

**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, September 22, 2009 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
Josette Martin	Severn Trent Services, Notary Public
Pamela Fritz	Resident
Rick Nelson	Resident
Dean Reese, Sr.	Resident
Dean Reese, Jr.	Resident
Michael Stachowiak	Resident
Sander Winofker	Resident

*The following is a summary of the minutes and actions taken at the September 22, 2009 Fleming Island Plantation CDD Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Davis called the meeting to order and called the roll.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the August 25, 2009 Meeting**

Ms. Davis stated each Board member received a copy of the minutes of the August 25, 2009 meeting and requested any corrections, additions or deletions.

The Board made one change on page five, which will be incorporated in the amended copy of the minutes.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the minutes of the August 25, 2009 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**Manager's Report**

Ms. Davis reported the following:

- Two different engineering firms expressed interest in doing the consulting work for the Margaret's Walk drainage issue. Mr. Walters and Ms. Davis worked together to review the firms and selected Prosser Hallock who submitted a work authorization for an amount not to exceed \$5,000. They will be working with Mr. Christofoli and Mr. Bagg to review the issues.
- Mr. Walters submitted his comments on the engineer's report. Ms. Davis is continuing to work with the engineer, the accountant and Mr. Walters to finalize the report.

**FIFTH ORDER OF BUSINESS**

**Attorney's Report – Discussion  
Regarding Engineering Services**

Mr. Walters reported the following:

- The District's rules of procedure and Chapter 120 require the CDD to go through competitive selection for engineering services. This means a public notice must be published requesting proposals from interested firms. The Board then makes a decision based on who they feel is most qualified.
- There are provisions under the statute that allow the Board to engage an engineer without going through competitive selection for certain projects such as the Margaret's Walk issue. There are thresholds for these projects. The threshold for construction projects is approximately \$280,000. The threshold for planning and study activities is approximately \$27,000 or \$28,000 for services.
- Mr. Walters recommends the Board proceed with the Consultants' Competitive Negotiations Act process for ongoing engineering services.
- Ms. Murphy asked when the contract with the current engineer expires. Mr. Walters responded it is an ongoing contract, which can be terminated by the Board.

- Ms. Murphy asked how long the competitive process takes. Mr. Walters responded that if the Board took action to proceed tonight, staff would bring back proposals for selection at the November meeting.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Maintenance**

**i. Service Agreement**

Mr. Bagg researched several options and recommended Wesco Turf for maintenance of equipment.

On MOTION by Ms. Murphy seconded by Mr. Christofoli with all in favor the Board approved entering into a service agreement with Wesco Turf.

**ii. Aquatics Management Proposal**

Mr. Bagg provided the Board with four aquatic management proposals and recommended staying with the current vendor, Aquatic Systems. They are willing to take care of the issues brought up by the engineer. There were some issues with the references for Lake Doctors and Blue Water Environmental.

*The record will reflect Mr. Cella joined the meeting.*

On MOTION by Mr. Christofoli seconded by Mr. Clark with all in favor the Board approved continuing the contract with Aquatic Systems.

Mr. Bagg also reported the following:

- Staff is still waiting for the water level to go down at the River Hills Reserve retention pond.
- The pavers have been taken care of. Ms. Murphy mentioned the roundabout was not in the study and suggested staff look into it.

**B. Recreation**

Ms. Alfano reported the following:

- The reserve study was previously provided to the Board for their review. If the Board has any comments on the study, they can email them to Ms. Alfano. Ms. Murphy was concerned with the two plans and the projection of what needs to be done in the next

30 years. Mr. Cella stated those are only suggestions and the Board can proceed at the level they feel is best.

- Mr. Walters is reviewing the website vendor documents. Ms. Alfano is hoping to have the website up in October.
- The District is receiving a refund of \$5,000 for lifeguard services not rendered. Ms. Alfano is very pleased with the lifeguard services provided to the District this year.
- The last summer concert is on Friday night, September 25, 2009.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

Mr. Cella indicated several people indicated their interest to serve on the Board. Mr. Hollingsworth withdrew his application. Mr. Cella thanked Ms. Fritz, Mr. Nelson, Mr. Stachowiak, Mr. Wiggins and Mr. Winofker for their interest. Each applicant was allotted three minutes to address the Board.

**A. Appointment of Supervisor to Fill the Unexpired Term of Office (11/2010)**

Mr. Walters suggested the Board take motions for nominations first and then vote on those nominations. The vacancy is for a landowner seat. The only requirements to fill the seat are to be a Citizen of the United States of America and to be a Florida Resident.

Mr. Christofoli MOVED to nominate Mr. Wiggins to fill the vacant seat and Mr. Clark seconded it.

Mr. Cella MOVED to nominate Mr. Nelson to fill the vacant seat; however, due to lack of a second the motion failed.

There being no further nominations,

On VOICE vote with all in favor Mr. Wiggins was appointed to serve the unexpired term of office left vacant by Ms. Polseno.

**B. Oath or Office of Newly Appointed Supervisor**

Ms. Martin, being a Notary Public of the State of Florida, administered the Oath of Office to Mr. Wiggins and a copy of the signed oath is attached hereto and made part of the public record.

Ms. Davis presented Mr. Wiggins with the Form 1 Financial Statement to be filed with the Clay County Supervisor of Elections as well as the guide to the Sunshine Law and Mr. Walters gave him a brief overview of the Sunshine Law.

**C. Election of Officers, Resolution 2009-6**

Ms. Davis explained this resolution is standard when a new member is appointed to the Board and it does not suggest the entire officer structure needs to be re-slated.

On MOTION by Mr. Christofoli seconded by Ms. Murphy with all in favor Resolution 2009-6, appointing Mr. Cella as Chairman, Mr. Clark as Vice Chairman, Mr. Christofoli, Ms. Murphy and Mr. Wiggins as Assistant Secretaries as well as Ms. Davis as Secretary, Mr. Koncar as Treasurer and Mr. Bloom as Assistant Treasurer, was adopted.

**FIFTH ORDER OF BUSINESS**

**Attorney's Report – Discussion  
Regarding Engineering Services  
(Continued)**

Ms. Davis and Mr. Walters gave an overview of the discussion they had with the Board prior to Mr. Cella joining the meeting.

On MOTION by Mr. Clark seconded by Ms. Murphy with all in favor the Board authorized staff to prepare documents and publish the RFQ notice for engineering services under the Consultants' Competitive Negotiations Act.

**SEVENTH ORDER OF BUSINESS**

**Old Business/New Business**

Mr. Cella thanked all of the candidates for submitting their applications and showing an interest to serve on the Board.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Clark stated he will be in Orlando on the date of the next meeting, but will drive back in time to attend the meeting.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

The following comments were made:

- Mr. Reese, Sr. thanked the Board for providing a storage facility for the VIPS vehicle and provided the Board with an update on the VIPS program. Mr. Cella

thanked Mr. Reese, Sr. for introducing the VIPS program to the community and for all his hard work.

- Mr. Nelson asked when the next open position on the Board will be. Mr. Cella responded November of 2010 during the general election.

**TENTH ORDER OF BUSINESS**

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

Ms. Davis provided the Board with a handout prepared by Mr. Bloom on Trust Account Investment Options. The District's funds are currently invested in Treasury Bills. No action was taken by the Board at this time. The Board reviewed the financial statements.

On MOTION by Mr. Clark seconded by Mr. Wiggins with all in favor the August financial statements were accepted and the check register was approved.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

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Janice Davis  
Secretary

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Mike Cella  
Chairman