

**MINUTES OF MEETING
FLEMING ISLAND PLANTATION
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Fleming Island Plantation Community Development District was held on Tuesday, October 25, 2011 at 6:00 p.m. at the Splash Park, 1510 Calming Water Drive, Fleming Island, Florida.

Present and constituting a quorum were:

Mike Cella	Chairman
Eugene Clark	Vice Chairman
Don Christofoli	Assistant Secretary
Betty Murphy	Assistant Secretary
James A. Wiggins	Assistant Secretary (Via Telephone)

Also present were:

Janice Eggleton Davis	District Manager
Jason Walters	District Attorney
Ryan Stilwell	District Engineer (Via Telephone)
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Rosemarie Colon-Miles	Resident
Sandra Wiley	Resident

The following is a summary of the discussions and actions taken at the October 25, 2011 Fleming Island Plantation CDD Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Cella called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

**Approval of the Minutes of the
September 27, 2011 Meeting**

Mr. Cella stated each Board member received a copy of the minutes of the September 27, 2011 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Clark seconded by Mr. Christofoli with all in favor the minutes of the September 27, 2011 meeting were approved.

THIRD ORDER OF BUSINESS

**Hearing to Consider Suspension of
Amenity Privileges**

The following was discussed:

- Two apology letters were included under the Recreation Report in the agenda package.
- Ms. Davis received a phone call from one child's grandfather informing her the child and his mother no longer live in Fleming Island Plantation so they will not be attending tonight's hearing. He said the minor was intimidated by the court process and was too embarrassed to go near the Amenity Center after the incident. He essentially suspended himself. An apology letter is yet to be received from this minor; although, the grandfather says one was done.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor the hearing to consider suspension of amenity privileges was opened.

- Ms. Alfano provided the Board with a summary of the events relating to the Amenity Center fire.
- Two parties have paid the District for their portion of the expenses incurred, while the other provided an apology letter, but the District has not received this individual's portion of the damages. The terms established by the court with regard to payment due date is unknown.
- The suspension of amenity privileges should be considered individually.
- Mr. Christofoli asked how old the minors are. Ms. Alfano responded they are 11 and 12 years old.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor no further action on suspension of amenity privileges for Mr. Daniel Turner was approved since he complied fully with the court-ordered punishment.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor a suspension of amenity privileges for Mr. Logan Diana will be imposed and remain in effect until he fulfills the requirements of restitution ordered by the court.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor no further action on suspension of amenity privileges for Mr. Tim Allala was approved since he fully complied with the court-ordered punishment.

- Mr. Wiggins wants the residents to know situations like this will be handled on a case-by-case basis.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the hearing was closed.

FOURTH ORDER OF BUSINESS

Attorney's Report

A. Consideration of Items Related to Final Permit Transfer – Autumn Glen

Mr. Walters distributed a handout to the Board and discussed the following:

- SJRWMD sent a letter stating the surface water management system is functioning in conformance with the permit's conditions.
- Mr. Walters reviewed the agreement between The District and Pulte for the permit transfers. The agreement includes a clause for Pulte to pay \$4,060 to the CDD as well as provide a lien waiver from one of the vendors.

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the agreement between Pulte and the District for permit transfers of the Autumn Glen ponds was approved.

- Resolution 2012-1 addresses the permit transfers for the Autumn Glen ponds pending payment by Pulte.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor Resolution 2012-1 was adopted and the Chairman was authorized to sign the resolution pending payment from Pulte in the amount of \$4,060.

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the Board authorized the engineer to inspect other ponds to be transferred after payment is received for Autumn Glen.

B. Firearm Regulation by Districts

Mr. Walters discussed a memorandum regarding firearm regulations which was included in the agenda package.

- Chapter 790, Florida Statutes, controls the regulation of firearms. This is the only firearm regulation in the State of Florida and it cannot be overridden by any rules or regulations adopted by a local government entity.
- If a local government attempts to enforce firearm regulations, it can be penalized.
- Staff should not attempt to enforce any firearm regulations.
- If someone observes a gun on District premises, they should call the police.

FIFTH ORDER OF BUSINESS

Engineer's Report

Mr. Stilwell reported the following:

- A letter was sent to the Clay County Public Works Department regarding algae growth on the Amberwood sidewalks.
- The Clay County Public Works Department contacted Mr. Stilwell and they met with him last Friday to review the sidewalks.
- Clay County does not have funds to expend on drainage work for the sidewalks, but they are aware of the problem.
- Clay County agreed to pressure wash the sidewalks and requested the District trim the trees in the area. They also want the District to verify the irrigation system is running properly.
- Mr. Bagg will ensure the District complies with the changes requested by Clay County and will notify Mr. Stilwell when they are complete so the county can be notified.
- Ms. Alfano will notify the resident who brought the sidewalk issue up of the corrective actions being taken.
- Mr. Stilwell met with Mr. Alan Reese at 2821 Grande Oaks Way to inspect the erosion by his house. There is a District stormwater pipe, which runs adjacent to Mr. Reese's house in the eroded area.
- There is a depression along the line of the pipe, which is visible from the surface.
- Mr. Stilwell recommends running a camera through the pipe to determine if there is any failure in the pipe causing erosion.

- Mr. Bagg provided the Board with estimates from three separate companies to run a camera through the pipe. The lowest bid was from FL Pipe Tec, Inc in the amount of \$850.

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the proposal from FL Pipe Tec, Inc was approved at an amount not to exceed \$850.

- Mr. Cella thanked Mr. Stilwell for his efforts.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Maintenance

Mr. Bagg reviewed the following:

- The Village Square waterfall pump has been repaired and is working well. The District is saving money on electricity because the pump is a lower horsepower than the previous pump.
- The repaving of the Amenity Center parking lot was completed on October 24, 2011.
- Mr. Bagg is trying to get an efficient bid to install a cable from the Amenity Center building to the pool for the security cameras.
- A spreadsheet outlining and prioritizing the items to be corrected in order to be ADA compliant was provided with the Maintenance Report. Mr. Bagg recommended proceeding with items three, four and five, which are the sidewalks leading to the playground at the Splash Park, the basketball courts at the Amenity Center as well as the volleyball courts and he recommended using Sauer Concrete to do the work.

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the proposal from Sauer Concrete to do items three, four and five of the ADA compliance spreadsheet was approved.

- Mr. Cella noted there are shortages on several items because many communities are taking care of items to comply with ADA requirements.

B. Recreation

Ms. Alfano reviewed the following:

- The Navy Band will perform at the Parade of Trees event scheduled for November 19, 2011 as well as on the eve of the Winter Festival on December 9, 2011.

- The quarterly event with the Golf Club, Oktoberfest, was a success. There were a total of 70 attendees.
- The hayride was a success. Mr. Troy Albers, the General Manager for the Golf Club, sent Ms. Alfano a complimentary email regarding the event.
- A total of 27 applications have been submitted by vendors interested in participating in the Winter Festival.
- The pools are closed for the season.

SEVENTH ORDER OF BUSINESS

Manager’s Report – Consideration of GASB 54 Fund Balance Policy

Ms. Davis reported the following:

- The Board was provided with a fund balance policy based upon their direction at the last meeting, a copy of which was included in the agenda package.

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the GASB 54 Fund Balance Policy was approved as submitted.

- Ms. Davis clarified when she speaks on a matter during the meeting it is not her intention to be combative or argumentative and apologized to anyone who may have been offended by her input and recommendations on addressing issues which come before the Board.
- The Autumn Glen HOA President approved taking over maintenance of additional irrigation rotors around the pond. This approval will need to be ratified by their Board of Directors at their next HOA meeting.

EIGHTH ORDER OF BUSINESS

Old Business/New Business

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors’ Requests

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

Audience Comments

The following comments were made:

- Ms. Wiley questioned whether it is the District’s responsibility to clear out debris from the wetlands between The Woodlands and Thornhill. Mr. Walters stated SJRWMD regulates the wetlands; however, the District is responsible for maintaining them. Ms. Wiley stated it is full of debris and she has never seen anyone maintain the area. She was informed wetlands and conservation areas are typically left to develop naturally and undisturbed. However, if she observes a drainage issue in these areas, which impact her private property, she should notify District staff to address it with SJRWMD.
- Ms. Alfano thanked the Board for their efforts in repairing the Village Square waterfall.

ELEVENTH ORDER OF BUSINESS

Acceptance of September Financials and Approval of Check Register

The Board reviewed the financial statements.

On MOTION by Mr. Clark seconded by Mr. Christofoli with all in favor the financial statements were approved.

TWELFTH ORDER OF BUSINESS

Adjournment

It was noted the next meeting will be held the third Tuesday of the month, November 15, 2011. There being no further business,

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the meeting was adjourned.

Janice Eggleton Davis
Secretary

Mike Cella
Chairman