

**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, February 24, 2009 at 6:00 p.m. at the Splash Park, 1510 Calming Water Drive, Orange Park, Florida.

Present and constituting a quorum were:

Mike Cella	Chairman
Eugene Clark	Vice Chairman
Don Christofoli	Assistant Secretary
Betty Murphy	Assistant Secretary
Gina Polseno	Assistant Secretary

Also present were:

Janice Eggleton Davis	District Manager
Jason Walters	District Attorney (Via Telephone)
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Robert Machala	NAC, President
Joe Kenney	Broadbent Company
James Dyer	Goddard School
Kim Fabio	Goddard School
Erik Grey	Weiser Security
Peggy Clark	Resident
Moe Faroqi	Resident
John Herzberg	Resident
Donna Langone	Resident
Tony Langone	Resident
Sandra Wiley	Resident

The following is a summary of the minutes and actions taken at the February 24, 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.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the January 27, 2009 Meeting

Mr. Cella stated each Board member received a copy of the minutes of the January 27, 2009 meeting and requested any corrections, additions or deletions.

The Board made several changes, which will be incorporated in the amended copy of the minutes.

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the minutes of the January 27, 2009 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Manager's Report

Ms. Eggleton Davis reported the following:

- An updated assessment schedule was distributed and it was noted the District has collected 92.5% of its assessments.
- Paperwork was filed with the county requesting tax exemption on the District's real estate.
- The audit has started and is expected to be completed by the end of March.

A. Consideration of Request Made by the Amberwood HOA for a Fence between the Amberwood Community and the Conservation Area Separating Amberwood and Cypress Glen

The following was discussed:

- Ms. Davis reviewed the request submitted by the Amberwood HOA.
- Mr. Cella noted he visited the site with Ms. Alfano and Mr. Bagg. They found no evidence of ATV's being driven into backyards. He does not feel the CDD bears the responsibility of installing fencing because the property in question belongs to Clay County.
- Ms. Murphy agreed with Mr. Cella. She noted the real problem is ATV's are not allowed and the police should be called with regard to that issue.
- Mr. Christofoli does not feel the CDD should be involved and the individual homeowners should put up a fence on their property.
- Mr. Cella noted Tract C does abut the Clay County property; however, there are various preserves throughout Fleming Island Plantation and homeowners are at their own liberty to put up fences in accordance with BAR policy.

On MOTION by Ms. Murphy seconded by Ms. Polseno with all in favor the Board directed staff to provide a written response, in consultation with the Chairman, to the Amberwood HOA denying their request for a fence.

- Mr. Walters noted the CDD is prohibited from using public funds on private land.

B. Consideration of Leasing/ Sales Sign from The Broadbent Company

The following was discussed:

- The Broadbent Company is seeking approval to place a leasing and sales sign along Highway 17 on CDD property.
- Mr. Cella noted the CDD approved a similar sign a few years ago to be a good neighbor and help The Broadbent Company attract tenants for their center.
- The District received reimbursement from The Broadbent Company with regard to the buffer issue.
- Ms. Murphy does not object to the sign, but she does not like the proposed placement of the sign. She suggested the sign be located prior to the fountain area rather than directly on the corner.
- Mr. Kenney agreed to the area suggested by Ms. Murphy. Staff will assist with the location of the sign.
- Mr. Machala expressed concern that other entities will want to post signs in this location as well. Mr. Cella noted only one sign will be allowed at a time. If another request comes in, the Board will allow the entities to take turns.

On MOTION by Mr. Clark seconded by Ms. Polseno with all in favor a leasing and sales sign was approved and staff was directed to draft a three month lease agreement to be renewed for an additional three months barring no other requests are made by others.

FOURTH ORDER OF BUSINESS

Attorney's Report

Mr. Walters reported the following:

- All of the plantings have been restored in the buffer and the county has signed off on it. The Broadbent Company did reimburse the District for the costs incurred related to materials and labor. They did not reimburse the District for attorney costs.

- The provider who hosts the District’s website can provide email addresses for the Board for District related business. There was Board consensus to pursue this. Mr. Walters will follow up with details to discuss at the next meeting.
- Ms. Davis distributed documentation with regard to three deeds conveying land from Centex to the District. All three deeds are related to retention areas. This is part of the final transfer of all property from the developer to the District. The deeds are for the retention area between Old Hard Road and Thunderbolt Elementary School, the retention area between Bellsouth and P-5 and the Village Square Tract A parcel. There will be a *consent to assignment* related to Village Square Tract A.

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the conveyances of Village Square Tract A and the two other retention ponds identified in the bills of sale from Centex to the District were approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Maintenance

Mr. Bagg reported the following:

- The tennis courts were resurfaced. Various steps will be taken to address proper usage of the tennis courts because they are soft.
- The awnings are being worked on and should be installed by March 12, 2009.
- The pool furniture should be returned within the next week.
- Staff is still waiting for the grates which have been ordered to comply with the Virginia Graeme Baker Act. It should be a few more weeks before they are in and installed.
- Mr. Langone from River Hills Reserve provided the Board with design plans with regard to their landscaping request and Ms. Eggleton Davis noted Austin Outdoor provided a proposal for installation of the landscape. They have yet to provide a proposal for ongoing maintenance. River Hills Reserve is committed to covering both costs if it is the District’s desire. Mr. Walters suggested granting an easement for access and maintenance in favor of the River Hills Reserve HOA. Ms. Murphy expressed concern for setting precedence. Mr. Cella noted the District is not setting

precedence because the River Hills Reserve HOA is paying for installation and maintenance.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor the Board authorized staff to draft the necessary paperwork to grant an easement to the River Hills Reserve HOA so they have access to install landscaping as presented to the Board subject to approval from the BAR and with the stipulation they will assume all responsibility for installation, maintenance and replacement costs.

- Mr. Bagg provided the Board with two quotes for maintenance work on the gazebo. Ms. Murphy noted the proposals are not clear if they are covering the same scope of work. She requested any proposals which come before the Board be easily comparable for the scope of work. She also prefers a minimum of three proposals be submitted if possible. Mr. Bagg will bring back at least three comparable quotes to the next meeting.
- Mr. Bagg only received one quote for the Amenity Center pool light poles due to the fact most painters cannot take on the extensive work involved. The Board requested Mr. Bagg obtain at least three quotes. Ms. Murphy provided Mr. Bagg with a list of additional companies she spoke with who do this type of work.
- Mr. Bagg reported the results of the online survey with regard to the community's preference for security services. The majority of votes are in favor of using a private security firm. Mr. Grey of Weiser Security gave a presentation on the services provided by his firm. The Board accepted comments from the audience.

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the Board authorized the Chairman to execute the new contract with the Clay County Sheriff's Office for security services with the increased rates.

B. Recreation

Ms. Alfano reported the following:

- The District received a check from the driver's insurance company to cover the costs incurred to CDD landscaping damaged by the accident on Town Center Boulevard and Highway 17.

- The name on the reserve study agreement has been changed to reflect the Fleming Island Plantation CDD. The agreement has been executed by the Chairman and forwarded to Dreux Isaac & Associates.
- The Supervisor of Elections Lease Agreement has also been revised to reflect the CDD as the landlord and has been executed by the Chairman.
- The Board was provided with a proposed lease agreement for the Plantation Snack Shack, which was drafted by Mr. Walters.

On MOTION by Ms. Murphy seconded by Ms. Polseno with all in favor the lease agreement with Ms. McCowan for the Plantation Snack Shack was approved.

- Ms. Alfano reported the District will save \$20,000 on the lifeguard contract due to changes to the pool hours.
- Ms. Alfano addressed the parcel of land owned by Centex where their construction trailer is currently located. Staff is proposing to construct a maintenance storage facility there as it is very much in need and requested contacting Centex with regard to this intent.

On MOTION by Ms. Murphy seconded Mr. Clark with all in favor the Board authorized District staff to prepare a letter to be sent to Centex requesting conveyance of the parcel discussed upon further review by the Chairman.

C. Neighborhood Advisory Council

There being no report, the next item followed.

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

The following was discussed:

- Ms. Wiley noted there were pick-up trucks and/or vans sitting on the grassy area between the road and the property with construction taking place near the school. She

called the Amenity Center to report this, but did not receive a call back. Mr. Bagg stated the issue was addressed. They were asked to remove their vehicles and there was an irrigation check to verify there was no damage.

- Mr. Dyer, the owner of the Goddard School, introduced himself to the Board. He followed up on a request denied for him and his co-owners to have access to use District facilities. The Board directed staff and District Counsel to work on rules, procedures and a policy to address commercial owners’ rights to access District facilities.
- Mr. Faroqi commented on pond maintenance issues. He noted that he brought Tilapia from another property and added them to the District’s pond. Ms. Alfano stated staff is working with Aquatic Systems to address this issue. They have to obtain state permits and all required inspections are taking place. There will be resolution within the next month. She also asked residents not to add fish into the District’s pond.

NINTH ORDER OF BUSINESS

Acceptance of January 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 January financials and check register were approved.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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

Janice Eggleton Davis
Secretary

Mike Cella
Chairman