

**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, March 27, 2012 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
Ryan Stilwell	District Engineer
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Several Residents	

The following is a summary of the discussions and actions taken at the March 27, 2012 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 28, 2012 Meeting**

Mr. Cella stated each Board member received a copy of the minutes of the February 28, 2012 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 February 28, 2012 meeting were approved.

THIRD ORDER OF BUSINESS

**Hearings to Consider Suspension of
Amenity Privileges**

Ms. Alfano provided the Board with an overview of the events which took place on February 24, 2012.

- She was notified three individuals were creating a disturbance at the Splash Park and one of them had a stun gun at approximately 6:38 p.m.
- The officer called out recommended the individuals be trespassed. By order of the State and County Sheriff's Office an individual may be trespassed from recreational facilities for a period of two years. If they are trespassed and return to the facilities within those two years, they can be arrested. The individuals were trespassed from the Splash Park.

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

- Ms. Bowen addressed the Board on behalf of Mr. Hurst. She stated he was only showing the other two individuals the stun gun he purchased and had no intention of hurting anyone.
- The deputy at the meeting conveyed that the deputy called out to the scene provided his account of what occurred. Several witnesses stated the stun gun was activated more than one time and several stated the three individuals were bullies.
- Mr. Cako addressed the Board and stated he was not bullying anyone.
- Mr. Cella asked the deputy if carrying a stun gun is considered a concealed weapon in the State of Florida. He responded it depends on how it is carried and is considered on a case by case basis.
- Mr. Tony Langone addressed the Board on his grandson's behalf regarding the incident.

On MOTION by Mr. Clark seconded by Mr. Wiggins with all in favor the public hearing was closed.

- Mr. Christofoli felt the fact they had a stun gun warrants suspension from District facilities.

- Ms. Murphy stated she believes Mr. Hurst feels he made a mistake by purchasing the stun gun, showing it to the other two individuals and taking it out on District property. She hopes he learned his lesson. Her only concern is making a mistake as a Board by not taking action if it turns out Mr. Hurst does not truly feel he made a mistake. She believes the Mr. Cako and Mr. Langone learned a lesson about being around when events occur. She leaned towards no sanction for Mr. Cako and Mr. Langone who were only shown the stun gun.
- Mr. Wiggins expressed concern over taking premature action without knowing what action the State Attorney will take.
- Mr. Cella asked if the Board can opt to change the term of two years from the trespass on the Splash Park. Mr. Walters explained it is not the District's citation and it is not up to the Board to enforce it. The State may be amenable to discuss shortening the term of the trespass with the Board.
- Ms. Murphy asked Ms. Alfano if there were any other occurrences or issues with the three individuals. Ms. Alfano responded there were not.
- Mr. Cella stated there was an overall lack of judgment from all three individuals and he hopes they learned a lesson. The Board needs to look out for the well being of the entire community. He feels there should be a shortened trespass for the Splash Park and no additional suspensions from amenity privileges. He suggested a 30 day interim period and if there are no other incidents, the District can negotiate with the Sheriff's Department to end the ban from the Splash Park.
- Ms. Murphy concurred with Mr. Cella with a 30-day to 45-day interim period for the two individuals who were not in possession of the stun gun; however, she feels Mr. Hurst's trespass should be enforced for a longer period.
- Mr. Christofoli noted if he would have taken the stun gun on public school property, he would be expelled and arrested. The Splash Park is a public facility and should not be any different.

On MOTION by Mr. Wiggins seconded by Mr. Clark with Mr. Wiggins, Mr. Clark, Mr. Christofoli and Ms. Murphy voting aye and Mr. Cella voting nay Mr. Christopher Langone’s other amenity privileges will not be suspended and there will be a 60 day observation period from April 1, 2012 through May 31, 2012 where if there are no other incidents reported the District will request a reduction and/or removal of the trespass for the Splash Park.

- The record will reflect Mr. Cella voted nay due to the observation period being 60 days rather than 30 days.

On MOTION by Mr. Wiggins seconded by Mr. Clark with Mr. Wiggins, Mr. Clark, Mr. Christofoli and Ms. Murphy voting aye and Mr. Cella voting nay Mr. Emanuel Cako’s other amenity privileges will not be suspended and there will be a 60 day observation period from April 1, 2012 through May 31, 2012 where if there are no other incidents reported the District will request a reduction and/or removal of the trespass for the Splash Park.

- The record will reflect Mr. Cella voted nay due to the observation period being 60 days rather than 30 days.
- Mr. Hurst’s amenity privileges will be addressed at next month’s meeting pending action taken by the State Attorney’s office.

FOURTH ORDER OF BUSINESS

Attorney’s Report

Mr. Walters reported the Department of Justice extended the ADA compliance deadline for pools by 60 days.

FIFTH ORDER OF BUSINESS

Engineers Report

Mr. Stilwell reviewed his email correspondence with Mr. Reese regarding the Margaret’s Walk stormwater pipe repair near his property. Grimes Contracting agreed to address the sod issues Mr. Reese discussed in his email when they return to remove the silt fence.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Maintenance

Mr. Bagg reviewed the following:

- The transfer station at the Thunder Bucket is the only item remaining on the ADA compliance list. It is expected to be complete within two weeks. Mr. Christofoli complemented the work done on the Margaret's Walk Dock.
- The repairs made to the Lake Ridge North gate were sufficient and there have been no issues.
- No further disturbances were reported in The Woodlands' conservation area. Ms. Davis noted posting *No Trespassing* signs in the conservation area is not appropriate because walking in it is allowed.
- The pool furniture being re-strapped will be completed by the end of the month.
- Three proposals were obtained to add an electrical sub-panel at the Splash Park. Mr. Bagg recommended Pickett Electric for a total cost of \$2,280.

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the proposal from Pickett Electric for electrical work at the Splash Park at a cost not to exceed \$2,280 was approved.

- The Board was presented with pictures of a void surrounding the pool deck at the Amenity Center. Mr. Bagg met with the original pool installer who said this is common. Mr. Stilwell and Mr. Bagg will meet with the original general contractor to review and investigate this issue.
- The jets at the Village Square fountain stopped working approximately a week ago. Pickett Electric was onsite and looked at the fountain. They believe there is an issue with the pump installed for the jets. The pump was pulled out and it is being looked at.

B. Recreation

Ms. Alfano reviewed the following:

- Attendance at the Splash Park averaged 418 people per day during Spring Break.
- The Amenity Center was open late the first week of March for residents to pick up their passes.
- There have been positive reviews on the new Snack Shack and two catered events have been booked.

- A pre-season meeting was held with all staff including lifeguards. All lifeguards will need to pass a test for them to work at the amenity facilities to ensure they are aware of the policies and procedures.
- Spring Break activities were all successful.
- There are 166 kids signed up for the Easter Egg Hunt.
- The first concert was rescheduled to May 4, 2012 to coincide with Cinco de Mayo. The Snack Shack will cater this event. There are plans to have some concert events catered by Island Life Grill.
- The Memorial Day Parade is scheduled for May 26, 2012.
- No additional payments have been made by the Diana family for their restitution.
- The password requirement has been removed from the website. The vendor is looking for a new program to enhance the website. Mr. Cella noted the vendor did not charge for additional changes requested by the Board.
- Amenity Aquatics Staffing, Inc. recommended the District have a defibrillator at each pool. His staff is trained to use the recommended defibrillators. Mr. Walters stated most districts he works with have these at their facilities. The total cost of the recommended kits is \$2,595.98. Having the defibrillators onsite will not change insurance costs; however, the District's insurance carrier said the risk is "worth the lives, which may be saved."

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the purchase of two defibrillators as recommended by staff was approved at a cost not to exceed \$2,600.

SEVENTH ORDER OF BUSINESS Manager's Report

Ms. Davis provided the Board with an updated assessment collection schedule. The District collected 90.12% of its assessments to date.

EIGHTH ORDER OF BUSINESS Old Business/New Business

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors' Requests

A. Recognition of Staff for Florida Community of Excellence Awards Finalist – Supervisor Wiggins

The following was discussed:

- Mr. Wiggins would like to recognize staff for their excellent work, which resulted in Fleming Island Plantation being a finalist in the Family Friendly Programs & Initiatives category for the 2012 Florida Community of Excellence Awards.
- Ms. Davis can request a small bonus be awarded to District staff by Severn Trent Services.

On MOTION by Mr. Wiggins seconded by Mr. Clark with all in favor the Board requested a recognition award be provided by Severn Trent Services to District staff.

TENTH ORDER OF BUSINESS

Audience Comments

The following comments were made:

- Ms. Szafranski stated several residents contacted her regarding an organization called Big League Dreams Sports Parks. Clay County is in discussions to build one of these parks in the property where the middle school was supposed to be built. She expressed concern with regard to the amount of traffic this park will cause.
- Mr. Ellis discussed the design of the tennis facilities. He would like the Board to consider adding benches on the court with shade structures in accordance with safety regulations. Mr. Cella stated the Board will look into it after Mr. Bagg reviews the information. He also noted a large portion of District funds are expended on the tennis courts, which are for recreational use.
- Ms. Miles-Colon stated the lights on the last basketball court do not turn on.
- Mr. Nelson commented on funds expended for the park in Margaret's Walk.

ELEVENTH ORDER OF BUSINESS

Acceptance of February Financials and Approval of Check Register

There being no question or comments,

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

March 27, 2012

Fleming Island Plantation C.D.D.

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