

**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, June 28, 2011 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
Richard P. Bachman	Resident
Robert Bachman	Resident
Madelyn Christofoli	Resident
Victor DeGeronimo	Resident
Sandra Wiley	Resident

*The following is a summary of the discussions and actions taken at the June 28, 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  
May 24, 2011 Meeting**

Mr. Cella stated all Board members received a copy of the minutes of the May 24, 2011 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the minutes of the May 24, 2011 meeting were approved

**THIRD ORDER OF BUSINESS**

**Public Hearing for Rulemaking Related to Suspensions and Termination of Use Privileges for Amenities**

The following was discussed:

- Mr. Walters noted a draft of the proposed rule was included in the agenda package.
- Section four was revised as per previous discussions by the Board.
- The Board agreed it includes what was discussed and it reads well.

On MOTION by Ms. Murphy seconded by Mr. Wiggins with all in favor the public hearing was opened.

- The floor was opened to public comments. There were no public comments.

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

There being no further discussion by the Board,

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the rule related to suspensions and termination of use privileges for amenities was adopted.

**FOURTH ORDER OF BUSINESS**

**Acceptance of AMTEC Arbitrage Rebate Report for Series 2007 Special Assessment Revenue Bonds**

The following was discussed:

- The purpose of this report is to analyze and see whether the District is earning more interest on the bond funds than it is paying. If there is a higher yield than what is being paid, there is a rebate liability.
- The second paragraph of the report indicates the investment yield is below the bond yield; therefore, there is no rebate liability.

On MOTION by Mr. Clark seconded by Mr. Wiggins with all in favor the arbitrage rebate report for Series 2007 Special Assessment Revenue Bond was accepted.

**FIFTH ORDER OF BUSINESS**

**Attorney’s Report**

**A. Discussion Regarding Autumn Glen Ponds Permit**

The following was discussed:

- Mr. Walters reviewed the response letter from SJRWMD. The District will not be allowed to reverse SJRWMD’s decision to transfer the permit to the CDD.
- Mr. Walters reviewed a second letter from SJRWMD approving Pulte’s proposed scope of work to address issues in the stormwater ponds at Autumn Glen.
- Mr. Cella asked about the installation of sod from the waterline to the existing sod line. Mr. Stillwell explained SJRWMD does not want to draw down the pond below normal water level because of the current drought.

*The following was also discussed:*

- Mr. Walters distributed a Mutual Release of Liability between Mr. Richard P. Bachman and the District for events the Board previously took action on. It has been executed by both parties and needs to be ratified.

On MOTION by Mr. Wiggins seconded by Mr. Christofoli with all in favor the Mutual Release of Liability was ratified.

- Mr. Cella asked for a status update on ADA requirements. Ms. Davis has a copy of the final ADA report. There are no new items.

**SIXTH ORDER OF BUSINESS**

**Manager’s Report**

Ms. Davis reported the District received \$125,000 in assessments from the sale of tax certificates.

**SEVENTH ORDER OF BUSINESS**

**Engineer’s Report**

**A. Authorization of Public Facilities Report**

The following was discussed:

- Chapter 189, Florida Statutes, requires a public facilities report be completed by the District every five years to update the report done with the original bond issuance.
- The District has not had a public facilities report done. District staff researched what other reports were done to draw from and compile into a public facilities report. Mr. Stilwell requested a motion to allow him to prepare the report on a time and materials basis with a cost not to exceed \$5,000.

On MOTION by Mr. Clark seconded by Mr. Christofoli with all in favor the Board authorized Mr. Stilwell to prepare a public facilities report on a time and materials basis with a cost not to exceed \$5,000.

- The report should be ready for the next Board meeting in July.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Maintenance**

Mr. Bagg reviewed the following:

- Two quotes were obtained for quarterly maintenance of the Old Hard Road outfall ditch. Austin Outdoor has agreed to match the lowest proposal of \$2,650. Mr. Cella would like a timeline on the maintenance. Mr. Walters recommends breaking down the cost by quarters. Ms. Davis suggested having an addendum to the contract stating a cost “per cut”. They would cut it as needed with Mr. Bagg’s consent. Mr. Bagg explained they will cut as many times as is needed at the cost of \$2,650.

On MOTION by Ms. Murphy seconded by Mr. Christofoli the Board authorized the Chairman to execute an addendum, reviewed by the attorney, to the Austin Outdoor contract for them to maintain the outfall ditch at a cost not to exceed \$1,400 through September 30, 2011 and a cost not to exceed \$2,650 for fiscal year 2012.

- Five different contractors are looking into options for the Village Square Waterfall Pump, but only two have submitted quotes. Mr. Bagg would like to wait another month to receive more information.
- The Village Square landscaping project has been completed. The work on the Fleming Island Plantation Boulevard entrance will begin this month.
- Mr. Bagg discussed the irrigation on the north side of Town Center Boulevard with the irrigation technician from Austin Outdoor. The area was being watered twice a day for a period because of new turf. Three of the controllers are battery operated and because of that, they lost time and were going off later in the day than they were supposed to. The area is no longer being irrigated twice a day.
- There were several incidents of vandalism. One of the statues from Margaret’s Walk Park was stolen. Boards were kicked off the walkway to the gazebo on Fleming

Plantation Boulevard. There is graffiti in some areas and landscaping lights are being snapped. This may be due to kids being out of school.

**B. Recreation**

Ms. Alfano reviewed the following:

- The Memorial Day weekend events were successful with the exception of the concert that was rained out.
- Several events have been scheduled for the summer.
- There was a court hearing on June 22, 2011 for the Amenity Center fire. All three juveniles involved in the fire were given court-appointed attorneys and will return to court on July 6, 2011.
- The Splash Park pool was closed four times due to vomiting incidents. There are breaks being implemented throughout the summer to avoid these types of incidents. Ms. Davis also noted the pool had to be closed due to smoke.

**NINTH ORDER OF BUSINESS**

**Old Business/New Business**

There not being any, the next item followed.

**TENTH ORDER OF BUSINESS**

**Supervisors' Requests**

There not being any, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Audience Comments**

The following comments were made:

- Mr. Richard Bachman addressed the Board regarding the March 28, 2011 incident. He feels a "mountain was made out of a molehill." He also questioned whether Ms. Alfano mentioned to the Board that the police officer stated one of the staff members was "out of control". He also mentioned the wrong set of rules was sent with a letter. He feels disrespected by Ms. Alfano and the staff. He threatened to file a Federal Injunction against Ms. Alfano.
- Mr. DeGeronimo commented on the appearance of empty and foreclosed homes and asked about the collection of assessments. Ms. Davis provided an explanation regarding assessments and tax certificates.
- Mr. Robert Bachman stated the water in the water fountain by the tennis courts is hot. He requested a water cooler at the tennis courts.

- Ms. Christofoli complimented the lifeguards.
- There was discussion regarding Mr. Richard Bachman’s comments as well as his behavior with staff. Ms. Davis requested the Board authorize Mr. Walters to contact Mr. Bachman’s attorney to discuss his client’s behavior with District staff and lifeguard vendor staff. The Board agreed to have Mr. Walters contact Mr. Bachman’s attorney.
- There was discussion of the professionalism and quality of work of Ms. Alfano and her staff.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the Board gave Ms. Alfano a vote of confidence on her work for the District.

**TWELFTH 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 May financials and check register were approved

**THIRTEENTH 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