

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, November 17, 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:

Rose Bock	Chairperson
John Thibault	Vice Chairman
Ed Randolph	Supervisor
Tracy Hayes	Supervisor
Brenda Griffey	Supervisor

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Mike Yuro	Yuro & Associates
Erin Mixson	Art of Living Director

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 6:00 p.m. Erin Mixson is the new Art of Living Director. She was hired between meetings. She is an FSU graduate with a baccalaureate degree in Recreation Management. She has served in similar positions at the Jacksonville Golf and Country Club and the University Club. She has an excellent resume. We had 23 applicants for the position. Six of the applicants were residents. We interviewed six applicants, two of whom are residents and ultimately selected Erin.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

**A. Oath of Office for New Supervisors**

Mr. Oliver stated Ed Randolph, John Thibault and Brenda Griffey's terms were expiring. They went to the supervisor of elections back in June and qualified to run again for those seats. There were no other qualified electors from within the District qualified, so they will assume those seats.

*Mr. Oliver administered an oath of office to Mr. Randolph, Mr. Thibault and Ms. Griffey.*

**B. Consideration of Resolution 2011-01, Election of Officers**

Mr. Oliver stated the board has the option of electing new officers or keeping the current officers slated as they are, with Rose as Chair, John as Vice Chairman and the three remaining supervisors as Assistant Secretaries.

On MOTION by Ms. Griffey seconded by Mr. Randolph with all in favor Resolution 2011-01 Election of Officers Keeping the Slate of Officers the Same was approved.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the September 22, 2010 Meeting**

Mr. Oliver stated included in your agenda package is a copy of the September 22, 2010 meeting. Are there any additions, corrections or deletions?

On MOTION by Mr. Randolph seconded by Ms. Bock with all in favor the Minutes of the September 22, 2010 Meeting were approved.

**FOURTH ORDER OF BUSINESS**

**Ratification of Berger, Toombs Engagement Letter to Perform FY10 Audit Services**

Mr. Oliver stated as you recall, a few years ago you went through the audit RFP process to select an auditor. This is the third and final year of that agreement. They sent us the engagement letter. Counsel reviewed it. We made the few changes he requested. I executed that letter, so that the audit process could begin, so I am asking you to ratify my actions. The cost of the audit is \$5,850 and you budgeted \$6,000.

On MOTION by Mr. Thibault seconded by Mr. Randolph with all in favor the Engagement Letter with Berger, Toombs to Perform the Audit for Fiscal Year 2010 was ratified.

**FIFTH ORDER OF BUSINESS**

**Selection of Audit Committee**

Mr. Oliver stated as I just mentioned, FY10 was the third and final year of the audit agreement. We want to get geared up for the fiscal year 2011 audit, which will start in September of 2011. Tonight the board will select an audit committee. I would ask the board to designate itself as the audit committee.

On MOTION by Mr. Thibault seconded by Mr. Hayes with all in favor the Audit Committee Consisting of the Five Board Members was approved.

**SIXTH ORDER OF BUSINESS****Discussion of Expansion of Fitness Center**

Mr. Oliver stated we have been talking about this for several months. At the March 24, 2010 meeting, based on a resident request, a dialog began concerning the potential to either expand the current fitness facility or look at other options for expanding this facility, so there could be room for more fitness equipment, as well as more room for the existing equipment because it is so crowded in there. Since then, the board has taken a look at those options and appointed a committee to look into these issues. The committee has looked at various options. At the last meeting, the board directed the committee to refine options. They looked at four options and one was to expand the current facility. The two other options were to expand this facility; one, adding another 100 feet and one expanding by 75 feet. The fourth option was to look at expanding upward. The architect, Mike Lucas, has looked at all those options and he has come up with some rough numbers of what these options would cost and some of the pros and cons of these options. We are talking in very general terms right now because it is not until and if the board chooses an option to study further that the architect would actually come up with formal drawings. At the end of this presentation we would for the board to give some additional guidance to the committee.

Mr. French stated the first page of what I gave you is the article from the Jacksonville newspaper from back in August. Hampton Golf has been managing golf courses for 30 years. What he is saying is that in neighborhoods now, golf courses are no longer the number one amenity. It has been taken over by hiking trails and fitness centers. Your first page is the Palencia fitness center. They ordered their equipment last week. They are scheduled to open February 15<sup>th</sup>. Equipment is scheduled to be delivered on February 1<sup>st</sup>. Their fitness center is 2,925 square feet. Their build out in five years they are hoping for 1,000 homes, plus they have an exercise room, which we would use as this room. The total number of pieces of equipment is 45. Right now we have 20 pieces of equipment. We are pretty close with Palencia on the number of homes we have. Your next drawing is the expansion of the existing facility. We would go to the back wall and extend out 40 feet. We would add approximately 800 square feet.

The down side to this in our eyes are it is not going to match the architectural design if we go out this direction. We would get four stations added and that is all we would get if we add this L. I'm not sure that adding four stations is what we are after. We will outgrow it the minute we move into it.

Mr. Lucas stated what I tried to do was to give you some costs based on historical values. We have done numerous amenity centers, golf clubs, etc. Historically, we could say that a renovation or addition would be \$125 a square foot. I believe David at the time when he did his first go around he got someone to price it at about \$100 a square foot. For each one of these options I will give you a ballpark range between \$80 and \$125 a square foot. For an 800 square foot addition we would need one unisex bathroom to be added to that. You are talking in the range of \$80,000 and \$100,000. Where your fitness center is now it is sort of on the backside and then all of a sudden you are going to put this nice addition on the backside. It seems more like an after thought that you are trying to add it. I can make it architecturally look nice but the way you perceive it you don't even see your fitness center as you drive up. I am just talking construction. I am not talking about fitness equipment.

Mr. French stated if we did the addition to the existing fitness center, we would end up with about 1,500 square feet total. The next page we would take out this wall. We would extend from the television. The first one is the 75 feet addition. At the end we would go toward the pool another 25 feet. This addition would give us 2,250 square feet and there would be 35 total pieces of equipment. We are basically adding 15 stations.

Mr. Lucas stated with the addition of 2,300 square feet you are talking about in the range of \$230,000 and \$287,000. One of the things we talked about doing was providing its own entrance over here. It would have to have a card reader but you would be able to create a nice addition. You would have access right from the parking lot. You would probably have something similar to the entrance that we have at the swim facility but it would be a scaled down version.

Mr. French stated your last drawing; instead of 75 feet we would extend 100 feet. As we have it drawn now it would give us 36 total pieces of equipment with room to expand equipment wise another eight pieces of equipment over time. It would give us additional 575 square feet. We would be up around 2,900 square feet total.

Mr. Lucas stated and that price range is from \$287,000 to \$360,000.

Mr. Hayes asked but you had 35 pieces on the 2,250 version and you have 36 pieces on 2,900 square feet?

Mr. French responded right. If you look at the 100 square foot addition versus the 75 we just don't have any equipment shown in the center. We would basically have the same equipment but we are showing on the 100 foot addition some room for additional equipment in the future. If you look at the addition that is 75 feet there is not a whole lot of room to add equipment in the future.

Ms. Griffey asked what is the estimated cost of the equipment?

Mr. French responded on drawings two and three we are at \$150,000 for equipment. We looked in to leasing equipment. The majority of people that lease equipment lease cardio equipment. From what I have learned from the equipment sales people the cardio equipment changes more rapidly than the strength equipment. They will put you on a three or four year lease.

Mr. Lucas stated and both of the L shaped options we will have to add both male and female restrooms.

Mr. Thibault asked where would those go?

Mr. Lucas responded I would have to work that out.

Mr. Thibault asked so we are talking about additional costs?

Mr. Lucas responded no, that is included in my \$100 to \$125 square foot but as far as that goes and the layout I would have to work that out.

Mr. Thibault asked do the restrooms have to be part of the structure?

Mr. Lucas responded as long as we have two more bathrooms you could have them over there.

Mr. Thibault asked we have that utility closet right there, so what if we made that a family restroom?

Mr. Lucas responded I have to have a male and a female restroom. I have to have one additional fixture for the men and one additional fixture for the woman.

Mr. Thibault asked does it have to be a stall or can it be a urinal?

Mr. Lucas responded it has to be a stall.

Mr. Oliver stated these are issues that can be addressed further down the road.

Mr. Thibault stated but it is kind of big deal because we don't have plumbing in this room and if we can avoid putting plumbing in this room then that is going to be cost that we could save.

Mr. Lucas stated you are going to have to have a drinking fountain there, so you are going to have to have water.

Mr. Thibault stated we don't have water in there now. It doesn't make any sense.

Mr. Lucas stated it is code. Nine years ago it wasn't code.

Ms. Griffey stated we will also have additional costs on remodeling this room and that room.

Mr. Lucas stated we are not talking about that now.

Ms. Griffey stated but it has been talked about remodeling this into an exercise room, so that will be additional costs.

Mr. French stated and that would probably be just to replace the floor. It depends on what you want to turn the existing fitness room into.

Mr. Thibault asked what about if we didn't build this 23 by 23 box here and then made that room just a cardio room then we could reduce the expansion out here?

Mr. French responded at one point and time the concern was we needed a better meeting room for the neighborhood.

Mr. Thibault stated I don't know about you guys but I don't like to waste \$65,000. You guys are talking about adding 2,250 square feet of fitness center and then we are going to sit over here on 529 square feet that we are not going to use. It is already a fitness center, so why not keep it as a fitness center.

Mr. French asked have you worked out in there?

Mr. Thibault responded I have.

Mr. Hayes stated I have been here for almost two years and when we say we live in St. Johns Golf & Country Club they say wow. If people walked in our fitness center they would laugh. It is behind in times. We still have two tube televisions in there. It needs an update.

Mr. Thibault asked are we looking down at our fitness center?

Mr. Hayes responded one of the reasons this project came to be was safety. The mirrors in there are no good. The electrical outlets in the floor are loose. Someone is going to electrocute themselves in there. The question was is it better to redo a small facility that doesn't

adequately fulfill the needs of the neighborhood as is or do we do it right and make the whole thing the way it should have been in first place. If you remember we talked about the plans that were changed in the beginning. It was supposed to be a whole lot bigger than it is.

A resident stated last night I was in there at 6:30 and it was pretty crowded. A couple of people walked in and I was finishing up on the elliptical machine at the end and I motioned to one of the people waiting. He came over and I asked him if he would like me to wipe down the equipment and they said yes. They stepped back and they got wacked by the person on the leg lift. It is time we make the investment and we upgrade. We ought to have a quality facility because a lot of people are using it.

Mr. Thibault stated the whole safety issue was the reason I voted this go forward but I'm not about throwing money around when we don't have to. I'm not going to turn a 600 square foot room into storage when it is quite usable for many purposes. A good planner plans for what their usable space is going to be before they go on and expand.

Mr. Phil Valyou stated what happened to Palencia, is they started with a single room concept and then they made an existing room a cardio room and they put a weight room down the hall. Then for some reason that wasn't acceptable and they are now going into a separate building.

Mr. Veazey stated I think you are probably accurate on the space the fitness equipment is going into. The building is actually 9,000 square feet and total budget with soft costs and everything it was about \$3.3M. I am building it. It is high-end materials. It is not apples to apples to this fitness room or the one that we are proposing to build. The other thing I think Palencia has more homes in it.

Mr. French stated I think we have to remember the article about Hampton Golf about the amenities now that are selling neighborhoods are hiking trails and fitness centers.

Mr. Thibault stated the reason he is in that is because LandMar used to be a Master Developer. Now that LandMar has gone away Hampton Golf is also running amenities also.

Mr. Greg D'lessio stated I was one of the first people to move in here. I am also retired, so I come down here day and night. I support increasing the size of our fitness center; however, I am very impressed with John and most of you because it is very important because we are talking about a lot of money. I can't believe there are no bathrooms in that plan. It will affect the price. Plumbing is a big ticket expense item. I think we need to have a definite idea and not

say three months down the road we are going to put bathrooms in. I think we need to have a specific plan and then we would know what we are talking about.

Mr. Oliver stated roughly you are sitting on \$800,000 in reserves.

Ms. Griffey asked but that is money for repairs and things?

Mr. Oliver responded that is capital purchases and repairs and replacements. You are setting aside about \$80,000 a year specifically for capital reserves.

Mr. Hayes stated based on the capital reserve study the big dollars to spend are on the roads.

Mr. Oliver stated in which this board or some future board may want to consider turning those roads over to St. Johns County and eliminate some future costs.

Mr. Hayes asked what have we spent so far in capital outlay?

Mr. Oliver responded if you look on page three in the financials you will see in the main section under field expenses you set aside \$30,000 in capital outlay this year and you actually spent \$500. That is somewhat deceiving simply because you have been considering the playground project for several months and that money will actually be used in fiscal year 2011 rather than fiscal year 2010.

Ms. Griffey stated I thought the reason we started a capital reserve fund was to have money for road repairs. To me, spending money out of your capital reserves is like taking your 401K and using it to remodel your house.

Mr. French asked when is the first road supposed to be done?

Mr. Oliver responded I believe it was 2018 or 2019. I don't have the capital reserve study with me though.

Mr. French stated that is eight years. At that time we would be in the neighborhood of about \$600,000. In 2018 how much would that road job cost?

Mr. Oliver responded it might have been \$125,000.

Mr. French stated so simple math in 2018 we are going to spend \$125,000 on roads. In 2018 from this point forward we would have \$600,000 income for the \$125,000, correct?

Mr. Oliver responded correct. There are many ways to handle the finances.

Mr. Mike Capazari stated maybe you could appoint a committee to study or to project those kinds of things that the neighborhood would want and need in the future.

Mr. Hayes stated we actually did do a survey a few months back prior to getting knee deep in this issue. The most requested item was to enhance the fitness center.

Ms. Griffey stated it was only like 10% of the homeowners.

Mr. Bruce Watt stated I was in the Navy and we had a fitness center on an aircraft carrier. I started working out here three years ago and it was much better than the one on the aircraft carrier. Now that I do it regularly I notice it is not big enough. Now I am a realtor and I have probably shown in this community for the last five years. I show them the fitness center. The quality of life is what it is all about. We only have today. We don't get 2018 but we expect the roads to get done and we should fugitively plan that. I just don't want to get stuck in the democrat and republican where we are not doing anything. Our health is getting more and more important. When the quality of life goes up then so does your property value. I'm in for the quality of life. I'm in for the property value. I'm in to saving money. I'm the most frugal guy you have ever run into. Let's move forward. The tallies have been taken. The community has voted. To get 10% back on a survey is a great percentage.

Ms. Griffey stated I didn't say I was against the expansion. I just don't think it needs to be as costly as some people are anticipating.

Mr. Brian Rich stated the survey that went out was presented in a fashion that we have this excess money, so what do you want to do with it.

Mr. Oliver stated I don't have the letter with me but I think the projection was what the fitness expansion would cost. There may have been a surplus projection but certainly the capital reserve for this District has been well over \$200,000 for several years. The intent of the letter was to find out what projects residents were interested in and the response rate was actually 25%, which is outstanding for a mailed survey. It wasn't a matter of the District looking for ways to spend money because we could always sit on money and invest it.

Mr. John Thompson stated at some point we have to start getting more specific. Maybe we need to get some residents to go through the options and sort of make a recommendation from a feature point of view first and say this is what we would like to have.

Mr. Thibault stated we have done that.

Ms. Bock stated we also have a committee of residents and board members.

Mr. Thompson asked what about soft costs? Let's get some real costs with contingency and see what each one of these options are. It is just like building anything else you are going to

build. You go out and you have a preliminary design. You get some estimated costs for each one of the designs and you bring it to the board with a recommendation.

Mr. French stated we have estimated costs.

Mr. Thompson asked can we see them? I think that needs to go out and say plan A is \$100,000 and plan B is \$200,000 and plan C is \$300,000. Soft costs, equipment and everything need to be in those prices.

Mr. French stated the budget costs we have for your drawing number two that is the 75 foot addition the building was \$230,000 and the equipment was \$150,000. That price came in from Ricci Stewart Construction Company. It is a budget number.

Mr. Thompson asked what about soft costs?

Mr. French asked explain soft costs?

Mr. Thompson responded you have to bid out for those.

Mr. French stated the \$230,000 number that I got included the architect, the design and everything for the building. The \$150,000 for the equipment included everything with delivery and setup.

Mr. Haber stated I think it makes sense as a unit of government to get competitive proposals.

Mr. French stated I'm just saying these are the numbers that we presented months ago.

Mr. Hayes stated I don't think we even want to consider the first option, so we can get rid of that.

Ms. Bock stated I think we need to pick one and let the architect go with it and then we will find out how much hair is on the dog.

Mr. Hayes stated in my opinion the extra 25 feet is only getting another piece of equipment. There is room for expansion but I am kind of leaning top option number two.

Ms. Griffey stated I think if we are going to do this then assess the homeowners for their cost. Divide it up amongst the homeowners and assess them. Leave the capital reserves for what they were intended for.

Mr. Randolph stated this is a capital project.

Mr. Oliver stated if the board wishes to proceed with this process, it will pick an option and direct the committee to work with the architect to come up with the first cut of the plan and bring it back to the board. The board would have their opportunity to make changes. We are

still a long way away from advertising the request for proposals. You are just taking the next step.

On MOTION by Mr. Hayes seconded by Mr. Thibault with Ms. Bock voting aye, Mr. Randolph voting aye, Mr Thibault voting aye, Mr. Hayes voting aye, and Ms. Griffey voting nay Selecting Option 2 for Fitness Center Expansion motion passed.

## **SEVENTH ORDER OF BUSINESS**

### **Discussion of Playground Improvements**

Mr. Yuro stated at the last meeting the board voted to rescind their previous approval and they wanted to get additional options. Terry Rogers is here from Southern Recreation. He has multiple options to present to the board.

Mr. Rogers stated on the front of all the proposals I did put a synopsis of what they all entailed and what the changes were. Basically, proposal number one is the one that was preapproved at a prior board meeting. Number two was a variation of number one, where we basically took and deleted the fitness structure, which was intended for the middle aged kids and added a play structure for the younger children. The costs remain the same. On proposal three we changed the large play structure from the initial approved structure to a better value structure that costs less money but had almost the same features. Then we kept the two to five play structure and we kept the fitness, so you would have all three pieces still in there and the budget jumped up to \$53,000. All of this would still fit in the same footprint of the existing playground. Proposal four took and left the existing large wood play structure and refurbished it and added a steel plastic modern two to five play structure and put the rubber surfacing underneath it. All of the proposals kept in swings. Proposal five is basically a phase two of the number four proposal to take the wood structure that was refurbished and demo it out and replace it with a light structure for five to 12 year olds. It would also be steel plastic with a rubber surface underneath it. In proposals four and five you had a fairly substantial number for the rubber surfacing, so that is an item that could be left out or change the surface.

Ms. Jen Hayes stated everyone I talked to really wasn't interested in replacing our wood structure with wood. They felt that it would be the same issues and problems. This is the comparison of option four. I called all of the homeowners that voted for the playground on the survey and got their feedback. Overwhelmingly, everyone wants to keep the current play structure and refurbish it and add to it with the toddler area. They have mixed feelings about

what to cut if we wanted to cut costs but the majority said if they would have to cut something they would cut volleyball.

Mr. Thibault asked are we talking about poured rubber?

Mr. Rogers responded yes. It would be poured in place with rubber surfacing, where you have the stabilized sub base and then a two part rubber surface that absorbs the fall.

Mr. Thibault asked can we pick the color?

Mr. Rogers responded absolutely. It would cost about \$10 a square foot between the sub base preparation and the installation of the rubber, so in proposals four and five we just have the use zone around the two pieces of equipment. The total square footage of the playground as it is now is about 7,500 square feet. I think we have 1,100 square feet in rubber for proposal number four.

Ms. Hayes stated I came up here several days and asked the people who were using it and they said there was nothing for the little kids. I took pictures of over 30 playgrounds in our area and there are no playgrounds on County Road 210 that have wood structures. The only one that I had was a community built playground.

Mr. Rogers stated the life expectancy for the poured in place rubber is 15 plus years if applied properly.

Mr. Randolph asked can it be vandalized?

Mr. Rogers responded it has the potential to be vandalized.

Ms. Hayes stated there were some residents that said they would be really upset if we tore down the fort because there are parties that are themed around it. They felt if that was an option that the whole community should be notified. They said they are a fan of adding things but if you are considering changing or removing the current structures then you really need to consult with the whole community.

Mr. Randolph asked so the new proposal numbers is what you formulated?

Ms. Hayes responded I broke down his proposal. I went line by line and took and tried to match up the original one that you guys approved and tried to show you where they are different, so if you did need to cut something you could cut it out.

Mr. Rogers stated one amenity that was added on four and five was not on the initial approved proposal. I think a good idea was a shade structure and picnic tables that were between the existing playground and the proposed new volleyball area.

Ms. Hayes stated \$8,000 of it is the new seating structure.

Mr. Rogers stated it is structurally sound but you have some areas that are worn more than others. I put an allowance in there for replacing the worst timber and that is all we can really do. We are not going to sand anything. We will replace the worst timber up to our allowance and more if needed. We will stain everything and then we addressed replacing some of the components on there.

Mr. Thibault asked what is the wood? Is it cypress?

Mr. Rogers responded no. It is treated pine. At Sawmill Lakes we refurbished their set. It was older than yours. We replaced a lot of the decking with the recycled plastic decking. It was a fairly expensive option for them but they chose to do that, so the high traffic areas became recycled plastic. They chose that way because they were going to use that set for another 15 years.

Mr. Thibault asked if we were to build that today, what would that cost?

Mr. Rogers responded it is a different type. It is stick built in a pile of lumber, as opposed to a pre-manufactured set that is delivered and assembled, which is what we do. My guess with material and labor you might have \$50,000 in that set.

Ms. Hayes stated it would add \$2,000 to sand it first. Our proposal is just to stain it.

Mr. Thibault asked so this \$11,000 is for?

Mr. Rogers responded it is only the immediate use area for the two to five play structure. It is 1,100 square feet, which is the square footage of the use zone for the small two to five play structure. Each piece of play equipment requires a use zone. Of the 7,500 square feet, 1,100 would be rubber underneath and around that play structure. In proposal five, you have 1,600 square feet around the structure that I chose for phase two.

Mr. Thibault stated in that current facility there is a little tower and it doesn't seem like it goes anywhere.

Ms. Hayes stated we put something in there to fix that. There was a lot of concern over the little kids are being run over by the big kids and they actually wanted it separate and that was the point of blowing out that wall.

Mr. Rogers stated the separation of the age groups is what we typically always do on a playground.

Mr. Thibault asked so we are blowing out the wall, so the security guard can see in?

Ms. Hayes responded yes.

Mr. Thibault asked so if we are going to remove the wall is it no longer going to be continuous?

Ms. Hayes responded it is. The tunnel will still be up there.

Ms. Bock asked and you don't have Doug Meier's proposals for sanding included in it?

Ms. Hayes responded no. It was separate.

Ms. Bock asked but it says clean, sand and stain entire structure?

Ms. Hayes responded scratch the word stain on that.

Mr. Rogers stated that volleyball number did include it tying into a couple of catch basins that are near that area. 24 by 24 was the proposed size of shade structure and it would hold four picnic tables.

On MOTION by Mr. Randolph seconded by Mr. Hayes with all in favor Option Four with Southern Recreation for Playground Equipment was approved.
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Mr. Thibault stated those spring riders are not in this proposal.

Ms. Hayes responded yes. Those are going to be in the next phase.

Mr. Rogers stated there is room. I was trying to be conservative on that particular proposal because the number was well beyond what was previously approved. The three original riders that were in the proposal that was previously approved with installation and freight it was roughly \$2,000. It was for two individual riders and a double rider. I think there is a five year warranty on the spring riders but they are very durable.

Mr. Randolph asked can you give us a final proposal that corrects the number of tables keeping the price the same?

Mr. Rogers responded yes.

Mr. Randolph stated once you submit that Wes can draft a contract.

Mr. Rogers stated if you want to add spring riders down the road there won't be any difference in price than what I have told you now.

Mr. Haber stated I think giving Rose the authority and sign that contract makes sense.

Mr. Randolph asked what is our warranty on the craftsmanship on the rubber?

Mr. Rogers responded two years.

Mr. Randolph asked wasn't there a concern about a tree out there?

Mr. Rogers responded I did figure that in the position of that two to five structure if rubber was chosen for the base that sycamore should be taken out. I allowed in the installation that would be removed.

Mr. Randolph asked will that require a permit to remove it?

Mr. Yuro responded I would be surprised if taking one tree down would put us in violation of anything.

Mr. Rogers stated I didn't allow for permit money but I did allow money to remove it.

Mr. Randolph asked when will it be installed?

Mr. Rogers responded I think the project would be complete in about six weeks from the time I get notice to proceed. It won't be this year with the holiday's coming up, so it will be sometime in mid January.

#### **EIGHTH ORDER OF BUSINESS**

#### **Consideration of Proposals for Sidewalk Repairs**

Mr. Yuro stated based on direction from the board I went ahead and got some proposals to replace the sidewalk. I got four proposals. There are a total of 41 bad sections of sidewalk. Proposals range from \$4,600 from Jax Utilities Management (JUM) up to \$6,986. I had a fourth proposal from Precision Sidewalk. They have a patented system that is really just soft cutting the concrete. It is not grinding it. They take a saw and cut it to taper it down to get rid of the trip hazard. They had reached out to GMS. When I spoke to them they were indicating that they were typically like 30% of the cost. Even though the board at the last meeting made the comment that you didn't want to see the exposed aggregate this will show the exposed aggregate. I think with that much price difference that I would get a proposal. Unfortunately, her proposal with the same 41 sections was really not cheaper. It was a range from \$4,200 to \$6,200 and then there were also some stipulations. The wood spacer had to be removed prior to them coming inside. It would be my recommendation to go with JUM's proposal for \$4,600.

Mr. Randolph asked in the JUM proposal it states there are 31 locations and the other ones are talking about 41 locations, so what is our discrepancy there?

Mr. Yuro responded there are 31 locations but some of those locations have two sections within them.

On MOTION by Ms. Bock seconded by Mr. Hayes with all in favor the Proposal from Jax Utilities Management for Sidewalk Repairs was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Proposals for Pipe Repairs at Pool**

Mr. Yuro stated right out here there is a pipe that goes from an inlet inside the pool to an inlet outside the pool. It is caved in. A sinkhole was created one time and I filled it in, so I think this time there is a hole in the pipe. I got three proposals. Vallencourt's proposal is at \$1,900. Ricci Stewart's proposal is at \$1,950 and JUM is at \$3,400. Vallencourt and Ricci Stewart have both done work in the neighborhood over the last year. I would recommend Ricci Stewart only because they have been very supportive on coming out and looking at other issues free of charge. I think for \$50 it would be worth it.

On MOTION by Mr. Randolph seconded by Mr. Thibault with all in favor the Proposal from Ricci Stewart to Repair Pipes at the Pool was approved.

**TENTH ORDER OF BUSINESS**

**Consideration of Landscape Contract Renewal with Down to Earth**

Mr. Yuro stated the Down to Earth contract for landscaping was a one year contract with two, one year renewals. Fiscal year 2011 would be the last renewable option year. The initial recommendation would be to approve their renewal of their contract. They have given us a letter that says they don't intend to change their terms. I also did get a second proposal for them to take over the Bermuda. We had the discussion last year between DTE and the golf club about getting it all under one or the other. Last year the board voted to keep it the way it was with the golf course providing the chemical treatments and mowing of the Bermuda areas. I have gotten a similar proposal this year from DTE. They would like to take it all over. I have had some conversations with the golf course about some concerns I have had with the condition of the Bermuda. My recommendation would be to move forward another year with the same situation that we currently have with DTE and allowing the golf course to continue to be the service provider for the Bermuda areas. Probably next year when we bid this thing we want to look at this and maybe fine tune it.

A resident stated I live on the number two lake and I must say that the performance of this contractor has been very unsatisfactory. They may be cheaper but that is what you got. If you drive down Leo Maguire and look on your right there is no St. Augustine grass.

Mr. Yuro stated that is all Bahia.

A resident stated I remember getting something from the homeowners association board because I had a patch of stuff a year and a half ago that I needed to replace and so I did. I know the HOA works really hard at keeping the grass in the yards together but when I go to my yard, which is real nice and then I go to the common area it really is not good. It needs to be better. I am walking with Pam on a regular basis.

A resident stated I have noticed some dead areas. Is it drought or bugs? When we first signed them on we had stuff die throughout the community.

Mr. Yuro responded I am sure it is a combination of things. The area next to Mike Veazey's house there is no irrigation. Irrigation was never installed in that cul-de-sac and that common area. If it rains it looks good but if it doesn't rain then it doesn't look good. We can certainly turn the heat up on them. I can tell you they have been very responsive.

A resident stated on the lake side it was St. Augustine grass and then it became straight weeds. Then there was a watering problem and then they fixed the watering problem and now across the street in that area it waters every other day. I would like their grass to be like my grass.

Ms. Bock asked when is this contract up?

Mr. Yuro responded December 31<sup>st</sup>.

Mr. Haber stated the contract is probably a 30 day termination without cause. If what he is explaining would rise to the level of cause then it could be immediate. What is the total amount of this contract?

Mr. Yuro responded I think it is around \$180,000.

Mr. Haber stated the bidding threshold is just over \$200,000, so it is questionable whether you want to go through that process or not. I tend to go on the conservative side to go through the process, so then you don't have people trying to contest it. You could enter into this contract and approve it with noticing that these problems have been identified at a minimum by at least one resident, so we need to see improvement on that and we will monitor it.

A resident stated I would agree. To fix a lot of this is going to cost the CDD some money. I use Down to Earth in one of the communities I run and I have had to get on them a little bit.

Mr. Thibault stated Down to Earth was considerably less expensive, like 60% or 70% of the contractors when we went out for bid.

Ms. Bock stated their contract that they have given us says 60 days notice.

Mr. Haber stated I think you can ignore that proposal. I think that contract is for the stuff that the golf course is doing. I drafted and handed out a one paragraph contract that just says the contract would be renewed under the same exact terms that are existing, which would be the 30 day termination. I will absolutely confirm that 30 days because if it is not then we will say if you want to renew you are going to renew with a 30 day termination.

Mr. Thibault stated I would not be in favor of expanding the scope of their services. I would like to keep it the way it is.

On MOTION by Hayes seconded by Ms. Bock with all in favor  
Renew the Contract with Down to Earth for Landscaping Services  
was approved, subject to the termination provision being 30 days.

**ELEVENTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**TWELTH ORDER OF BUSINESS                      Staff Reports**

**A. Attorney**

Mr. Haber stated we continue to work with the Developer. The hold up is the permits on the conveyance of real property. There are some details that the Developer needs to resolve before the permits can be transferred from the Developer to the District, which is a good thing because the District doesn't want those permits until those issues are resolved. One of those is there is an encumbrance on whether one of the bathrooms is on a conservation easement, so the Developer is going to need to find upland property to help resolve that. My understanding is the Developer is working through those issues.

Mr. Yuro stated I spoke to the water management district and advised that it is probably a six to eight month process. It is a fairly simple fix but it is just a fairly lengthy process.

Mr. Oliver stated I had a conversation today with Christine Martin of St. Joe today and she has been in contact with Cecilia Aldridge to make her aware of that to. They are aware that the hold up is with the water management district.

## **B. Engineer**

Mr. Oliver stated on future agendas, we will start combining the engineer section and the property manager section.

Mr. Yuro stated my report is in the agenda package. I have also included a copy of the CR 210 Widening Report after reviewing the 60% plans for the entry. I had some concerns and some things that weren't on the plan that I wanted to make sure were. I have gotten some responses from the County to that letter and they have ensured me that notes and different elements would be added to make sure our street lights that are taken down are relocated. The street light project has started. Last week the contractor was onsite. They started hand digging. Right now they are in a little bit of a delay because they have to bore underneath driveways. I responded back to the County about the sidewalk over here by Leo Maguire and let them know that the board approved paying for our share and using their contractor. The price came in about twice of what I thought it should. I called the County back and explained to them that I think their contractor had instead of 35 to 40 feet of sidewalk I think he put out 65 feet of sidewalk. I haven't seen a revised submittal from them yet. I met with UPS last week and they agreed that the perfect location was back by the cemetery. The way it is going to work is they are going to bring an empty pod and the empty pod will have a golf cart in it. In the morning the UPS guy will come with a full truck and a helper. They will open up the pod and back out the golf cart. They will load up the pod with all the deliveries for the day and then the UPS driver will go back out on his regular route. The helper will run this neighbor and when the pod is empty they will pull the golf cart in it and lock it up. They told me the schedule right now is to put the pod onsite November 29<sup>th</sup>. At the last meeting there was concerns about some of the lakes and the conditions of the lakes. The stocking season is in the winter. They are going to be stocking 300 carp this year. There are six lakes that need it the most, so we are going to spread them over the six lakes. I made them aware again that they stock those free of charge. At the last meeting there was some discussion about the condition of this room, so I did have three contractors come and look at it. I wanted to give the board an idea of what it would take to bring this room up to

snuff. One contractor gave me some pricing back. He gave me five different options for flooring. He gave me numbers for repainting the room and trim and replacing the doors. Then he also gave me pricing on revamping this kitchen area, which would include new countertops, a new sink, and a commercial full size refrigerator that will fit under the counter. It would also be for replacing the blinds because some blinds are broken. Picking the highest number from each option just to give you a ballpark number was about \$26,000.

Mr. Thibault stated I don't want to move forward with any of that until we know what we are going to do with any of these rooms.

Mr. Yuro stated the lowest number he gave me was \$6,000 to bring this room up to the time. If you are going to move forward with the fitness expansion I would think you would want to roll it all into one project, so it is all consistent.

### **C. Manager**

Mr. Oliver stated for many years, you have been using the trolley cars for your Christmas tour transportation through the neighborhoods here. Sadly we received an email from Old Town Trolley Tours of St. Augustine that they will no longer provide the trolley cars due to insurance and safety reasons. We got a pretty detailed email from them. We called them and pleaded for reconsideration, with no success. We are looking at other alternatives right now. The architectural committee will meet prior to the next CDD meeting. I heard you loud and clear what type of information you are looking for and that will be prepared for the January 26th meeting.

### **D. Art of Living Director**

Ms. Mixson stated included in your agenda package is a copy of my report. We are looking for people to join the holiday committee.

### **E. Property Manager**

There being none, the next item followed.

## **THIRTEENTH ORDER OF BUSINESS      Supervisor's Requests**

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS      Audience Comments**

There being none, the next item followed.

**FIFTEENTH ORDER OF BUSINESS      Financial Reports**

**A.    Balance Sheet as of September 30, 2010 and Statement of Revenues & Expenditures for the Period Ending September 30, 2010**

Mr. Oliver stated included in your agenda package is a balance sheet and income statement as of September 30, 2010.

**B.    Check Run Summary**

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

On MOTION by Ms. Bock seconded by Mr. Randolph 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 receipts.

**SIXTEENTH ORDER OF BUSINESS      Next Meeting Scheduled – January 26, 2011 at 6:00 p.m.**

Mr. Oliver stated our next meeting is going to be January 26<sup>th</sup> at 6:00 p.m. at this location.

**SEVENTEENTH ORDER OF BUSINESS      Adjournment**

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

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Secretary/Assistant Secretary

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Chairman/Vice Chairman