

**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, July 26, 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
Robert R. Ayers	Resident
Richard P. Bachman	Resident
Vicky Cella	Resident
Madelyn Christofoli	Resident
Rosemarie Colon-Miles	Resident
Cathy Coyne	Resident
Doug French	Resident
Jean Hoffer	Resident
Jennifer Meadows	Resident
Troy Miller	Resident
Jerry Morton	Resident
Marcia Morton	Resident
Christina Slack	Resident
Tyler Slack	Resident
Sandra Wiley	Resident
Bonnie Bagg	Audience

The following is a summary of the discussions and actions taken at the July 26, 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
June 28, 2011 Meeting**

Mr. Cella stated all Board members received a copy of the minutes of the June 28, 2011 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the minutes of the June 28, 2011 meeting were approved.

THIRD ORDER OF BUSINESS

Engineer's Report

The following was discussed:

- Mr. Stilwell is still working on the Public Facilities Report. He is also working with Ms. Davis and Mr. Walters on the Annual Consulting Engineer's Report, which is a requirement of the bond indenture. Both reports will be available at the next meeting.
- Mr. Walters provided an update on the Autumn Glen ponds. He was initially told the repairs would be completed last week. After receiving an email on Thursday or Friday, he contacted the contractor as well as Pulte Homes. Last night they responded saying they were going to mobilize the equipment today and start the work tomorrow. An easement agreement has been executed to allow them to do the work as well as indemnify the District and make sure the condition of the properties are up to specifications.
- Mr. Cella asked how long it would take to get the work done. Mr. Stilwell responded they gave a timeline of a week. If they start tomorrow, they should be done by the middle of next week.
- Mr. Stilwell reported he received a letter from J. Lucas & Associates, Inc. requesting to move forward with some of the other permit transfers the District has been holding off on. At this time staff is waiting for the Autumn Glen ponds to be completed. Once they are completed Mr. Stilwell will inspect all of the ponds before moving forward with the transfer of permits.
- Ms. Davis received a letter from J. Lucas & Associates requesting several resolutions be adopted for the transfer of permits. Ms. Davis will respond to let them know the

work has not been completed, but once it is the District engineer will do an inspection to confirm everything is in working order and meets the requirements. The proposed resolutions were forwarded to Mr. Walters for his review.

- Mr. Cella stated that he requested Mr. Bagg start looking into contractors to prepare for addressing compliance with the ADA requirements. Mr. Stilwell will work with Mr. Bagg.

FOURTH ORDER OF BUSINESS

Attorney’s Report

There being no report, the next item followed.

FIFTH ORDER OF BUSINESS

Manager’s Report

The following was discussed:

- Ms. Davis reported there have been no additional collections of assessments.
- The final report for the ADA evaluation by Yuro & Associates was distributed to the Board.
- Mr. Walters stated the note on page two of the final ADA evaluation report may be modified. He still needs to review it.

On MOTION by Mr. Clark seconded by Mr. Wiggins the ADA Evaluation Report was accepted subject to any modifications to page two as requested by the District attorney.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Maintenance

Mr. Bagg reviewed the following:

- He researched the same five vendors with regard to alternate, less expensive options to repair the Village Square waterfall pump. Only three quotes were provided for a smaller horsepower pump. He recommends the quote from The Tree Amigos because it comes with a four year warranty on the drive unit and the pump. Mr. Christofoli asked how it compares to what was previously in the waterfall. Mr. Bagg responded it is not as big. It is an 18 horsepower pump, but it comes with a computer drive to help regulate the fountain and save on electricity. Mr. Cella asked about the difference in warranties. Mr. Bagg explained Compac Filtration is providing a three year warranty on parts and one year warranty on labor as well as a one year

maintenance program at no additional charge. Mr. Christofoli does not feel there is a need to replace the pump because not many people notice it. A representative of The Tree Amigos reviewed the quote. Ms. Murphy suggested not doing anything with the fountain for a period of time to see if it becomes too much of a problem to maintain and then move forward. Mr. Bagg explained it has already been out for three months and has created maintenance issues.

On MOTION by Ms. Murphy seconded by Mr. Clark with Ms. Murphy, Mr. Clark, Mr. Cella and Mr. Wiggins voting aye and Mr. Christofoli voting nay the quote from The Tree Amigos to replace the Village Square waterfall pump and drive was approved.

- Three quotes were received for the Amenity Center sidewalk repairs. Mr. Bagg recommends Sauer Concrete who was the lowest quote and has done work for the District before.

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor the quote from Sauer Concrete to repair the sidewalks was approved.

- Austin Outdoors has completed landscaping the Fleming Plantation Boulevard entrance. They provided one extra European Palm at no charge to the District. They will be doing the flower rotation on Thursday, July 28, 2011.
- The Margaret's Walk statue was found in the bushes and was re-installed.
- Severn Trent Services was informed that someone was building a tree stand in the conservation area adjacent to some homes in Black Creek. Mr. Bagg is investigating to address any issues.

B. Recreation

Ms. Alfano reviewed the following:

- The Fourth of July Fun Day event was a success.
- The concert scheduled for July 15, 2011 was rained out.
- A Back-to-School Splash Bash will be held on August 11, 2011.

- The August newsletter will include back-to-school reminders such as school traffic times, bus zones and where to wait for the bus.
- The bus is not filled for the casino trip planned for the end of the month, so that event is being cancelled.
- Two of the three individuals involved in the Amenity Center fire had their court date. Full restitution has been ordered as a part of their sentence. The other individual's court date will be in August.

SEVENTH ORDER OF BUSINESS

Old Business/New Business

Ms. Alfano presented the Board with a request from the Fairway Village HOA to install an informative sign for their residents at the end of the second island at their community entrance. It would be in the back end so it can be read as they exit. Ms. Murphy asked if they went to the BAR. Ms. Davis explained the only role the District would have is to approve or disapprove allowing them to use District property. Mr. Walters stated he would have to check to see if it is a county right-of-way.

On MOTION by Mr. Christofoli seconded by Mr. Clark the Board approved the installation of an informative sign by the Fairway Village HOA on District property and Mr. Walters was authorized to draft the appropriate easement agreement.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Cella discussed a letter from Mr. Richard Bachman addressed to the residents.

- Mr. Christofoli feels the Board should write a counterpoint response to the letter.
- Ms. Murphy initially felt the Board should do something, but now is not sure if it would help or make it worse.
- Mr. Walters stated everyone is entitled to their opinions. As public officials people are entitled to form an opinion about the Board. The Board is within its right to correct false statements made as facts. A mutual release of all parties was approved by the Board. Both parties were released and it was agreed that neither party was at fault. This letter came out making accusations, which are not consistent with the agreement.

- Ms. Murphy is concerned that if they do not respond some residents may believe the Board acted illegally and is at fault.
- The Board discussed having Mr. Walters look into whether Mr. Bachman has violated the mutual release of liability and drafting a response letter indicating the proper facts.

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor District counsel was authorized to investigate the allegations made in Mr. Bachman's letter and bring back clarifications to the Board at the next meeting and to determine if the mutual release of liability has been violated.

NINTH ORDER OF BUSINESS

Audience Comments

The following comments were made:

- Mr. Bachman addressed the Board regarding his letter stating that he was gratified with the responses he received. He also submitted an anonymous letter he received in his mailbox. He then went on to discuss his feelings about the incident with him and his granddaughter at the pool as well as his intentions to notify every major newspaper in the State of Florida of his story.
- Ms. Hoffer questioned staff about the ages for being allowed to use the District pools. She also said there was a serious threat in the community.
- Ms. Colon-Miles asked Mr. Bachman to remove her address from his mailing list and thanked the Board for enforcing the rules.

TENTH ORDER OF BUSINESS

Acceptance of June 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 June financials and check register were approved.

July 26, 2011

Fleming Island Plantation C.D.D.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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

Janice Eggleton Davis
Secretary

Mike Cella
Chairman