running list of bond payments for the Board to review, which then can be used to be presented in the Board of Supervisors meeting packets.

Mr. Brad Davis presented a requisition summary listing Requisition #3 for Vallencourt in the amount of \$282,597.78.

The Board of Supervisors approved Requisition #3 in substantial form and authorized the District Engineer and the Chairman to execute in final form.

On a motion by Mr. Smith, seconded by Mr. Doug Davis, with all in favor, the Board approved Requisition #3, in substantial form, and authorized the District Engineer and the Chairman to execute in final form for Trout Creek Community Development District.

C. District Manager

Ms. Dobbins noted that the next regularly scheduled Board of Supervisors meeting will be held April 7, 2015 at the offices of Freehold Capital Management located at 352 Paseo Reyes Drive, St. Augustine, FL. 32095.

FIFTH ORDER OF BUSINESS

Consideration of Personnel Leasing Agreement

Ms. Buchanan reviewed the Personnel Leasing Agreement, which would lease Michael McCollum's time to assist as a construction administrator for \$500 per month.

The Board of Supervisors approved the Personnel Leasing Agreement in substantial form with the Chairman to execute in final form.

On a motion by Mr. Doug Davis, seconded by Mr. Don Davis, with all in favor, the Board approved the Personnel Leasing Agreement in substantial form with the Chairman to execute in final form for Trout Creek Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Construction Easement

Ms. Buchanan noted the District's improvements are being built on property still owned by the developer. An easement will give the district rights to do so. The Easement will terminate upon it being platted or by March 2018.

The Board of Supervisors approved the construction easement in substantial form with the Chairman to execute in final form.

On a motion by Mr. Smith, seconded by Mr. Green, with all in favor, the Board approved the Construction Easement in substantial form with the Chairman to execute in final form for Trout Creek Community Development District.

SEVENTH ORDER OF BUSINESS

Consideration of Assignment for Professional Services, ELM

Ms. Buchanan reviewed ELM's contract will be taken over by the CDD and then funded by the bonds.

The Board of Supervisors approved ELM's agreement in substantial form with the Chairman to execute in final form.

On a motion by Mr. Doug Davis, seconded by Mr. Gruber, with all in favor, the Board approved the ELM's agreement in substantial form with the Chairman to execute in final form for Trout Creek Community Development District.

EIGHTH ORDER OF BUSINESS

Advertisement for Architectural Services

This item was tabled until a future Board of Supervisors meeting.

NINTH ORDER OF BUSINESS

Audience Comments and Supervisor Requests

There were no audience members present.

There were no Supervisor comments.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On a motion by Mr. Green, seconded by Mr. Doug Davis, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 3:42 p.m. at for Trout Creek Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Doug Davis		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Trout Creek CDD		
MAILING ADDRESS 512 Sebastian Square		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:		
CITY St. Augustine	COUNTY St. Johns	<input type="checkbox"/> CITY	<input checked="" type="checkbox"/> COUNTY	<input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED Continuing for Fiscal Year 2014/2015		NAME OF POLITICAL SUBDIVISION:		
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE		

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

^{Doug}
~~Brad~~ Davis _____, hereby disclose that on _____ continuing for Fiscal Year 2014/2015 _____, 20 _____ :

(a) A measure came or will come before my agency which (check one or more)

- Inured to my special private gain or loss;
- Inured to the special gain or loss of my business associate, _____ ;
- Inured to the special gain or loss of my relative, Brad Davis, Prosser Inc. _____ ;
- Inured to the special gain or loss of _____ , by whom I am retained; or
- Inured to the special gain or loss of _____ , which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

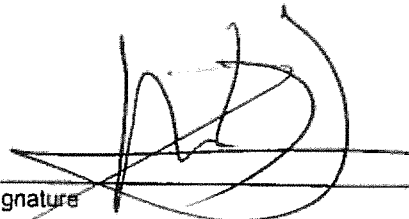
The Board voted to employee Prosser, Inc., the firm at which my brother Brad Davis is a principal, as a district engineer. I declared a conflict, abstained from this vote, and will continue to abstain from all measures which will inure to the special gain or loss of my brother.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

4/21/15

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.