

**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, November 23, 2010 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 (Via Telephone)
Ryan Stilwell	District Engineer
Margaret Alfano	Parks and Recreation Manager
Frankie Towery	STS Administrative Assistant
Russell Bagg	Maintenance Manager
Mark McGuigan	Dream Finders
Gamble Wright	Clay County Habitat for Humanity
Linda Howard	Resident
Richard Howard	Resident
Sandra Wiley	Resident

The following is a summary of the discussions and actions taken at the November 23, 2010 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
October 26, 2010 Meeting**

Mr. Cella stated all Board members received a copy of the minutes of the October 26, 2010 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the minutes of the October 26, 2010 meeting were approved.

THIRD ORDER OF BUSINESS

Request from POZ Capital Investment, Inc. for Reduction of Units

The following was discussed:

- The remaining units of the Lake Ridge North condominiums, which need to be developed, were sold to POZ Capital Investments.
- Centex did one building of that set where they reduced the number of units from six to five.
- POZ Capital Investments is looking to reconfigure the remaining 14 buildings from six unit buildings to five unit buildings as well. They sent a request for the true-up amount. It has been provided to them and they are in the process of paying it this week.
- A calculation has been done of the impact on the District because the true-up pays off the debt service on the 14 lots; however, with fewer units to divide the O&M budget there will be an impact on the entire District with regard to O&M assessments in the coming years. If the fiscal year 2012 budget remains the same as the fiscal year 2011 budget, there will be a .30% increase in O&M assessments, which averages one to two dollars per unit.

FOURTH ORDER OF BUSINESS

Manager’s Report

Ms. Davis reported that an analysis was sent to the Board on the projected impact of the water usage rate increase. The projected over run from what was budgeted is approximately \$6,800. A bill was received for the quarter. The Clay County Utility Authority was contacted and they are gradually converting everyone to monthly billing.

FIFTH ORDER OF BUSINESS

Attorney’s Report

Mr. Walters reported the following:

- He does not feel the District will be able to effectively or efficiently go through a lien process against the Granger’s. It is not worth the District’s time and funds to pursue this.

- He contacted the attorney's office that sent the *Notice of Foreclosure* to the District to explain they approached the wrong entity. They understand they have the wrong entity and apologized.
- Mr. Christofoli asked who is responsible for violations in the wetlands at Margaret's Walk. Mr. Walters will research this, but he believes the permits are in the District's name. Mr. Christofoli reported a resident built a playground set within the wetlands.

SIXTH ORDER OF BUSINESS

Engineer's Report

▪ Grading Plans for The Woodlands and The Links Ponds

Mr. Stilwell reviewed the design plans for The Woodlands and The Links.

- The county has not responded to inquiries about their maintenance issues with the ditch. However, after visiting onsite last week with Mr. Bagg, he noticed the county has done some work on one of the drainage structures.
- The design plan for The Woodlands consists of filling the pond bank as previously discussed. The design plan is ready to go out for proposals. They spoke with the homeowner whose property will be impacted. This will restore the pond back to its original design, which will prevent water from backing up onto the lots. He would like to contact Clay County about accessing the area through the Clay County and Clay Electric easement. Three trees will be affected; two of which are small Cypress trees planted by Mr. Howard and one is a four-inch Live Oak tree. The trees will be pulled out and replanted.
- Mr. Wiggins suggested asking the county for a maintenance schedule.
- Mr. Cella asked what the estimated cost is. Mr. Stilwell responded a ballpark figure is approximately \$10,000.
- The majority of the work on The Links design plan would take place on the Golf Course property. The top of the ditch would be raised from lot 129 through lot 133. This will prevent the same situation which is occurring in The Woodlands with the water backing up and flowing through the lots.
- Ms. Murphy questioned whether it was the District's responsibility or the golf course's responsibility to do the work in The Links being that it would be on golf course property. The drainage issues are affecting the neighboring homeowners and not the golf course. There was discussion regarding whether the golf course would

- allow the District to have the work done. Mr. Christofoli questioned whether the District has the right to expend District funds on private golf course property. Mr. Walters stated the District is responsible for maintaining the functionality of the stormwater system; therefore, it is not a benefit to private property. There was Board consensus to ask the golf course for permission to do the work on their property as well as to ask them to contribute to the cost.
- Mr. Howard addressed the Board regarding this issue. He is concerned about the amount of debris that is collected in the drain after a heavy rain. Mr. Stilwell stated the outfall design is being maintained and debris should not be an issue. He also addressed his concern about contractors accessing the worksite. Mr. Stilwell stated he does not want them to access in between the properties. They will reach out to the county for permission to access through Thunderbolt Road. Mr. Howard mentioned there is no irrigation available for new sod that will be planted. Mr. Stilwell stated a temporary irrigation system can be worked out as part of the contract.
 - Mr. McGuigan asked if the as-builts showing the area was not constructed as originally designed and certified were signed off on by the engineer so that the District can submit a claim to the insurance company rather than spend District funds. Mr. Stilwell stated the developer is in the process of turning over all the stormwater ponds to the District. The Water Management District is finding errors in the process. Mr. Walters stated the District would have to look into the history of how they got into this position. The issue needs to be corrected first in order to be in compliance.

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the design plans for The Woodlands were approved so that staff can obtain proposals with the caveat that it is looked into as to what missteps were made, who the responsible party is and if there is any recourse available to the District.

On MOTION by Ms. Murphy seconded by Mr. Wiggins with all in favor the Board approved proceeding with the design plans for The Links, seeking proposals, obtaining permission from the Golf Course to access through their property and to see if the Golf Course is amiable to sharing the cost.

- Mr. Bagg will work with Mr. Stilwell to obtain proposals.

SEVENTH ORDER OF BUSINESS

Staff Reports

B. Recreation

Ms. Alfano reported the following:

- The Haunted Hay Ride was a success and 100% of the proceeds, which totaled \$726, were donated to Habitat for Humanity. Ms. Gamble Wright, a representative for Clay County Habitat for Humanity, was presented with a check.
- The Adult Holiday Cocktail party is scheduled for December 2, 2010. Approximately 160 residents have signed up for the event.
- Holiday decorations are up and will be lit on November 26, 2010.
- All vendors are recommending painted wooden poles for the signs. Staff is looking into options and will present the Board with more information at the December meeting.
- The lease agreement with the Supervisor of Elections for 2011 was sent to Mr. Walters for his review. There are no plans to change the polling site from the Amenity Center.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor the Chairman was authorized to execute the final agreement with the Supervisor of Elections to use the Amenity Center for any elections that may arise in 2011.

A. Maintenance

Mr. Bagg reviewed the following:

- The fountain at the Village Square is up and running.
- He requested the Board approve a change order for the Village Square pond in the amount of \$1,100. The junction boxes for both pits were worn and not properly sealed. New brass junction boxes were installed and the motors were rewired.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the change order for the Village Square pond work in the amount of \$1,100 was approved.

- The floating fountain at Fleming Plantation Boulevard is up and running.

- Three bids for repairing the pavers at the round-about were obtained. Mr. Stilwell did a site inspection and informed the Board it appears there was water intrusion in the area. To do a proper inspection to determine the cause of the paver damage the road would have to be closed and the county would have to become involved because of the major traffic issues it would cause. If there is damage in the concrete underneath the pavers, the road could be closed for a week. At this time Mr. Stillwell recommends just repairing the pavers for the \$1,500 in lieu of doing an open-ended repair that could cause major maintenance of traffic and costs to the District.

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the proposal from Pavers Plus to repair the pavers at the round-about for a total not to exceed \$1,540 was approved.

- Mr. Bagg attended the River Hills Reserve HOA meeting to discuss the retention pond and inform them the District is looking into options to remove the silt and dirt. Three septic companies evaluated the retention pond for debris removal. Only one of the companies, Metro Rooter, stated they can remove the debris by pumping it out. The approximate cost is \$4,500. Mr. Bagg also contacted excavating companies that work on retention ponds. Because the pond is surrounded by a retaining wall the only way to get the sediment out would be by getting heavy equipment onsite. Only one company has provided a quote for an estimated \$10,000. Mr. Stilwell and Mr. Bagg are leaning towards having the debris pumped out by a septic company. Mr. Cella would like Mr. Bagg to check references for Metro Rooter on similar work and whether they were successful.
- There are several tripping hazards on the sidewalks at the Amenity Center as a result of tree roots. Mr. Bagg obtained proposals to repair the sidewalks. He recommends Saur Concrete's proposal in the amount of \$1,900. This includes cutting the tree roots, installing a root barrier and rock salt finish on the sidewalk.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor the proposal from Saur Concrete & Tractor, Inc. in the amount of \$1,900 was approved.

- Mr. Bagg forewarned the Board that there will be future issues with the sidewalks in other areas and they will be brought before the Board as they arise.
- Mr. Blaine Peterson, the District Manager for Austin Outdoors will attend the December 21, 2010 meeting.

EIGHTH ORDER OF BUSINESS

Old Business/ New Business

Mr. Cella asked Ms. Alfano about one of the events where residents were required to bring their identification. He questioned whether it was for that event only or if this will be a policy going forward. Ms. Alfano requested the identifications as a deterrent for people driving by the marquis sign who might think the movie at the Gazebo might be opened to them.

NINTH ORDER OF BUSINESS

Supervisors' Requests

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

Audience Comments

There being no additional comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Acceptance of October 2010 Financials and Approval of Check Register

There being no questions or comments,

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the October 2010 financials and check register were approved.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business,

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

Janice Eggleton Davis
Secretary

Mike Cella
Chairman