

**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, March 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)
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Blaine Peterson	Austin Outdoors
Mark McGuigan	Resident

*The following is a summary of the minutes and actions taken at the March 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  
February 23, 2010 Meeting**

Mr. Cella stated each Board member received a copy of the minutes of the February 23, 2010 meeting and requested any corrections, additions or deletions.

There not being any, the next item followed.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor the minutes of the February 23, 2010 meeting were approved.

**THIRD ORDER OF BUSINESS**

**Acceptance of the Financial Audit for Fiscal Year 2009**

Ms. Davis reported the audit for Fiscal Year 2009 is a clean audit and the District does not meet any conditions which would be considered a state of financial emergency. The attorney did review the audit and any comments he had were incorporated.

There being no further discussion,

On MOTION by Mr. Clark seconded by Mr. Wiggins with all in favor the financial audit for Fiscal Year 2009 was accepted.

**FOURTH ORDER OF BUSINESS**

**Manager's Report**

Ms. Davis provided the Board with an updated assessment collection schedule. The District has collected 90.87% of its assessments. Mr. Cella asked how that compared to the previous fiscal year. Ms. Davis will forward that information to the Board via email.

**FIFTH ORDER OF BUSINESS**

**Attorney's Report**

**A. Proposed Evaluation Criteria for the Landscape and Irrigation Maintenance Services**

The following was discussed:

- Mr. Walters reviewed the draft evaluation criteria for the landscape and irrigation maintenance services RFP. The total of 30 points is allocated for price. The breakdown is that 20 points are awarded to the lowest bidder and the remaining 10 points are more subjective and are based on unit prices.
- Ms. Murphy asked whether the 20 points awarded for the lowest bid can work against the District because the lowest bidder is not always the best one. Mr. Walters stated when you do an invitation to bid, it is the lowest bid submitted which gets the award. This is set up as an RFP, which takes other factors into consideration such as experience and their understanding of the scope of work. If you had a higher percentage allocated towards price, such as 60%, it would present an issue. The bidders have to be responsible and responsive bidders. They have to provide documentation to show they are capable of doing this job.

- Mr. Walters suggested setting threshold criteria so that bidders are required to have had another contract in excess of \$300,000 in the past.

There being no further discussion,

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the evaluation criteria was approved for the landscape and irrigation maintenance RFP along with a threshold bidding requirement of previous contracts in the minimum amount of \$300,000 within the last five years.

- Staff will aim to have the proposals to the Board for review at the next meeting.

**B. Discussion of Entrance Ownership and Maintenance**

The following was discussed:

- Mr. Walters provided the Board with a breakdown of the areas the District maintains, specifically the entranceways. He also provided a memorandum outlining a cross between ownership and maintenance. This in response to the Lake Ridge North and Lake Ridge South issues as well as doing an evaluation of the property maintained with respect to going out for proposals.
- The District owns all of the entranceway features throughout the District as well as the stormwater ponds, conservation areas and the common areas with respect to landscaping.
- The District does not own the Lake Ridge North and Lake Ridge South entranceways; however, the District does maintain them. The Lake Ridge North piece is part of an un-platted area owned by their HOA and the piece to the south is a platted area, but it is a common landscape buffer tract which shows as being owned by Centex. After researching this further, it appears the intention was for that portion to be owned and maintained by the HOA. The transfer of land to the HOA never occurred.
- The Board has to decide whether they want to stop maintaining this area or continue to maintain it while seeking property rights through a conveyance or a non-revocable easement.
- Ms. Murphy questioned why the Carrington Place entrance is not owned by the District. Mr. Walters believes it is similar to the Lake Ridge North piece where it is not platted and is going to be one big piece of property. It is also not on a main

District road, which is part of the benefit analysis of why the District maintains most of what it maintains.

- Ms. Murphy asked about Margaret’s Walk. Mr. Walters clarified the District does not maintain any of the parcels that make up the entranceway to Margaret’s Walk. There is a piece to the south of that, which is technically connected to the piece which runs to the park, which the District owns. It does not extend all the way to the entranceway.
- Mr. Christofoli asked if it is legal to maintain property which does not belong to the District. Mr. Walters responded it is not uncommon if it provides a benefit to the District, but you should have the correct property rights to do so.
- Mr. Wiggins suggested the HOAs reimburse the District for the cost of maintaining those areas not belonging to the District. Mr. Walters stated the District should have them potentially bid as alternates. The HOAs may not want to continue to maintain it at the same level.
- The Board directed Mr. Walters to approach the Lake Ridge North HOA as well as Pulte/Centex to have the portion of the property currently being maintained by the District conveyed to the District.

The following was also discussed:

- Mr. Walters updated the Board on the status of the property where the Centex trailer was located. After further research it was discovered that Centex does not own that parcel. It is owned by Media One, which is part of Comcast. They have owned it since 2001.

**SIXTH ORDER OF BUSINESS**

**Engineer’s Report**

There not being any, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Maintenance**

Mr. Bagg reviewed his report and the following was discussed:

- There was a meeting with the original contractor and framer regarding the Splash Park, i.e., Trusses. The damage is not structural, but it does need some repairs. The contractor who did the initial installation, S.A. Robinson Construction submitted a bid to remove the wood that is decayed and replace it, as well as inspect the remainder

of the beams for a total of \$1,027.64. Mr. Cella questioned how much the flashing would cost.

On MOTION by Ms. Murphy seconded by Mr. Wiggins with all in favor the proposal from S.A. Robinson to repair the trusses was approved and staff was authorized to also have the flashing installed for a total cost on both the truss repairs and flashing not to exceed \$2,500.

- Staff is making preparations at the Splash Park and the Amenity Center for the pool season. The only problematic area is the Amenity Center pool deck. Staff is researching proposals and costs to have it redone at a reasonable price.
- There have been no additional dead frozen fish in the ponds. Ms. Murphy brought up the issue of being reimbursed for the cleanup costs. The Board directed Mr. Walters to seek reimbursement for cleanup costs associated with the dead fish in Pond #27 from the resident responsible for placing the fish in the pond.
- Mr. Christofoli asked about the reimbursement letter to the resident who had an unauthorized drain installed in Margaret’s Walk. Ms. Davis confirmed she received the letter from Mr. Walters and will send it out.
- The River Hills Reserve retention pond level is still too high to be assessed.
- Mr. Bagg gave a brief update on landscaping projects being done.

**B. Recreation**

**i. Report**

**ii. Policies and Procedures**

Ms. Alfano reviewed her report and the following was discussed:

- There are instructions on the website on how to log on. It is a work in progress and should mostly be complete by the end of the week.
- The Board reviewed the proposed changes to the District’s Policies and Procedures. Under number 10 of *General Swimming Pool Rules*, “solo cups” was changed to “plastic cups”.

There being no further discussion,

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the amendments to the District’s Policies and Procedures were approved as amended by Board discussion.

- The lease agreement with Ms. McCowan needs to be renewed for the Snack Shack. The current lease requires a fee of \$250 be paid monthly regardless of whether the pool is open or not. Staff is proposing to charge a \$350 monthly fee during the pool season, from April to through September, only. Staff is also requesting expenditures not to exceed \$450 to purchase a swing arm umbrella for the front of the Snack Shack.

There being no further discussion,

On MOTION by Mr. Wiggins seconded by Mr. Clark with all in favor the proposed lease agreement with Piece-of-Cake Café and expenditures to purchase a swing arm umbrella at a cost not to exceed \$450 for the front counter was approved subject attorney review of the new lease agreement.

- Ms. Murphy met with staff to work on the white directional signage throughout the District to ensure every village is represented. They are recommending a total of 23 slats be changed. The cost is \$18 per slat and if there is any damage to the slat when the old lettering is removed the cost will be \$28.

There being no further discussion,

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the changes to the white directional signs were approved as proposed.

- Staff is recommending the purchase of blinds for the Amenity Center conference room.

There being no comments or questions,

On MOTION by Mr. Christofoli seconded by Mr. Wiggins with all in favor the Board approved the purchase of blinds from the Home Depot at a cost of \$531 for the Amenity Center.

- The Easter Egg Hunt is scheduled for April 3, 2010. Volunteers are still needed. Several activities are being planned for Spring Break. Many concerts are being planned. There will also be several summer camps offered to the residents.

- Ms. Alfano reported there was an incident at the Amenity Center restroom. Three teenagers, two of which are residents, were caught smoking illegal substances. The Sheriff Deputy arrested one of them for possession of an illegal substance and paraphernalia. The other two were issued trespasses citations and will not be allowed at the Amenity Center property for two years. The Board discussed banning all three individuals from all District amenity facilities.

There being no further discussion,

On MOTION by Ms. Murphy seconded by Mr. Wiggins with all in favor the Board ratified staff's actions to have the two individuals that were cited banned from the Amenity Center and extended the ban to all three individuals for all the District amenity facilities for two years.

- Mr. Walters will draft a suspension of privileges notice.

**EIGHTH ORDER OF BUSINESS**

**Old Business/New Business**

Mr. Cella asked about the status of the letter that was going to be sent to Mr. Behring at the county. Ms. Davis is waiting for Mr. Bagg to provide her with a list of the roads to include in the letter.

**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:

- Mr. McGuigan requested clarification on the earlier statements regarding the entrance parcels. Ms. Davis clarified the Lake Ridge North entrance is owned by the HOA and the Lake Ridge South entrance is owned by Centex.
- Mr. Peterson, the District Manager for Austin Outdoors, introduced himself to the Board.

**ELEVENTH ORDER OF BUSINESS**

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

Ms. Davis informed the Board of Severn Trent Services' procedure to withdraw money from SBA Fund 'A', which is unrestricted, when there is an accumulation of \$5,000 because

there is a fee. There was Board consensus for staff to withdraw funds from SBA Fund 'A' when a balance reaches \$2,500.

The Board reviewed the financials. Mr. Clark requested Ms. Davis look into the minus \$4 under *Administrative Miscellaneous Services* on page two of the financial statements.

There being no further discussion,

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

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

---

Janice Eggleton Davis  
Secretary

---

Mike Cella  
Chairman