

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

A meeting of the Board of Supervisors of the Fleming Island Plantation Community Development District was held on Tuesday, October 27, 2009 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

Also present were:

Janice Eggleton Davis	District Manager
Jason Walters	District Attorney
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Elaine Harrell	Resident
Robert Machala	Resident
Michael Stachowiak	Resident
Sandra Wiley	Resident

*The following is a summary of the minutes and actions taken at the October 27, 2009 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.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the September 22, 2009 Meeting**

Mr. Cella stated each Board member received a copy of the minutes of the September 22, 2009 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor the minutes of the September 22, 2009 meeting were approved.
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**THIRD ORDER OF BUSINESS**

**Manager's Report**

**A. Engineer's Annual Inspection Report**

Ms. Davis reported the annual inspection report was revised after Mr. Walters and she provided the engineer with their comments. It is sufficient and accurate at this point. It indicates the facilities are in good condition. It points out a couple of repairs which will be necessary to make and acknowledges the District has reserves set up. It acknowledges the District has enough insurance liability to cover the facilities.

On MOTION by Mr. Clark seconded by Mr. Wiggins with all in favor the Engineer's Annual Inspection Report was approved.

**B. Condition Assessment of Existing Drainage Structures within Margaret's Walk**

The Board reviewed the report submitted by Prosser Hallock and the following was discussed:

- Mr. Wiggins mentioned the report states Structure S-53 is problematic; however, this section was included in the repairs done last year. Ms. Murphy noted it is mentioned in the last page of the letter. Mr. Christofoli noted this drain structure has been repaired three times. The Board questioned whether the contractor did what they were supposed to do the first time or if they were addressing a different issue.
- Ms. Davis noted the repairs were paid for by the HOA and the HOA would need to pursue any warranties regarding that repair. Ms. Murphy noted the paragraph which mentions this structure was previously repaired does not specify whether the repair was done unsatisfactorily.
- Mr. Christofoli noted the report states an engineer should be present when repairs are done.
- The Board was pleased with the professionalism of the report.

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the Board accepted the recommendations made in the report by Prosser Hallock, authorized staff to obtain proposals from various firms and request a work authorization from Prosser Hallock for CI services to bring before the Board for consideration at the next meeting.

**C. Engagement Letter with Grau & Associates to Perform the Financial Audit for Fiscal Year 2009**

Ms. Davis reviewed the engagement letter with Grau & Associates to perform the financial audit for fiscal year 2009 at a cost not-to-exceed \$7,000.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the Board authorized the Chairman to execute the engagement letter with Grau & Associates subject to the Attorney's review and any suggested changes.

**FOURTH ORDER OF BUSINESS**

**Attorney's Report**

Mr. Walters discussed the following:

- Senate Bill 376 is pending legislation which would allow local governments to use websites to publish their public notices. This has come up in the past two years and has died. Due to budget constraints within local government it may be considered more carefully this year.
- There have been several published articles in northeast Florida regarding districts. This District is not listed in any of these articles and Mr. Walters cautioned the Board about inaccuracies as well as untruths in these articles and websites.
- Mr. Christofoli asked about a bill passed protecting homeowners from being forced to plant certain types of plants which consume a great deal of water. Mr. Walters stated he does not know the details of that bill, but it will not affect the CDD because the CDD does not impose anything on private property.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Maintenance**

The following was discussed:

- Mr. Cella requested Mr. Bagg review the key points from the engineer's inspection report regarding necessary repairs.
  - One of the ditch systems located by Thunderbolt Elementary School, which runs along Old Hard Road, has already been corrected. The other ditch system is between Woodland View Drive and Thornhill Drive. They will be addressing it now with the cooler weather due to the amount of nature and wildlife involved in this ditch. It would have been more expensive and riskier to do during the summer.

- There is wood rotting at the entrance of the Splash Park building. This will involve more work than initially thought. A contractor's engineer looked at it and the wood has absorbed a great deal of water. It is structurally fine at the moment, but it does need to be addressed. Proposals will be brought before the Board to have it repaired. Ms. Murphy asked if this might be a warranty issue. Mr. Bagg does not believe so, but he will look into it.
- Everything in the Amenity Center is in good shape except for the pool deck area. The northeast corner of the deck has dropped, mainly due to water intrusion. Proposals will be brought before the Board at the next meeting.
- During the off-season staff will be working on a list of projects for the Amenity Center. Various items will be brought before the Board for approval throughout the next few months. Ms. Murphy confirmed these are scheduled maintenance items.
- Because the dry season is beginning the River Hills retention pond's water level is expected to lower so it can be assessed.

## **B. Recreation**

Ms. Alfano reported the following:

- Mr. Walters reviewed the terms and conditions from the new website provider's contract and he found a few issues with the language. Staff is currently trying to work with the website company to revise this language, but they are not being receptive of these changes. Mr. Walters will discuss these issues with them directly.
- The reserve study is complete, but Ms. Murphy's comments from the last meeting could not be included in it. There was an additional fee to make these changes. The reserve study is updated annually and he suggested her comments be added to the next reserve study.
- There were 215 children signed up for the Annual Pumpkin Decorating Day event, which was held on October 24, 2009. A hayride was added to the event this year. There were several people who responded they were going to attend and did not do so. There will be a notice in the next newsletter stressing the importance of RSVP and cancellations.

- The Costume Parade will be on Saturday, October 31, 2009. There will be a hot dog vendor.
- The Adult Holiday Cocktail Party will be on December 3, 2009.
- The November newsletter has 48 pages. It is the largest publication the publisher has produced for any of their communities. Because this is such a large newsletter the timeframe to proofread was smaller. There might be more filler articles than usual.
- Mr. Clark, who is the head of the Times-Union Specialty Publications Department, will attend the November meeting.
- On October 23, 2009 two residents brought their children to the Splash Park playground and parked their cars in the last two spots of the first row facing the building. They arrived at approximately 4:15 p.m. At approximately 4:30 p.m. a vehicle entered the parking lot, went to their vehicles and both passenger windows were smashed. Their purses were stolen. The police were called out and the security camera footage was reviewed. The cameras caught the vehicle as it entered the parking lot and captured a person near the victims' vehicles. This has been happening in several areas outside of this community also. Staff obtained a proposal to upgrade the security camera system to a higher resolution. Mr. Cella asked if there are any legal consequences to monitoring more than just entry to the building. Mr. Walters responded as long as the video is turned over to the police for their use and not used for any vigilante efforts, it is okay. The Board requested additional proposals and suggestions for upgrading the security system. Mr. Cella mentioned reaching out to the VIPS program.

**SIXTH ORDER OF BUSINESS**

**Old Business/ New Business**

There not being any, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**Supervisors' Requests**

There not being any, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Audience Comments**

There not being any, the next item followed.

**NINTH ORDER OF BUSINESS**

**Acceptance of September Financials and Approval of Check Register**

The Board reviewed the financials and the following was discussed:

- The \$20 check to Elite Tec from October of 2008 was voided.
- Mr. Clark noted the District ended the fiscal year in a favorable position. All of the expenses were below budget.
- Ms. Murphy mentioned she just received her check from the September meeting. Ms. Davis indicated she would investigate the delay.

On MOTION by Mr. Clark seconded by Mr. Christofoli with all in favor the September financials were accepted and the check register was approved.

**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

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Janice Eggleton Davis  
Secretary

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Mike Cella  
Chairman