

**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, September 25, 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, Esq.	District Attorney (Via Telephone)
Ryan Stilwell, PE	District Engineer (Via Telephone)
Margaret Alfano	Parks and Recreation Manager
Russell Bagg	Maintenance Manager
Clark Huffman	River Hills Reserve HOA President
Troy Miller	River Hills Reserve HOA
Blaine Peterson	Austin Outdoor
Blake Dougherty	Austin Outdoor
Kyle Johnson	Austin Outdoor
Several Residents	

*The following is a summary of the discussions and actions taken at the September 25, 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  
August 28, 2012 Meeting**

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

### **THIRD ORDER OF BUSINESS**

#### **Request from River Hills Reserve HOA**

Along with the agenda package, the Board was provided a letter and back up documentation from the River Hills Reserve Homeowners' Association (RHR HOA) relative to their request of approval to upgrade their front entrance. Portions of the changes they wished to make were on CDD property. Mr. Clark Huffman, President of the Board of Directors of RHR HOA, and Mr. Troy Miller, gave a brief description of the proposed project.

Mr. Cella asked if the Supervisors had any questions. Several questions were raised including why the RHR Board had increased assessments to cover this project before they had the CDD Board's approval, why were they not proceeding with the original design that had been displayed in the Amenity Center some time ago, and would there be any impact on maintenance expenses (e.g., lighting) for the District. Mr. Huffman responded that the increase in assessments for RHR was not related to this project. It was also explained that the previously proposed design had a much higher price tag, which led them to redesign the project. Mr. Bagg had provided Mr. Cella with a drawing of the location of lights at the RHR entrance, identifying which lights are currently billed to the CDD and Mr. Cella passed it around for the other Supervisors to review (and hereby incorporated into the records).

Discussion ensued on the various entities owning property or having easements and rights-of-way that would be impacted. Additionally, the issue of sidewalk relocation was discussed, with the acknowledgement that while RHR has an easement over one homeowner's property on which they want to locate the sidewalk, that homeowner was not in favor of that relocation. Mr. Walters suggested that RHR get written consent of that homeowner agreeing to the entrance upgrade, in hopes of avoiding costly legal actions. It was suggested that they look at relocating the sidewalk on the north side of the entrance, which would put it on CDD property near the tennis courts. Mr. Miller indicated that was a much more costly option in that the sidewalk would have to be considerably longer.

Further discussion ensued and Mr. Walters described the potential investigative work he would have to do in order to advise the Board and draft the necessary documents to accommodate the proposed entrance upgrade. Mr. Christofoli indicated that he thought it should be the expense of the RHR HOA to cover the legal costs of this review. Mr. Huffman indicated

he did not have the authorization of the RHR Board to cover legal expenses and he would have to go back to get that approval. He asked for an estimate of the fees Mr. Walters would be charging. Mr. Walters provided an estimate of \$2,000 to \$5,000.

Discussion ensued on how to proceed, with the suggestion that by the next CDD meeting, Mr. Huffman will have had an opportunity to meet with the RHR Board and can report back if they are willing to cover the legal fees required for Mr. Walters' work. Ms. Davis suggested that some time could be saved if the Board would tentatively approve the proposed improvement and authorize staff to work with RHR to develop the necessary paperwork as long as RHR agreed to absorb the legal fees.

On MOTION by Ms. Murphy seconded by Mr. Clark with all in favor, the Board tentatively approved allowing River Hills Reserve Homeowners' Association to make the entrance upgrades that were proposed on District property, and authorized staff to work with RHR to draft the necessary documents subject to the River Hills Reserve Homeowners' Association agreeing to pay the associated legal fees.

#### **FOURTH ORDER OF BUSINESS**

#### **Attorney's Report**

There being no report, the next item followed

#### **FIFTH ORDER OF BUSINESS**

#### **Engineer's Report**

There being no report, the next item followed.

#### **SIXTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. Maintenance**

Mr. Bagg reviewed the following:

- Installation of the Village Square fountain pump is complete. However, now they are experiencing electrical problems with the lights, so the fountain has been drained for this repair.
- Proposals to repair the small section of the pool deck between the family pool and the lap pool will be presented to the Board at the November meeting so that this work can be accomplished during the off season.
- There was a motorcycle accident in the Amenity Center parking lot which caused an estimated \$3,000 in damage. He is following up for reimbursement for the cost of repairs.

- Mr. Bagg consulted two arborists to examine the leaning pine tree that Ms. Murphy had reported at last month's meeting. Due to the condition of the tree, it was recommended that it be removed. Tree Tech removed the diseased tree for \$250.
- Austin Outdoor representatives Blaine Peterson, Blake Dougherty and Kyle Johnson provided an update on their services to the District. Mr. Johnson detailed his work as the Irrigation Technician.

Mr. Clark asked for an update on the tree trimming project and mentioned the continuing concern with dead azaleas.

Mr. Ken Snyder reported that there is a problem with a number of vines in the berm behind his home in Amberwood. He is no longer able to remove them himself as he has sometimes done in the past. Mr. Bagg will work with Austin to address this issue.

- There is a retention pond in River Hills, which is surrounded by a retaining wall. The District authorized repairs on the wall in 2008. The corner lot has been consistently soaked over the past year. There is something, possibly a broken pipe, causing water to run towards the retention pond resulting in erosion on one side of the wall. There is a sinkhole developing in the District's drainage easement. It is the property owner's responsibility to repair the irrigation system causing this issue. Staff will work with the property owner regarding the irrigation system; however, it is a good idea to have Mr. Stilwell look at the sinkhole and advise how to proceed.

On MOTION by Mr. Clark seconded by Mr. Wiggins with all in favor the Board authorized Mr. Stilwell to inspect the River Hills Reserve sinkhole and provide direction.
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## **B. Recreation**

Ms. Alfano reviewed the following:

- The September concert was a success. The next concert is scheduled for October 5, 2012.
- Oktoberfest is being planned and is scheduled for October 19, 2012.
- Halloween events are being planned.
- The Margaret's Walk ARB approved signage for the park: however, the lettering will be in blue instead of green as previously presented.

- They had a resident inquire about access to Margaret’s Walk Park, but they wanted to use kayaks there.
- The Hard Rock Casino Trip to Tampa is scheduled for September 29, 2012.

**SEVENTH ORDER OF BUSINESS**

**Manager’s Report**

Ms. Davis reported the following:

- A 15% increase in premium was included in the Fiscal Year 2013 budget for insurance. PGIT renewed coverage except for Public Officials Liability insurance and Employment Practices Liability insurance.
- Another company named Chartis is covering Public Officials Liability insurance and Employment Practices Liability insurance.
- Insurance premiums will total \$29,804. A total of \$30,821 was budgeted.
- The District has the option of removing Employment Practices Liability insurance coverage because staff is employed by Severn Trent Services and the District has no employees. The difference is \$500 and the District will have to sign a waiver if it refuses Employment Practices Liability insurance.

On MOTION by Mr. Clark seconded by Mr. Christofoli with all in favor the District will keep Employment Practices Liability insurance.

**EIGHTH ORDER OF BUSINESS**

**Old Business/New Business**

Mr. Cella asked if the issue raised by Mr. Winofker regarding swimming lessons will be addressed. Ms. Alfano will work on it during the off-season.

**NINTH ORDER OF BUSINESS**

**Supervisors’ Requests**

There not being any, the next item followed.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

The following comments were made:

- Mr. Snyder complimented pool operations this year.
- Ms. Hartzog discussed a birthday party she had at the Splash Park and the reasons why her deposit was not refunded. Ms. Davis explained the rules about why people cannot go inside the rented room after using the pool and this rule was violated. There was discussion regarding the deposit.

On MOTION by Mr. Clark seconded by Mr. Christofoli with Mr. Clark, Mr. Christofoli, Ms. Murphy and Mr. Cella voting aye and Mr. Wiggins voting nay the \$300 room rental deposit will be refunded to Mr. and Ms. Hartzog.

**ELEVENTH ORDER OF BUSINESS**

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

There being no questions or comments,


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

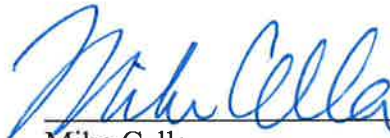
**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
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Janice Eggleton Davis  
Secretary

  
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Mike Cella  
Chairman