

**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, May 24, 2011 at 6:12 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 (Via Telephone)
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Mike Yuro	Yuro & Associates, LLC
Jim Proctor & Kevin Hill	The Tree Amigos
Ron & Gerrie Baron	Residents
Stephen Bennett	Resident
Sandra Wiley	Resident

*The following is a summary of the discussions and actions taken at the May 24, 2011 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  
April 26, 2011 Meeting**

Mr. Cella stated all Board members received a copy of the minutes of the April 26, 2011 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the minutes of the April 26, 2011 meeting were approved.

**THIRD ORDER OF BUSINESS**

**Attorney's Report**

**A. Discussion Regarding the ADA Report**

Mr. Walters reported the following:

- Mr. Mike Yuro was present from Yuro & Associates, LLC, the firm the Board selected to perform the ADA compliance evaluation. Handouts of the report he prepared were provided to the Board, a copy of which will be incorporated into the record. Mr. Yuro addressed the Board to discuss the contents of his report including his ranges of cost estimates to bring the District's recreational facilities into compliance with requirements of the 2010 ADA Standards for Accessible Design.
- Further discussion ensued regarding the recommendations and options and the impact implementation would have on the proposed budget for FY 2012. The cost estimates, depending upon options selected for each element, range from around \$75,000 to \$150,000.
- A consensus was reached to include an additional \$30,000 in the FY 2012 budget for ADA Compliance and that any additional funds required could be drawn from the existing fund balance forward as needed. In some instances, the elements are already scheduled for repair or replacement per the reserve study, and those funds can be used as appropriate.

**B. Discussion Regarding Rulemaking for a Rule Related to Suspension of Amenity Privileges**

The following was discussed:

- Mr. Walters noted that the agenda package included a draft of a proposed rule to address suspension or termination of amenity use privileges.
- Discussion ensued in regard to the proposed rule and the process described therein. It was requested that the proposed rule be revised to allow notification by staff to the Patron of their offending behavior, to be followed by a presentation by staff to the Board at a hearing for further action. The process should allow for the Patron to be notified of the hearing before the Board so that they can be present at such hearing.

- Mr. Walters noted there would be a requirement to have a public hearing on the proposed new Rule, which could be noticed for and held at the next regularly scheduled meeting of the Board on June 28, 2011.

On MOTION by Mr. Clark seconded by Mr. Christofoli with all in favor a public hearing on the Rule regarding Suspension or Termination of Use Privileges for Amenities was set for June 28, 2011 at 6:00 p.m. at the Splash Park and staff was authorized to publish the required notices.

- Mr. Walters has had continued discussions with Pulte Homes as well as SJRWMD regarding the Autumn Glen ponds, the permit, and the work required to repair them. He is still awaiting a formal response from SJRWMD to his letter on behalf of the District. Pulte Homes had requested and has been provided with the scope the District's engineer prepared to remediate the ponds. Pulte Homes has also gotten proposals from their own vendors to perform the work. They are hiring a contractor and have submitted their plans to the SJRWMD.
- Once the SJRWMD approves the plans to remedy, it is recommended that they be provided to Mr. Stilwell to review. If he concurs with the remedy, staff would like to authorize Pulte Homes to move forward with the work.

On MOTION by Ms. Murphy seconded by Mr. Wiggins with all in favor staff was authorized to direct Pulte Homes to move forward with the repair to Autumn Glen ponds once their proposed remedy was approved by the SJRWMD and the District's engineer.

**FOURTH ORDER OF BUSINESS**

**Manager's Report**

**A. Report on the Number of Registered Voters**

Ms. Davis noted that the agenda package included a letter from the Clay County Supervisor of Elections notifying the District that there are 4,138 registered voters residing within the District. This report comes to us each year now that the District's Supervisors are elected by residents on the Supervisor of Elections' ballot for General Elections.

**B. Discussion of Proposed Budget for Fiscal Year 2012**

The following was discussed:

- Ms. Davis noted that staff had worked with Mr. Clark, the designated liaison with the Board, on the proposed budget and achieved several reductions in expenses. The proposed budget is included in the agenda package and this version results in a slight decrease in assessments for all property types. However, as mentioned previously under the ADA compliance discussion, adding \$30,000 to address ADA compliance raises the assessments back to the same amounts as they were for FY 2011.
- Ms. Davis also noted that Severn Trent was not requesting an increase in their fee under Administrative–Professional Services-Management Consulting Services or Special Assessment Services. However, there is included a 1.5% increase in the fees for Professional Services-Field Management under Parks & Recreation and Community Center (Amenity Center and Splash Park).
- Further discussion ensued with regard to various line items within the budget.

**C. Consideration of Resolution 2011-1 Approving the Budget and Setting the Public Hearing**

- Ms. Davis noted that the budget will be amended to add \$30,000 for ADA compliance, resulting in no increase in the assessments. With no increase in assessments, mailed notice to every owner is not required. However, a notice will be published to inform the public of the public hearing on the budget that will be held prior to adoption of the final budget. It was requested that the approved tentative budget be made available to residents via the District’s website.

On MOTION by Ms. Murphy seconded by Mr. Wiggins with all in favor Resolution 2011-1 approving the proposed budget for Fiscal Year 2012, setting the public hearing for August 23, 2011 at 6:00 p.m. at the Splash Park and authorizing staff to properly notice the public hearing was adopted.

- Ms. Davis noted that she had passed out an updated assessment collections schedule showing another receipt in May, bringing the percent collected to 96.59%. This compares to 92.88% last year at this same time. Any assessments that remain unpaid will become a part of the County tax certificate sale.

**FIFTH ORDER OF BUSINESS**

**Engineer's Report**

Mr. Stilwell noted that in addition to the previous update on the status of the Autumn Glen ponds repair, they have performed inspections of the other ponds for which permits need to be transferred. However the other permit transfers are being held off until the Autumn Glen situation is resolved to the District's satisfaction.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Maintenance**

Mr. Bagg reviewed the following:

- The clean out of the Old Hard Road outfall ditch has been completed by The Tree Amigos, inspected by the SJRWMD and found to be in compliance.
- Austin Outdoor has proposed an addendum to their contract adding \$3,000 per year for maintaining this ditch quarterly. The Board asked that Mr. Bagg get additional proposals for this work and bring them to the next meeting.
- Initial estimates to get the Village Square waterfall operational again are running in the \$16,000 - \$20,000 range, because this pump cannot be rebuilt again.
- Further discussion ensued and the Board asked that Mr. Bagg explore other options to reduce costs, including reducing the horsepower of the pump and bring them back to the Board.
- Color copies of the photos included in the agenda package were distributed to the Board, along with Austin Outdoor's price proposals to enhance the Fleming Island Plantation and the Village Square entrances, all of which will be incorporated into the record.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the proposals from Austin Outdoors for \$3,751.54 for the Fleming Island Plantation entrance enhancement and \$3,441.24 for the Village Square entrance enhancement were approved.

**B. Recreation**

Ms. Alfano reviewed the following:

- The Care Walk with the Cammillen family was held on May 1, 2011 and was a success, with 100 people participating in the walk. Over \$9,000 was raised by the family.

- The Prom Dinner was moved to the conference room, which was decorated with their prom theme and colors. There were 25 young adults in attendance and pictures will follow in the June newsletter.
- Memorial Day weekend festivities include the first concert of the year at the gazebo on Friday night, the annual parade on Saturday morning, the first Floating Flick of the season on Saturday evening and the Navy Band’s rock group, Pride, performing Monday evening. Any Supervisors wishing to ride a float in the parade were asked to contact Ms. Alfano.
- An update was provided on the arson case against the three children involved in the fire at the Amenity Center, noting the range of options for penalties. The Board indicated its preference that they be prosecuted to the full extent of the law, considering the seriousness of the offense and the resulting damages.
- An update was provided on an additional incident with Mr. Richard Bachman violating the terms of the 90-day suspension currently in effect. The Clay County Sheriff’s Office was called and he was issued a trespass citation.

**SEVENTH ORDER OF BUSINESS**

**Old Business/ New Business**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisors’ Requests**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

Ms. Sandra Wiley questioned the use of the gazebo by the Lion’s Club, whether they had permission of the business owners for the parking spaces, and whether they cleaned up the trash from their event. Mr. Bagg confirmed that they returned the following day to remove trash. They were directed to get permission from the property manager for the commercial property for parking. Ms. Wiley also commented that she did not think it was right for the CDD to subsidize events for groups like the Nifty Fifty Club or the R.O.M.E.O. Club.

**TENTH ORDER OF BUSINESS**

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

The Board reviewed the financial statements.

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

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Christofoli 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