

## **MINUTES OF MEETING**

*Cross Creek Community Development District  
Board of Supervisors Meeting  
Tuesday, February 28, 2017 at 11:11 a.m.  
Medallion Home  
1651 Whitfield Avenue, Suite 200,  
Sarasota, FL 34243*

Present and constituting a quorum:

|                |              |
|----------------|--------------|
| Margo Holeman  | Board Member |
| Pete Logan     | Board Member |
| John Wollard   | Board Member |
| Charlie Tokarz | Board Member |

Also present were:

|                 |                       |             |
|-----------------|-----------------------|-------------|
| Jill Burns      | District Manager      |             |
| Connor Chambers | Medallion Homes       |             |
| Donna Sherman   | Barrington Group      |             |
| Tracy Robin     | District Counsel      | (via phone) |
| Andy Cohen      | Persson & Cohen       | (via phone) |
| Jennifer Walden | Fishkind & Associates | (via phone) |

### **FIRST ORDER OF BUSINESS**

#### **Call to Order**

The meeting was called to order at 11:11 a.m. and Ms. Burns proceeded with roll call. Board Members Margo Holeman, John Wollard, and Pete Logan were present, constituting a quorum.

### **SECOND ORDER OF BUSINESS**

#### **Business Matters**

#### **Public Comment Period**

There were no members of the public present at this time.

#### **Ratifying the Termination of DPFG as District Manager and Consideration of Agreement with Fishkind & Associates**

A termination letter was sent to DPGF to terminate their service and they waived the remainder of the termination period. The Agreement with Fishkind & Associates is behind

tab 1 in the agenda package. Ms. Burns asked if counsel had anything to add, he did not so Ms. Burns requested a motion to ratify the termination of DPFPG as District Manager and ratification of the executed management agreement with Fishkind & Associates.

On MOTION by Mr. Logan, seconded by Ms. Holeman, with all in favor, the Board ratified the Termination of DPFPG as District Manager and ratified the Agreement with Fishkind & Associates to serve as District Manager.

**Consideration of the Minutes of the  
December 20, 2016 Board of  
Supervisors Meeting**

The minutes were drafted by DPFPG. Mr. Logan asked to table this. Ms. Burns requested a motion to that effect.

On MOTION by Mr. Logan, seconded by Ms. Holeman, with all in favor, the Board Tabled the agenda item until the next meeting.

**Resolution 2017-08, Election of  
Officers**

Ms. Burns explained that some of the DPFPG staff members are listed as officers of the District so the District needs to reelect some officers. Officers were nominated as follows:

Mr. Tokarz as Chairman, Mr. Wollard as Vice Chair, Ms. Burns as Secretary, Ms. Walde as Assistant Secretary, the remaining Board Members as Assistant Secretaries, and Ms. Glasgow as Treasurer, and Ms. Lane as Assistant Treasurer.

On MOTION by Mr. Logan, seconded by Mr. Tokarz, with all in favor, the Board adopted Resolution 2017-08, Election of Officers as follows; Mr. Tokarz as Chairman, Mr. Wollard as Vice Chair, Ms. Burns as Secretary, Ms. Walden as Assistant Secretary, the remaining Board Members as Assistant Secretaries, and Ms. Glasgow as Treasurer, and Ms. Lane as Assistant Treasurer.

**Resolution 2017-09, Changing Registered Agent**

Ms. Burns explained that this resolution would name Fishkind & Associates as the Registered Agent and needs to be sent to the State so that the new manager will receive all correspondence regarding the District.

On MOTION by Mr. Logan, seconded by Mr. Tokarz, with all in favor, the Board adopted Resolution 2017-09, Changing Registered Agent to Fishkind & Associates.

**THIRD ORDER OF BUSINESS**

**Other Business**

**Staff Reports**

**Attorney-** Mr. Robin explained that the District obtained a final judgment of foreclosure on the 5 lots that remained in the foreclosure case and that sale has been scheduled for April 6, 2017. He also received a request from Land Experts who is the current owner of the property for an assignment of that final judgment to the new owner so the new owner can take direct titles of the 5 lots in question. The Board noted that their preference would be that the assignment be to Foxten LLC., which is the beneficiary of the current owner.

**Engineer-** B-Squared Engineering is the District Engineer. Ms. Burns requested contact information for the Engineer.

**Manager-** The new fiscal year meeting dates were set to the 4<sup>th</sup> Tuesday of the month at 11:00 a.m. at this location.

On MOTION by Mr. Logan, seconded by Mr. Tokarz, with all in favor, the Board approved fiscal year meeting dates to be changed to the 4<sup>th</sup> Tuesday of each month at 11:00 a.m. at the current location.

**FOURTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

Ms. Burns called for Supervisor requests or audience comments. Mr. Logan asked Ms.

Burns to request the DPFG to turn over the checkbook and any and all files that still have not been turned over to Fishkind & Associates as of this date. Ms. Burns agreed.

Ms. Burns asked if the District could revisit Mr. Robin's report. Mr. Robin is having Trouble finding the 5<sup>th</sup> amendment. Mr. Cohen noted that the 4<sup>th</sup> Amendment shows that The purchaser is Foxten LLC. Mr. Cohen said he believes that the 4<sup>th</sup> Amendment is the most recent one. Mr. Robin said that he has a request from the purchaser, Foxten for assignment of final judgment. He requested a motion from the Board authorizing the Chair or Vice-Chair to sign an appropriate assignment of the final judgement to the purchaser for that purpose.

On MOTION by Mr. Logan, seconded by Mr. Wollard, with all in favor, the Board authorized the Chair or Vice-Chair to sign the final judgement.

**FIFTH ORDER OF BUSINESS**

**Adjournment**

There was no other business to discuss. Ms. Burns requested a motion to adjourn.

On MOTION by Ms. Holeman, seconded by Mr. Wollard, with all in favor, the Board adjourned the meeting for the Cross Creek Community Development District.

  
Secretary/Assistant Secretary

  
Chairman