

MINUTES OF MEETING
SAMPSON CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Sampson Creek Community Development District was held Wednesday, August 25, 2010 at 6:00 p.m. at the Swim Club Meeting Room, 219 St. Johns Golf Drive, St. Augustine, Florida.

Present and constituting a quorum were:

Ed Randolph	Supervisor
Tracy Hayes	Supervisor
Brenda Griffey	Supervisor

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Mike Yuro	Yuro & Associates

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 6:00 p.m.

SECOND ORDER OF BUSINESS

Approval of Minutes of the July 28, 2010 Meeting

Mr. Oliver stated included in your agenda package is a copy of the July 28, 2010 meeting. I did receive revisions from District Counsel and we will incorporate them into the minutes. Are there any additions, corrections or deletions?

On MOTION by Mr. Hayes seconded by Mr. Randolph with all in favor the Minutes of the July 28, 2010 Meeting were approved as revised.
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THIRD ORDER OF BUSINESS

Discussion of Expansion of Fitness Center

FOURTH ORDER OF BUSINESS

Appointment of Fitness Center Expansion Project Committee

Mr. Oliver stated the next step is to appoint a committee, so that they could work with the architect to develop concepts to bring back to the board for approval. If the board approves the

concept, they will direct the architect to draw up the architectural sketches. Would you like to move forward with appointing a committee?

Mr. Hayes asked are there any requirements of the committee or do we have any restrictions?

Mr. Haber responded the board has a fair amount of discretion on the committee. Once a committee is appointed they will be subject to the same Sunshine Law and Public Record Law that the board is. If it is a board appointed committee, then their meetings need to be noticed and that committee can't discuss issues about committee business outside of a noticed meeting. At Julington Creek CDD they just went through the audit process and they had residents that were interested in participating. They formed their own committee that wasn't a District appointed committee, so they weren't subject to those issues. One board member did participate on that committee.

Mr. Oliver stated the reason it is good to have a resident committee is it encourages public participation and input.

Ms. Griffey stated I would like to see that we be definite on how much we plan on expanding and the limit of costs because you could just throw out a committee and they could decide to make a huge expansion.

Mr. Oliver stated say you appoint a committee and give them your initial direction. You attach some strings to that. You could say to develop options with a not to exceed amount of x dollars.

Mr. Randolph stated I think the estimates we have gotten so far is in the \$200,000 range.

Mr. Hayes stated the survey last week gave some exposure to some of the things the community is thinking about. I would like to be on this committee. I think we need to have one option to incorporate a lot of the things they were talking about.

Ms. Griffey stated we need to set limits on how much we intend to spend because homeowners need to know what we are spending.

Mr. Oliver stated the committee that you appoint approves nothing.

Ms. Griffey stated I'm afraid that the committee will spend the whole \$200,000.

A resident stated the first thing the architect is going to ask you is what the number is.

Mr. Oliver stated I have worked with this architect at Bartram Springs and he came up with a concept that was completely different than what was brought to him. The committee is

supposed to bring back options to the board. If the board is not happy with those options then they can send it back to the committee.

Mr. Hayes stated we need to make a decision to move forward or not.

Mr. Oliver stated the architect is going to charge you on an hourly basis for some of the work that he does. He is not going to draw up architectural options yet. He is going to meet with the committee, draw up options and they are going to bring options back to the board. If the board selects an option, you ask the architect to draw up the specs. That is when it gets into the nitty gritty work, but right now they have to bring to you schematic options.

Ms. Griffey stated I think we need to set a limit on the money that we are going to spend on it.

Mr. Hayes stated then we will need to postpone this to another meeting when the other board members are here.

Mr. Oliver stated you are not talking about spending \$250,000 tonight.

Mr. Randolph stated I think I concur that we should probably include the other two board members but I personally think we should set a \$300,000 threshold.

Mr. Hayes stated I agree.

Mr. Haber stated a question in my mind is the research and design concept is what we are talking about as far as dealing with the architect. I think it would probably be helpful to get our head around is the hope that a committee would meet and give some idea to the architect to then give you that concept. The way I read number three is singular. The architect may be perfectly fine with doing three separate things for that \$2,800 fee or the committee could ask the architect to give two or three concepts, which may result in an increased flat fee. I think logistically we need to have a better understanding of what the role of the committee will be and how that role will play with what you are going to be asking the architect to do.

Mr. Randolph stated I don't know if it is limited to one design. After talking to him I think he may give us a few ideas. What I envisioned us doing as a committee was almost presenting him with the conceptual drawings that we used in prior meetings as a springboard to start discussion because that is what we presented to the board and the residents here. I think it would be better to have multiple conceptual drawings.

Ms. Griffey stated I have had residents tell me they would like to know how many people are in the gym during random hours, so maybe we could get someone to come in the gym and do random surveys between now and the next meeting.

A resident stated we could drag this out forever.

Ms. Griffey stated my point is the gym is only busy from 5:00 p.m. to 6:00 p.m. and the rest of the day it is not. I have had a lot of people say they come up here at 8:00 p.m. and there is no one here. I've been up here in the middle of the afternoon to do physical therapy and there might be three people in there.

Mr. Oliver stated Heather can do that.

A resident stated we have to design for the maximum.

Ms. Griffey stated no. We don't also have to design for the maximum.

Mr. Hayes stated that is ultimately the board's decision months from now.

Ms. Griffey stated I can tell you right now if people get a special assessment for \$400 over four years that is going to cause a large hardship on a lot of people. You have to think about the overall community.

A resident asked then why don't those people answer the survey?

Ms. Griffey responded there were 47 people who said it would be a financial hardship to them.

Mr. Hayes stated your escrow surplus with taxes and insurance has enough in there. They will actually still make the same payment a month.

Mr. Oliver stated perhaps as a compromise tonight we won't engage the architect tonight but you could appoint a committee tonight and have that committee start working over those concepts.

Mr. Randolph stated the important thing to remember is this committee ultimately will have to sell this final concept to the board and if it is too costly then you are going to throw it back at them, so I wouldn't worry about it.

Mr. Oliver stated based on the vote to issue an RFQ, I think that was a sign that you were serious about taking the next step and that is where we are now.

Ms. Griffey stated I am fine with approving a committee tonight.

Mr. Oliver asked are you saying you are not in favor of approving the architect's contract?

Ms. Griffey responded I would like to see some limits set in place, so that we can give the public an idea.

Mr. Yuro stated you could approve the contract but only issue a notice to proceed on \$2,800. You wouldn't approve the whole thing but you at least started the steps.

Mr. Randolph stated you are going to have to spend some money to get something tangible.

Mr. Haber stated I think if you do the committee and as far as Mike's idea, which I think is a good idea you can approve the agreement with the notice to proceed only going to part one of the exhibit.

Mr. Oliver stated I have had three people come to me with an interest on serving on this committee.

Mr. French stated I had the idea of having three residents on the committee and one board member. I have two other residents that are interested. One person is a mechanical engineer and I have experience dealing with architects and construction.

Mr. Randolph stated one thing that I did discuss with the architect was the equipment needs for the new space and that is going to be a critical component on how the building is designed.

Mr. Oliver stated the committee members might change during this process.

Mr. French stated but you have to have your equipment selected before the architect gets going heavily because the electrical can get complicated. I went over to Nocatee. They just opened their new fitness center and it is very nice from the standpoint of new equipment but they did not design around all their new equipment and they have their entire cords wall mounted instead of on the floor.

Mr. Randolph asked so you have someone who is a mechanical engineer and the other member is?

Mr. French responded he is Steve Carter and he is more of a fitness guy.

Mr. Oliver asked what is the other guy's name?

Mr. French responded Bill Dodson.

Mr. Randolph asked does he work for an equipment company?

Mr. French responded no. He is a resident.

Mr. Oliver stated so the nominated committee members are David French, Steve Carter, Bill Dodson, Tracy Hayes and Brenda Griffey.

On MOTION by Mr. Randolph seconded by Ms. Griffey with all in favor the Fitness Center Expansion Project Committee Members being David French, Steve Carter, Bill Dodson, Tracy Hayes and Brenda Griffey was approved.

Ms. Griffey asked so you say the Sunshine Law also applies?

Mr. Oliver responded absolutely.

Mr. Haber stated the moment you appoint the committee it is going to apply to Bill and Steve, so maybe David you should tell them about the Sunshine Law. The Sunshine Law says you cannot have a discussion about an issue that may come before that committee outside of the Sunshine.

Mr. French asked when you say Sunshine what do you mean?

Mr. Haber responded outside of a publicly noticed meeting. The three of you can't be in a parking lot and discuss this. In order to have a meeting it can occur at any time but it needs to be noticed seven days in advance. Any board member who is not on the committee can talk to other CDD board members about the issues, although Brenda and Tracy cannot speak to other board members about what is going on. Communication restrictions is also oral and written.

Mr. French asked can I communicate with an equipment sales person?

Mr. Haber responded yes.

FIFTH ORDER OF BUSINESS

Discussion of Playground Improvements

Mr. Yuro stated last month after the board's direction I had a couple representatives come out and look at our structure and come back with some recommendations. Southern Recreation does provide a wood based product but the handrails and slides would not be wood. The other company, Playmore provides more of metal and plastic playground equipment. On the summary I tried to do my best to summarize two different costs based on the program they provided. The new equipment is very close within 11% to 12% of each but if you look through the individual proposals you can see the layout. The Southern Recreation proposal also includes relocating the two swings that we have.

Mr. Randolph asked in the end would we end up with more equipment than we have today?

Mr. Yuro responded it would be different equipment. Both proposals have multiple pieces of equipment. Both of them have a play structure and then more of a climbing and fitness apparatus. They both have smaller elements for the smaller kids.

Mr. Randolph asked did you get an estimate on the life span of the wood equipment versus the pvc and metal equipment?

Mr. Yuro responded Playmore provides pvc and metal and he said that they offered their last wood playground structure in 1999. He said that he doesn't know of an organization that would allow for a wood structure to be installed anymore but of course he doesn't provide any type of wood structure. The sales man from Southern Recreation stressed durability but I didn't get specific numbers but I can find out. The color of the slides and the poles can be any color. He wanted me to let you know that any of these could be softened to more of an earth tone.

Ms. Griffey asked what is the durability of the plastic because it doesn't look that thick?

Mr. Yuro responded I can pass out some pictures of more of the Playmore systems. We need to either repair or upgrade that structure. The next step would be to get some more formal quotes and a layout. I asked the guy from Southern Recreation to give me a quote on a sand volleyball court. I did not include that pricing in the summary total because the other company didn't give me a quote on it. I was trying to keep everything apples to apples. I also asked him to get us some pricing on benches and bike racks.

Mr. Randolph asked so this \$52,000 figure doesn't incorporate the volleyball court or bike racks and benches?

Mr. Yuro responded no. Neither one of these quotes include the bike racks, volleyball court or benches. I had those added, so the board could see what those items cost.

Ms. Griffey stated I kind of like the Southern Recreation structure. It looks more sturdy.

Mr. Randolph asked what was the cost to go forward with the mulch and the needed repairs if we were to postpone this decision?

Mr. Yuro responded I had just under \$10,000, which would include replacement of mulch, replacing the slide, replacing the plexi-glass bubbles and re-staining the structure. Also, it did provide for two smaller elements for smaller children.

On MOTION by Mr. Randolph seconded by Ms. Griffey with all in favor the Agreement with Basham & Lucas to Provide Architectural Services with the restriction that they are only able to move forward on part one of the proposal until we give notice we want to move beyond that was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Agreement for Engineering Services

Mr. Oliver stated the board also issued an RFP for engineering services and reviewed the qualifications and the board selected Yuro & Associates as the top ranked firm. John Thibault was appointed to negotiate with Mike Yuro and they had successful negotiations. Because of the fact that Mike Yuro also works on the operation and maintenance side of things, the agreement uses some flat fees, so there are no questions regarding billings. There are some other hourly costs that may be involved for additional projects.

Mr. Randolph asked so how is \$520.83 a month actual computed?

Mr. Oliver responded it is actually based on previous year's engineering services.

On MOTION by Mr. Hayes seconded by Mr. Randolph with all in favor the Agreement with Yuro & Associates to Perform Engineering Services was approved.

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber stated you probably recall when a Developer was here with respect to giving that property to the District. They are still working on title issues that are somewhat of a legal nature. I think they are having a final search done and then I will be able to present those to Ed.

B. Engineer

Mr. Yuro stated I am working with PBR Landscape about potentially using zeroscape in some areas. We are looking at areas in the community where it is hard to grow grass.

Ms. Griffey stated the sago palms look really bad. Can we look at doing something different with those?

Mr. Yuro responded I will check them out. I met with FP&L today. We talked many months ago to add more lights. I am optimistic that we will have a contract executed by September. We have several of our vendor contracts expire September 30th. They have all given me something in writing that they would provide the same service with the same rate for next fiscal year.

On MOTION by Ms. Griffey seconded by Mr. Hayes with all in favor Authorize District Counsel to Prepare Amendment Agreements for the District Vendors for Fiscal Year 2011 was approved.

Mr. Yuro stated two weeks ago there was a DUI incident in this neighborhood. They did damage to about a dozen resident properties, including vehicle damage and mailboxes. One pickup truck was totaled and nine mailboxes were taken out. Then right up here by the first cul-de-sac of homes a 10 inch oak tree was taken out and those hedges were taken out. Our off duty police officer has been very helpful in drafting a supplemental report to make sure that every resident that was impacted gets on the report for insurance purposes. I expect to get a copy of that report tonight. I have gotten a quote from our landscapers to replace these oak trees. They are about \$3,900 a piece and we have two of them. One tree was totally taken out and that was in front of a residence, so the resident are going to put that on their insurance. Two of the trees along the soccer field were hit so hard he said they would be die within the next couple of years.

Mr. Hayes stated the main sign as you come in I noticed there are two tiles removed from the bottom left hand corner. It is when you are coming from Publix.

C. Manager

There being none, the next item followed.

D. Art of Living Director

Mr. Oliver stated Heather’s report is included in your agenda package.

Mr. Yuro stated we are getting the floors professional cleaned again. It is scheduled to be done on August 31st.

Mr. Hayes asked since we approved the playground equipment and the volleyball court, can we counter with them on that price or do you think we should just take their price?

Mr. Yuro responded I can investigate and see if someone would take that structure down for free for that wood.

Ms. Griffey stated I am good with that.

E. Property Manager

There being none, the next item followed.

TENTH ORDER OF BUSINESS Supervisor’s Requests

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS Audience Comments

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of July 31, 2010 and Statement of Revenues & Expenditures for the Period Ending July 31, 2010

Mr. Oliver stated included in your agenda package is a balance sheet and income statement as of July 31, 2010.

B. Check Run Summary

Mr. Oliver stated included in your agenda package is a check run summary.

On MOTION by Mr. Randolph seconded by Mr. Hayes with all in favor the Check Run Summary was approved.

C. Special Assessment Receipts

Mr. Oliver stated included in your agenda package are the special assessment receipt schedules. You are 100% collected.

THIRTEENTH ORDER OF BUSINESS Next Meeting Scheduled – September 22, 2010 at 6:00 p.m.

Mr. Oliver stated our next meeting is going to be August 25th at 6:00 p.m. at this location.

FOURTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Randolph seconded by Mr. Hayes with all in favor the Meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman