

**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.

**MAGNOLIA CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Magnolia Creek Community Development District was held on **Thursday, February 13, 2014 at 2:46 a.m. (CST)** at the Walton County Coastal Branch Library, located at 437 Greenway Trail, Santa Rosa Beach, Florida 32459.

**Present and constituting a quorum:**

Tom Hidell	<b>Board Supervisor, Chairman</b> <i>(via speakerphone)</i>
Maunsel White	<b>Board Supervisor, Vice Chairman</b>
Billy McConnell	<b>Board Supervisor, Assistant Secretary</b>
Dan Mueller	<b>Board Supervisor, Assistant Secretary</b>

**Also present were:**

Debra Anderson	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Darby Scott	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Tucker Mackie	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Carl Eldred	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Rick Moore	<b>District Engineer, Moore Bass Consulting</b> <i>(via speakerphone)</i>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Anderson called the meeting to order and read roll call.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were no audience comments.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the Board  
of Supervisors' Meeting Held on  
January 3, 2014**

On a Motion by Mr. McConnell, seconded by Mr. Mueller, with all in favor, the Board approved the Minutes of the Board of Supervisors' meeting held on January 3, 2014, for the Magnolia Creek Community Development District.
---

**FOURTH ORDER OF BUSINESS**

**Ratification of Operation and  
Maintenance Expenditures for December  
2013**

On a Motion by Mr. White, seconded by Mr. McConnell, with all in favor, the Board ratified the Operation and Maintenance Expenditures for December 2013 (\$438.13), for the Magnolia Creek Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Agreement for  
Arbitrage Services, for LLS Tax  
Solutions, Inc.**

On a Motion by Mr. Mueller, seconded by Mr. White, with all in favor, the Board approved the Agreement for Arbitrage Services, LLS Tax Solutions, Inc. for the period ending June 30, 2013, for the Magnolia Creek Community Development District.

**SIXTH ORDER OF BUSINESS**

**Ratification of Dismissal of Lawsuit  
Agreement**

Ms. Scott stated that on January 24, 2014, the developer paid the amounts outstanding on the 419 acre parcel which included the amounts that the District was suing for in the 2012 foreclosure case, as well as the amounts that were levied for the current fiscal year, in addition to the attorney fees and costs. She stated this totaled \$292,266.29 and this document memorializes the details of the agreement and is presented for ratification.

On a Motion by Mr. White, seconded by Mr. Mueller, with all in favor, the Board ratified the Dismissal of Lawsuit Agreement, for the Magnolia Creek Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Status Update Regarding Foreclosure  
Matters**

Ms. Scott stated that the 2012 foreclosure case has officially been resolved and that there has been a final judgment issued in the 2010 foreclosure case but the sale has been postponed until on or after April 1, 2014, based on the funding agreement entered into with the Trustee at the last Board of Supervisors meeting. She stated that work has begun on a potential settlement agreement which will ultimately be brought before the Board for approval.

**EIGHTH ORDER OF BUSINESS**

**Discussion of Road Washouts**

Ms. Anderson stated that there are some areas in the District where the roads have begun to erode, or washout. Ms. Anderson said that she had contacted several companies in regard to pricing repairs to these areas and, at this time, GAC is the only company that has responded. Ms. Anderson read the proposal from GAC. Discussion followed regarding the District Engineer, Rick Moore, assessing the situation in an attempt to determine the cause of the washouts so the cause could also be addressed at the same time repairs are made. Mr. Moore will report his findings to the Board and further action will be taken at that time.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Ms. Scott stated that the Board should have received a copy of Capital Conversations, which is designed to keep the Board apprised of legislative updates in between Board meetings. Ms. Scott introduced Ms. Tucker Mackie who has worked with the District in the past and will be assuming the responsibilities of District Counsel as well as Mr. Carl Eldred who will be working with the District in Mr. Eckert's absence.

Ms. Scott asked the Board for approval to prepare a formal custody and storage agreement for the pumps which are currently stored at GAC.

On a Motion by Mr. Mueller, seconded by Mr. McConnell, with all in favor, the Board approved preparation of a formal custody and storage agreement for pumps currently stored at GAC, for the Magnolia Creek Community Development District.

B. District Engineer  
No report.

C. District Manager

Ms. Anderson stated the next Board meeting is scheduled for March 13, 2014.

**TENTH ORDER OF BUSINESS**

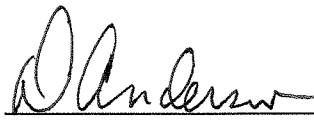
**Supervisor Requests**

Mr. Hidell requested District Counsel prepare a letter to the landowners to update them on developments within the District.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. White, seconded by Mr. McConnell, with all in favor, the Board adjourned the meeting at 3:10 p.m. (CST), for the Magnolia Creek Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman