

**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 **Wednesday, December 17, 2014 at 10:00 a.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	<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>
Michael Gruber	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Melissa Dobbins	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Jonathan Johnson	<b>District Counsel, Hopping Green &amp; Sams</b>
Bill Rizzetta	<b>Rizzetta &amp; Company, Inc.</b>
Bre Beirl	<b>Rizzetta &amp; Company, Financial Services</b>
Michael McCollum	<b>Freehold Capital Management</b>
Brad Davis	<b>District Engineer, Prosser, Inc.</b>
Robert Cox	<b>MBS Capital</b>
Sheila Papelbon	<b>Trustee, The Bank of New York Mellon Trust Company, N.A</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Dobbins called the meeting to order at 10:16 a.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There were no audience comments.

**THIRD ORDER OF BUSINESS**

**Oaths of Office for Newly Elected Board of Supervisors Members**

The Oath of Office was given to all newly elected Board of Supervisors members prior to the onset of the meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-26  
Canvassing and Certifying the Election  
Results**

The election results are as follows: Andrew Smith and Don Davis each received 998 votes and Doug Davis, Henry Green and Michael Gruber each received 990 votes. As a result, Andrew Smith and Don Davis will each serve four-year terms and Doug Davis, Henry Green and Michael Gruber will each serve two-year terms.

On a motion by Mr. Smith, seconded by Mr. Gruber, with all in favor, the Board approved Resolution 2015-26 Canvassing and Certifying the Election Results for Trout Creek Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-27,  
Designating Officers**

The Board of Supervisors approved Resolution 2015-27, Naming Andrew Smith as Chairman, Don Davis as Vice Chairman and Doug Davis, Michael Gruber, Henry Green, Melissa Dobbins and Anthony Jeancola as Assistant Secretaries.

On a motion by Mr. Doug Davis, seconded by Mr. Smith, with all in favor, the Board approved Resolution 2015-26, naming Andrew Smith as Chairman, Don Davis as Vice Chairman and Doug Davis, Michael Gruber, Henry Green, Melissa Dobbins and Anthony Jeancola as Assistant Secretaries for Trout Creek Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisors' Organizational Meeting  
held November 10, 2014**

On a motion by Mr. Green, seconded by Mr. Doug Davis, with all in favor, the Board approved the Minutes of the Board of Supervisors' Organizational Meeting held November 10, 2014 for Trout Creek Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Mr. Johnson noted that the validation hearing is scheduled for January 8, 2015 at 4:15 p.m.
- B. District Engineer  
No report.

- C. District Manager  
The Board of Supervisors elected to change their January and February meeting dates. The new meeting dates will be January 20, 2015 at 3:00 p.m. and February 17, 2015 at 3:00 p.m.

Ms. Dobbins noted that the operations and maintenance account has been set up and the Public Officials Liability and General Liability Insurance has been bound.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposals for District Engineer**

Doug Davis noted that he has a conflict of interest due to a relative working with one of the firms bidding. District Counsel noted he will need to fill out a Form 8B, which will be attached to the minutes of this meeting (Exhibit "A").

The Board of Supervisors reviewed two proposals received from Yuro & Associates and Prosser, Inc. The Board of Supervisors ranked Prosser, Inc. number one with 95 points and Yuro & Associates with 80 points.

On a motion by Mr. Smith, seconded by Mr. Gruber, with all in favor, the Board ranked Prosser, Inc. number one with 95 points and Yuro & Associates with 80 points for Trout Creek Community Development District.

**NINTH ORDER OF BUSINESS**

**Public Hearing on the District's Rules of Procedure**

On a motion by Mr. Green, seconded by Mr. Don Davis, with all in favor, the Board opened the Public Hearing on the District's Rules of Procedure for Trout Creek Community Development District.

There were no audience comments.

On a motion by Mr. Green, seconded by Mr. Don Davis, with all in favor, the Board closed the Public Hearing on the District's Rules of Procedure for Trout Creek Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-28, Adopting the District's Rules of Procedure**

On a motion by Mr. Doug Davis, seconded by Mr. Smith, with all in favor, the Board Approved Resolution 2015-28, Adopting the District's Rules of Procedure for Trout Creek Community Development District.

**ELEVENTH ORDER OF BUSIENSS**

**Public Hearing on the Utilization of the  
Uniform Method of Collection**

On a motion by Mr. Green, seconded by Mr. Doug Davis, with all in favor, the Board opened the Public Hearing on the utilization of the Uniform Method of Collection for Trout Creek Community Development District.

There were no audience comments.

On a motion by Mr. Green, seconded by Mr. Gruber, with all in favor, the Board closed the Public Hearing on the utilization of the Uniform Method of Collection for Trout Creek Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-29,  
Approving the Utilization of the Uniform  
Method of Collection**

On a motion by Mr. Doug Davis, seconded by Mr. Green, with all in favor, the Board approved Resolution 2015-29, Approving the Utilization of the Uniform Method of Collection for Trout Creek Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Public Hearing on Special Assessments**

On a motion by Mr. Doug Davis, seconded by Mr. Don Davis, with all in favor, the Board opened the Public Hearing on Special Assessments for Trout Creek Community Development District.

Mr. Johnson asked Ms. Dobbins if the Public Hearing was properly noticed per Florida Statutes.

Ms. Dobbins answer, "Yes."

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Engineer's Report**

Mr. Brad Davis reviewed his report and noted that there were no changes since the last report.

Mr. Johnson asked Mr. Brad Davis the following questions:

In your professional opinion, do the lands subject to the assessments receive special benefits from the District's Capital Improvement Program? Mr. Brad Davis answered, "Yes."

In your professional opinion, are the Special Assessments reasonably apportioned among the lands subject to the special assessments? Mr. Brad Davis answered, "Yes."

In your professional opinion, is it reasonable, proper and just to assess the costs of the Capital Improvement Program against the lands in the District in accordance with your methodology, which results in the Special Assessments set forth on the final assessment roll? Mr. Brad Davis answered, "Yes."

Is it your opinion that the special benefits the lands will receive, as set forth in the final assessment roll, will be equal to or in excess of the Maximum Special Assessments thereon when allocated as set forth in the methodology? Mr. Brad Davis answered, "Yes."

Is it your opinion that it is in the best interests of the District that the Maximum Special Assessments be paid and collected in accordance with the methodology and the District's assessment resolutions? Mr. Brad Davis answered, "Yes."

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Master Special  
Assessment Allocation Report**

Ms. Beirl reviewed her report.

Mr. Johnson asked Ms. Beirl the following questions:

In your professional opinion, do the lands subject to the assessments receive special benefits from the District's Capital Improvement Program? Ms. Beirl answered, "Yes."

In your professional opinion, are the Special Assessments reasonably apportioned among the lands subject to the special assessments? Ms. Beirl answered, "Yes."

In your professional opinion, is it reasonable, proper and just to assess the costs of the Capital Improvement Program against the lands in the District in accordance with your methodology, which results in the Special Assessments set forth on the final assessment roll? Ms. Beirl answered, "Yes."

Is it your opinion that the special benefits the lands will receive, as set forth in the final assessment roll, will be equal to or in excess of the Maximum Special Assessments thereon when allocated as set forth in the methodology? Ms. Beirl answered, "Yes."

Is it your opinion that it is in the best interests of the District that the Maximum Special Assessments be paid and collected in accordance with the methodology and the District's assessment resolutions? Ms. Beirl answered, "Yes."

**SIXTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-30,  
Resolution Levying and Equalizing Special  
Assessments**

Mr. Johnson reviewed the resolution.

On a motion by Mr. Green, seconded by Mr. Don Davis, with all in favor, the Board approved Resolution 2015-30, Levying and Equalizing Special Assessments for Trout Creek Community Development District.

On a motion by Mr. Green, seconded by Mr. Doug Davis, with all in favor, the Board closed the Public Hearing on Special Assessments for Trout Creek Community Development District.

**SEVENTEENTH ORDER OF BUSINESS**

**Audience Comments and  
Supervisor Requests**


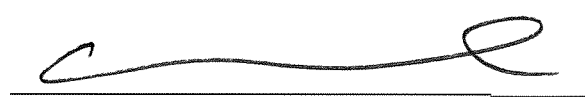
There were no audience members present.

There were no Supervisor comments.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

On a motion by Mr. Doug Davis, seconded by Mr. Smith, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 10:50 a.m. at for Trout Creek Community Development District.

  
\_\_\_\_\_  
Secretary/Assistant Secretary  
\_\_\_\_\_  
Chairman/Vice Chairman

# Exhibit “A”

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

LAST NAME—FIRST NAME—MIDDLE NAME <b>DAVIS DOUGLAS MITCHELL</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Trot Creek CDD</b>
MAILING ADDRESS <b>512 Sebastian Square</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <b>St. Augustine      St. Johns</b>	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED <b>12/17/14</b>	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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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 otherwise may participate 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 other side)



**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**

I, Doug Davis, hereby disclose that on 12/17/, 20 14:

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

- 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, Brod Davis, Prosser;
- 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 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:

12/17/14  
Date Filed

[Signature]  
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.