

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 on Wednesday, July 25, 2012 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
Mike Veazey	Vice Chairman
Tracy Hayes	Supervisor
Ed Randolph	Supervisor (by phone)
Bob Sevestre	Supervisor

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Mike Yuro	District Engineer
Erin Mixson	Art of Living Director
Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Affidavit of Publication**

Mr. Oliver stated included in your agenda package is the affidavit of publication for tonight's meeting and public hearing.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Consideration of Candidates to Fill Seat 1 Vacancy**

Mr. Oliver stated Vice Chairman John Thibault has moved to Pennsylvania and he will no longer be serving the board. The board is going to be appointing someone tonight to fill the seat that expires in November of 2014.

Mr. Haber stated the process outlined in Chapter 190 is relatively short. Essentially what Chapter 190 provide is that upon a vacancy, the remaining board members shall appoint a qualified elector, which means someone over the age of 18, a resident of the District and

registered to vote with the supervisor of elections in St. Johns County to fill that seat. From there, the District has the flexibility to determine the manner in which it chooses to fill the vacancy. As you probably recall at your last meeting, you determined that you wanted to make an announcement to the overall community that a vacancy exists, accept resumes and then appoint one individual to fill that vacancy. It was brought to my attention prior to tonight's meeting that at least one of the board members has contacted some of the candidates prior to tonight's meeting and asked them questions about their qualifications, etc. for the position. I want to make sure everyone understands that is legal and an appropriate communication. To the extent that any candidates were not contacted, that is okay too. Every candidate, to the extent that they desire, will be given an opportunity to speak to the board tonight about their qualifications. I have information that I would like to provide to the new board member once they are appointed regarding the Sunshine Law.

Mr. Oliver stated we will start by inviting each of the candidates that are present tonight to introduce themselves to the board and briefly talk about their experiences and why they want to serve on the board. I will ask if Patricia Bayerl is here tonight.

Ms. Patricia Bayerl stated I am happy to be here this evening to introduce myself to the board members. I have lived in the community for almost 10 years. I reside on Meadowview Lane. I have served on the Architectural Review Committee. In fact, ours was the first committee that followed the transfer of that authority from the Developer. I also served in the capacity of its Chair. During the time that I served on that committee, we were charged with the responsibility of creating guidelines for the community to follow in support of the covenants and restrictions. Florida statute required that they be outlines, so we worked very hard on that and presented that to the HOA board and it got approved. The following three years I served on the Board of Directors for the HOA. Two of those years, I served as their Vice President. My interests in the position with the CDD is to continue my commitment to the community in which I live and to ensure the high standards that we have are maintained.

Mr. Shawn Fentress stated I am resident here on Highland View Drive. I am a five year plus resident. I moved here from Atlanta in 2007. As I made my way south from Pennsylvania to Washington D.C. to Atlanta, it is finally warm enough here that I can stay. I have certainly enjoyed the community in the past five years. I have enjoyed the area around the community. Part of my job on a daily basis, is I am in commercial construction. I see projects that are going

on from Savannah to Daytona and west of Tallahassee. My commercial construction background is 25 years of lighting and electrical design. I work on job sites pretty much all over. If you have been to the Winn Dixie across the street and you have seen the lighting in there, I was the designer and the developer of all of the lighting. I was involved in all of the commercial construction of the Vystar out here. I also do all of the electrical and lighting design for a bunch of buildings downtown. I call on electrical contractors and electrical engineers. I pretty much do commercial construction. In Atlanta I lived in a community and was part of the HOA and architectural committee there. I enjoyed my time there. My interests in being on this board was that I think that home values are probably our largest investment that we all have and I think it is important that our home values stay up. Every time I know someone is moving in the area I always tell them to look at my neighborhood because this is a great neighborhood. Maintaining our property values is our largest investment for all of us.

Mr. Graham Gilson stated I have been a resident of the neighborhood for roughly six years. I am an accountant with a Wisconsin CPA license. Right now, I work for an insurance company in corporate accounting. I have a strong understanding of fiscal responsibilities. I think the biggest thing we have as a CDD is making sure that we manage our funds appropriately for all of the residents. We need to maintain the values of our homes. We need to maintain the nice common areas. I would represent the people on the board to make sure we spend their money wisely, invest wisely and continue to be an attractive neighborhood.

Ms. Leslie Miller stated I live on Highland View Drive. I am in the medical field. I work downtown at Shand's Medical Center. I am a speech pathologist. I have worked a lot with research, so I am used to investigating things. Any duties that the board might have for me to do research wise would be very good for me. I am interested in being on the board for the community and the families. I have lived here for seven years. I moved out of Jacksonville to here because of the school systems and to be a part of the nice community.

Mr. Matt Seifert stated it is great to see that there is this many people that want to be active in this process, which is really why we chose to move here. We just moved here in January. We searched the area for about 18 months before we determined this is clearly the best area to live. I recently retired from the Army. I have no predisposed notions that pertain to the board at this point. I can certainly promise you that everything I do up here would be morally and ethically straight.

Mr. Oliver stated the next candidate is Bob Sevestre.

Ms. Bock stated he was not able to make it. He did call me and tell me that he comes to a lot of the meetings but this was one he couldn't make.

Mr. Oliver stated the next candidate is Perry Tankersley.

Mr. Tankersley stated I live on St. Johns Golf Drive. I spent 30 years in the Navy and I spent 20 years with JEA. When I was in the Navy I used to write specifications for combat boats. I would scope out the work as it was being done. I handled budgets in excess of \$1M. I have been actively engaged in safety and security issues at JEA. I wrote the manuals for JEA lineman, water and sewer and power plants. I have been living here for three years. I have enjoyed it. I would like to offer the opportunity to assist in any way.

Mr. Oliver stated the next resume you have is from Julie Martin. She has withdrawn from consideration. The next resume is from Bruce Watt. Bruce is not here tonight.

Mr. Hayes stated one of the candidates asked if we can ask the candidates to step out while we did discuss the candidates.

Mr. Haber stated because it is a public meeting you can certainly not require anyone to step out. If the candidates want to voluntarily step out, they certainly can.

Mr. Bruce Watt stated this is my fourth time applying to become a board member. Ten years ago Pam and I came to visit here because of a job that she might have gotten and she did get it. She worked here for 10 years. She is also president of the HOA right now. During that time, we have saw a lot of good stuff happen here. We have lived here for six years. I was working out yesterday and there was a big smile on my face thanking anyone, who did anything on that. This place couldn't be a better place to live. Is it a place that we can do better at? Always. My background is 20 years in the Navy. I ran the Navy Exchange Commissary. It was a multimillion dollar operation in Jacksonville. After that, I went into the club business. I had 1,100 family members in a private beach club in Ponte Vedra called the Cabana Club. It was as simple as this place. It had the pool. It had social activities. We got to a point that after three years of working, the Marriott bought us out. I live my life beyond reproach as best as I can. I do make mistakes along the way but after that club business and after coming here and after seeing the facilities and after seeing everything grow, I would like to be part of that. I am a realtor. I sell homes in here, as well as everywhere else. I am so happy now that I can take clients by the fitness center, by the new pool and by the new basketball courts. I can show them

the quality of life at St. Johns Golf & Country Club. I think one of the most important things is ensuring that our contractors that are doing all of this stuff around us from lifeguards to grass to the lakes are folks that are watched and supervised. I want to help Mike in doing that. Mike has done a great job. I am looking for an opportunity to be nominated and elected to this position.

Mr. Bob Sevestre stated I have been a resident here in St. Johns Golf & Country Club for 10 years. I was on the HOA committee for a long period of time. I have a lot of experience working with that area of the community. I am interested in becoming a member of this board because I have seen some of the things that have gone on around here and I believe there is a lot of room for some change to be made. We need to decide on what is the best interest of the residents of this community. I am also a member of the St. Johns County Sheriff's Department and what is known as the St. Johns County Advisor Council. I met with them on a monthly basis. We discuss the different situations that are going on in the community. I have first hand knowledge of the criminal activities that are taking place and I can bring that to the boards attention, if necessary. I have been working for JEA for 28 years. I am the manager of engineering standards and I have helped out in the neighborhood several times to resolve the issues that we have had here with water and sewer issues. I am asking for a nomination, so I can serve the community.

Ms. Bock stated I would like to summarize the presentations by the candidates. I think we certainly have excellent talent in the community. I realize that all of you are putting it on the line and saying you are willing to make a commitment and give your time and be here for meetings. We really can't go wrong with selecting any of the people here tonight. I want to thank you for that.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor to Nominate Mr. Robert Sevestre to Fill Seat 1 was approved.

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

*Mr. Oliver administered an oath of office to Mr. Robert Sevestre.*

Mr. Haber stated we are governed by Chapter 190 of Florida Statutes. As a public officer, you are governed by Chapter 112, Florida Statutes, which is the code of ethics. In large part, it discusses conflict of interest. It basically governs the way you are legally obligated to act

in your capacity as a public officer. Two of the big things I always like to address with new board members are the Sunshine Law and the Public Record Law. The Sunshine Law, at the most basic level, means it is illegal for you to have conversations with other board members about business that may come before this board outside of a publicly noticed meeting. It is very broad and our recommendation is that you always error on being overly cautious. If you feel that it is questionable, whether you should discuss a certain topic with one of your other board members contact Jim or my office and we will let you know if it is okay to have that conversation. A communication with another board member is not just an oral communication. It also extends to electronic communications or written communications. You cannot have conversations via email, letters, etc. Nor can you have someone serve as a go between. You can't say please go tell so and so something. It is fairly broad law and it is taken seriously in the State of Florida. As was mentioned there are two seats that are up for the general election. A gentlemen by the name of Paul Armstrong is one of the candidates for those seats but Paul's candidacy is unopposed. As a result under Florida Law, the Sunshine Law applies to this boards communication with Paul. I sent a letter to Paul letting him know that and I also copied the other board members on that letter. I wanted to make sure that the same restrictions you have with these board members would also apply to Mr. Armstrong. The other big issues is the Public Records Law. Because we are a unit of government all of these documents that you see before you today are subject to public record inspections or requests. My office and the District Manager's office will have copies of all of these documents, so you have no obligation to keep the documents that are passed out to you at the meetings. Your communications that we do not have copies of, you should keep track of because if we do get a request for supervisor communications, we will need to get those from you. One piece of advice that we typically give to new board members is that you store these records separately than your everyday records. Often times you will see those records be comingled and the person making the request will try and argue that as a result of that comingling of records, records that wouldn't otherwise be public record are subject to public records. To prevent that from happening, we recommend that you try to segregate your CDD records from your everyday business records or personal records. We have prepared this board of supervisors notebook, which includes a copy of Chapter 190, Chapter 112 and other documents.

**C. Consideration of Resolution 2012-06, Election of Officers**

Mr. Oliver stated included in your agenda package is Resolution 2012-06 for election of officers.

On MOTION by Ms. Bock seconded by Mr. Hayes with all in favor Resolution 2012-06 Election of Officers Appointing Mr. Veazey as Vice Chairman & Mr. Sevestre as an Assistant Secretary & All Other Positions Remain the Same was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the May 23, 2012 Meeting**

Mr. Oliver stated included in your agenda package is a copy of the minutes of the May 23, 2012 meeting. Are there any additions, corrections or deletions?

On MOTION by Mr. Veazey seconded by Ms. Bock with all in favor the Minutes of the May 23, 2012 Meeting were approved.

**FIFTH ORDER OF BUSINESS**

**Approval of the Minutes of the June 27, 2012 Continued Meeting**

Mr. Oliver stated included in your agenda package is a copy of the minutes of the June 27, 2012 continued meeting. Are there any additions, corrections or deletions?

Mr. Veazey responded on page 23 in the second to last paragraph the word “it” in the third sentence should be “I.”

On MOTION by Mr. Veazey seconded by Mr. Hayes with all in favor the Minutes of the June 27, 2012 Continued Meeting were approved as amended.

**SIXTH ORDER OF BUSINESS**

**Consideration of Pursuing Designation as Golf Cart Community (St. Johns County is approving authority)**

Ms. Bock stated as everyone knows there were some recent visits by the sheriff’s office regarding golf carts being driven on our streets, which has always been illegal in here. It has been on our website for a number of years. We have done some research prior to this meeting to see what we could do to find out the communities feelings about the subject and what procedure we need to go through if we decide to designate the roads that can be driven on by a golf cart.

Mr. Yuro stated I have spent a good deal of time in the past few weeks speaking with both the sheriff's department and the County. Florida Statutes make it illegal for golf carts to be operated on public roads. Both the Florida Statutes and the County ordinance has procedure by where the neighborhood can request certain roads be designated for golf cart use. There has been some confusion, even within the County itself, as far as how does that impact the CDD roads because there is a misconception by many that the CDD has private roads but they are public roads. I did get a call back from the County Traffic Engineer earlier this week and he confirmed that CDD roads are public roads; therefore, a traffic enforcement agreement with the sheriff's department is not required in order to enforce traffic laws. What they concluded was there are several inconsistencies in the current County ordinance. I am told the County Attorney is going to be working on rewording the County ordinance. That could take upwards of 60 days to get that reworded and approved by the County. From our perspective if the CDD determines they want to go through the process, we would need to follow the County ordinance, which would include doing an engineering study for golf cart accessibility on the roads and submit that to the County for their approval. If the County reviews and approves it then they would issue us back a letter indicating, which roads specifically are designated for golf cart use. There are some improvements we would need to make, which are fairly minor. It would be installing some signage to the three main entry roads advising motorists that golf carts are accessible on these roads. There may be some additional minor improvements at some of the crosswalks with changing some of the signs to more of a warning sign than just the green advisory sign. That would be flushed out in the report. It sounded like the County would not be in a position to approve a report and make that designation of golf cart accessibility until they update the County ordinance. I have been coordinating with Wes, as well.

Mr. Haber stated the roads are public. It is an important distinction to make. The roads were funded with tax exempt bonds and for those bonds to remain tax exempt it is important that the roads be public. Florida Statutes vests authority for the enforcement of the laws and rules of the road to the County for public roads located within its jurisdiction. The only way golf carts can be legal on a public road is if the County designates those roads as legal for golf carts. The County has adopted an ordinance, which I have reviewed but in speaking with Mike and with Mike speaking with the County, it sounds like that ordinance is going to be amended. It sounds like the ordinance is going to be amended to facilitate the District's ability to have the roads

dedicated for golf cart use if that is this board's will. As Mike indicated, they acknowledged the fact that these roads are public and that we don't need a traffic enforcement agreement, in order to have the sheriff's office enforce the laws of these roads but even without the traffic enforcement agreement, we still need the designation by the County. We still need the signs that Mike referenced. I think it is really a two step process. The first step is for this board to make the determination, whether it wants to approach the County about having the County designate the roads as legal for golf carts. Once this board makes that decision then District staff, Mike and myself can get in touch with the County and begin the process of the County making that designation.

Mr. Yuro stated designating the streets for golf cart use, does have some restrictions. The driver has to be a licensed driver. The golf carts need to have good working brakes, a rearview mirror and reflectors on the front and back. The use is from sunup to sundown. If there is going to be night driving, they are additional items that need to be on the golf cart.

Mr. Haber stated I recall the ordinance says if the golf carts are going to be driven at nightfall that not only do you need enhancements on the golf cart but there is also a separate designation that the County needs to make. The County can designate it legal for daytime drive and then separately for nighttime driving conditioned on the golf carts having the equipment set forth in the ordinance.

A resident stated several years ago we brought this topic up. At the sheriff's advisory counsel, a gentlemen was there from Cimarrone. He told us about a case in their neighborhood, where a lady was riding with her son on a golf cart and he hit a bump and it knocked her off. She got hurt and had to go to the hospital. She filed a lawsuit against the homeowners and won. What is our responsibility when it comes to that scenario?

Mr. Haber responded liability is a difficult issue to answer. I think the best way to look at it is these roads are owned by the CDD. IF there is a car accident on the roads out here and the accident was not caused by the CDD in anyway then in all likelihood, even if there is a lawsuit that stems from that car accident, the CDD isn't going to be pulled. They always can be. There are a lot of creative lawyers out there, who can find a way to name the CDD as a party but in all likelihood that would not be a successful lawsuit against the District. With that said, if golf carts are deemed legal for these roads, we own the roads and we maintain the roads, if there is a pothole in the road I think you need to look at that and say if a pothole goes over that and

someone gets injured then that may be a claim they would have against the District. The District maintains the roads. If someone is injured or their property is damaged as a result of action or inaction by the District. Do I think just because a golf cart gets in an accident on a CDD road, is there a higher level of liability for a CDD? Probably not. You may get named because as I said there are a lot of creative lawyers out there. In all likelihood, you don't lose that lawsuit but there are expenses associated when you are named as a defendant in a lawsuit. If it is something that the CDD should have known about and fixed then there may be increased liability. A CDD has sovereign immunity, so you are protected from multi million dollar lawsuits but you don't want a lawsuit filed against you for any reason. Yes, there is an increased level of risk associated with having your roads deemed legal for golf carts.

A resident asked who is responsible for insurance on your golf cart? Do they have to carry insurance on the golf cart?

Mr. Haber responded the CDD would not have any obligation as it relates to insurance for the golf carts. I honestly do not know what an individual golf cart owners responsibility would be for insurance. We have general liability insurance that covers us for the type of claim that I discussed, like a pothole.

Mr. Veazey asked what is the difference between that and what we have right now?

Mr. Haber responded right now, golf carts are illegal, so if someone hit a pothole that they may not notice in a car but are injured in a golf cart and we get sued, I think it is a strong defense to say it is against the law. We have it posted on our website that it is against the law to use a golf cart on the road and your lawsuit against the District should fail because you were breaking the law by driving your golf cart on the road. That defense goes away if you make the roads legal for golf carts.

Ms. Cindy Fentress stated one of my issues is the golf carts. One of my suggestions is looking into Peachtree City, Georgia. In Peachtree City, Georgia, it is a golf cart city. The golf carts have to be licensed and insured and they have to be 16 years of age to drive it. That is one suggestion is that all golf carts have to be licensed somehow. What if I am driving my bike down the road and I hit the pothole then I have rights to sue you all too, right, so basically it is about the same thing?

Mr. Haber responded yes. I think we would be subject to the County's guidelines in its ordinance. I can look into it.

Mr. Art Healey stated on behalf of the 172 residents that have signed a petition urging the CDD to allow safe legal operation, I would like to thank you for placing this golf cart issue on the agenda. I would like to submit the 172 signatures that we collected for our petition, as well as the comments from our supporters and why we support golf cart operations on the road. We stand here as residents, who have a significant investment sitting in our garage now taking up space and collecting dust. We urge the board to represent us and move urgently to apply to the County to have carts approved in our community. Pro golf carting residents, non carting residents and anti carting residents, should all share the common goal of protecting the investments in our home and our community and also ensuring the safety. Allowing golf cart operations under the law accomplishes both. Allowing golf carts contributes to the resort lifestyle that we all enjoy. It allows us easy access to the outstanding amenities that we pay for. A major factor for our family choosing St. Johns over Julington Creek Plantation or Durbin Creek was the easy access to the amenities via a golf cart. Carts allow direct access to the amenities and provide easy parking. It avoids having to enter a hot vehicle. It saves gas and provides a fun open air ride. My daily routine used to include riding to the golf course to hit a bucket of balls and now my golfing hasn't been so good. Since then, I have not been to the range once and I'm sure the club misses my business and so does my golf game. Like many families, instead of hopping into the car for an open air ride for the swim team, my wife has to get in her big minivan and find parking and pull our kids across the parking lot. Preserving the golf cart amenity will offer a relatively inexpensive way for the CDD to add a valuable amenity to our neighborhood. Golf cart owners and non golf cart owners, can agree that we need a competitive edge in marketing our neighborhood. Communities like ours throughout Florida and the Southeast are marketing themselves as a golf cart friendly community because they know they are in demand. The second item we can all agree on is safety. We currently have no regulation of carts at all, except for the regulation of being illegal. Even since the illegal sign has gone up, there are still rule breakers. Enforcement measures will continue to penalize those who don't follow the law. We can improve the existing safety situation for cart and non cart owners by forming a cart owners association, which will focus on on-road safety and protecting our family from cart damage. An idea was how do we make sure that we have insurance on the cart owners and how do we make sure we regulate that. We could require insurance on cart owners, who access our property. We could also register the carts with numbers that are clear. Take it off the

CDDs hands and make it through the association but make sure the cart owners are enforcing the rules. From talking with the sheriff's office, they would love to regulate carts. I will hand you the petition. I urge the board tonight to preserve our home values by increasing the marketability of our neighborhood improving the roads safety for all residents and protecting our amenities with common sense cart regulations by voting tonight to apply to St. Johns County for cart designation.

Ms. Karen Millard stated I am in support of golf carts in our community. I think Art did a nice job of addressing how he would approach some of the safety concerns that are going on. We are certainly not asking the board to allow us to do anything illegal. As our attorney to the board pointed out, I think we should look at some of the surrounding neighborhoods that are allowing golf carts in the community. I was told that Nocatee is allowing golf carts in their community. As far as future lawsuits based on the safety of the roads, I think we should look at the past history of what lawsuits have been filed in our community. I realize it is a different status if golf carts are legal in our community but the condition of the roads should not be the driving factor. If we are going to hire the engineer to come in and do a report, why don't we go ahead and hire that expert to start investigating and seeing what needs to be done?

Mr. Haber responded I don't view it as a legal issue. It is certainly a determination the board can make if they so chose.

Ms. Bock asked should we go ahead and get the engineer in to do the study or do we need to wait until the amendment?

Mr. Yuro responded I don't think you need to wait. If it is something the board thinks they want to move forward with then I think you start the engineering study.

Ms. Bock asked do we need a traffic engineer?

Mr. Yuro responded I don't believe so.

Ms. Karen Millard asked wasn't there a traffic study done in the past?

Mr. Yuro responded yes but they are two separate studies. My approach would be to review the previous traffic study, reference it and update it if necessary. Then I would do a separate study related to golf carts. When I was talking to the County they said that years ago they used to combine those as one because it was typically part of this traffic enforcement agreement with the sheriff's department but in recent years they are looking for two separate

agreements anyways. Since we had a traffic study done a couple of years ago, we can certainly use that as a basis but they are going to be looking for additional information.

Mr. James Owens stated I have lived here for eight and a half years now. I am not a cart owner; however, I am an avid golfer. I don't really have an issue with the cart lifestyle, but I do have some concerns. There is a study that needs to be funded and the ordinance suggests that there are costs related to signage. I would be interested in knowing how much that costs and what the ongoing costs of something like that would be. While the carts owners are certainly many, they are the minority. Does the entire community bear the cost of something that may or may not be significant? I think the main issue here is about the children. I am sick of driving into the neighborhood while coming home from work and seeing a nine year old driving a cart.

Ms. Bock stated I agree.

Mr. James Owens stated I don't know how this needs to change but something needs to change. Someone is going to get hurt and that is my main concern. I have seen some really scary behavior. I think it is a great idea to have to prove you have insurance on it. How do you enforce that? I do like the idea of the cart owners association. How do you enforce the fact that all of the carts meet the specs. The ordinances are very clear on what these carts have to meet to be street legal.

Ms. Bock responded unfortunately many of the things you brought up are not things that we have any business enforcing sitting up here. The police enforces it. We hear you and many of us agree with your thoughts.

A resident stated since most of the carts are being used to access the community's property, you could require insurance on the carts before they enter the property.

Mr. Haber stated if the County designates our public roads as legal for golf carts, I think anyone that wants to ride a golf cart that meets the ordinance standards for a golf cart can ride a golf cart on our roads that are public roads and legal for golf carts.

A resident stated I understand that because we have no authority.

Ms. Bock stated that only thing we can do is call a police officer.

Mr. Haber stated I think he is saying the law that person would be violating is a trespass. The District does have some authority to adopt rules governing the matter in which their improvements are used. To the extent that we had a CDD golf cart parking area and to say you can only park your golf cart in your CDD golf cart parking area if it is registered through this

association that may be something that is enforceable. The idea would be that if you are not registered that you are trespassing. If I had to guess that is not going to be the highest on the sheriff's priority list to enforce. I would like to come back to the board and let you know but that may be a policy you can adopt as it relates to other property the CDD owns.

A resident stated if I have read the ordinance correctly I don't think the onus is on us is to pay for the traffic study. From my correspondence with the County Engineer, they would perform the traffic study.

A resident stated it is clear that the signage you would have to pay for. It is not clear within the ordinance whether or not the study is covered.

A resident stated I would think the association would behoove us to cover the cost of any additional signage.

Mr. Haber stated if there is any lack of clarity in the ordinance, we can certainly try to get the County to pay for it.

Mr. Yuro stated it says here the County Engineer shall conduct or review a study provided by the applicant. I can tell you that based on a conversation with the County, they are looking for the applicant to provide the study.

Mr. Haber stated yes. I would be very surprised if we were able to get the County to fund that but we can certainly ask.

Mr. Hayes stated having experienced covenant enforcement, there are some parked on the street and that bothers me. The only enforcement we have here is really peer pressure amongst the golf cart owners.

A resident stated if we have law abiding citizens, who follow the rules to a T then you are never going to be able to regulate those who don't follow the rules. I can tell you that even though they put the sign up there are still people, who are riding their golf carts. They are all going to keep doing it.

Mr. James Owens stated I honestly didn't know it was illegal to begin with. I am not against this. I am really not. I get the appeal of it. My biggest issue is there are so many kids doing stupid stuff and someone is going to get hurt. If we make it legal then it is going to become even easier for kids to do stupid stuff, unless parents act like parents.

Mr. David Yencarelli stated I want to thank Wes and Mike for all you have done the past few weeks. The police gave me bad information when I called them on July 10<sup>th</sup>. I was lied to.

They blame it on the HOA and the CDD for installing that sign. World Golf Village is having a meeting tonight. They are discussing exactly what we are discussing tonight. There are companies in Jacksonville that will do that study fairly cheap. I think someone hit on how many signs we are going to have to install and who is going to pay for it. The three signs at the three entrances of the community, you are talking about hundreds of dollars. I am sure some of our golf cart owners would fund the signs. I have some disagreements with golf cart committees. I think adding red tape to this issue is not the way to go. It is very clear in the County ordinance that once you adopt this, the police have to enforce the laws. There are strict laws that the police have to enforce once you adopt this. I don't think it should be on us to say you should have a registered decal and we have to inspect your golf cart every year. The burden is on the police. The burden is on the police if we keep this illegal, so either way the burden is on the police. There are several dozen communities and towns in Florida, where this works. We can contact them. We can contact their City Attorneys. The police work very closely with them. If the police see someone without a decal, the police can't legally do anything to those people; however, the police work with Sun City Center and they report it to the HOA and the HOA sends a fine to that person. I don't know if we could get our police force to work hand and hand like that. I want to apologize to you guys for my email. I was very mad. I know it is not your fault.

Mr. Veazey stated Palencia has gone through this also. Can their association be part of the CDD? If they did a golf cart association, is that something that we can condone? I like the idea of registration and being able to track it but I don't know if the CDD can really be involved in that, can they?

Mr. Haber responded no. I think it would be completely unaffiliated separate independent entity that organizes it and does its own thing.

A resident asked when the board votes, could you do it in two separate ways? One motion you could divide it out as to whether or not golf carts could be allowed and the second vote would be if it would be contingent upon an association?

Ms. Bock responded I think that is pretty clear we are not going to vote for that tonight. Someone make the remark that the 172 names were a minority. Should we survey the population here?

Mr. Hayes responded I think it is inevitable that we move in that direction but this is something that started at the beginning of the month. I think what Rose is suggesting is we do

our due diligence here, so I think it would be wrong to say let's vote on it and go without giving them the opportunity.

A resident asked could you explain what process you will follow then? Does the majority rule and then the committee makes its determination?

Ms. Bock responded this is not a referendum. This is not a vote. We just want to feel the temperature. We won't get a majority of homeowners to respond. We know that, but sometimes we get some very interesting comments when we get these surveys.

Mr. Art Healey stated I think it is inevitable that we will have golf carts at some point. I think that the board could have a motion to essentially begin the process of the study and then find out what the results of the study are.

Mr. Hayes asked, "Mike, do you foresee any problems with our roads not being up to standards for golf carts?"

Mr. Yuro responded nothing jumps out at me. Our two main roads are certainly wider than the side streets but nothing is jumping out at me. The CDD roads do not include Leo Maguire Parkway because that is a County Road.

Mr. Haber stated if the concern is that you do this study and then your survey results show that the majority of the neighborhood doesn't want it and as a board you chose that you don't want to move forward with it and the golf cart group is willing to fund the study then you could have parallel roads without any real downside for the CDD because you haven't expended your funds.

Mr. Yuro stated I can certainly have the study done before the next meeting if the board authorized me to do it.

Ms. Bock asked do we need to get bids on doing the study?

Mr. Haber responded I don't think so.

Mr. Yuro stated my recommendation would be to go by time and materials because I don't know how much time it will take. I will need to get with the County and double check what they are going to require.

Ms. Bock asked could we designate one person to work with Erin on the survey and also with Mike on getting the study going?

Mr. Veazey asked so Leo Maguire is not going to be involved in this?

Mr. Yuro responded I don't believe so.

Mr. Veazey asked so what does the group in the back do to get from the back to the front?

A resident responded you are allowed to cross a County road.

Mr. Veazey asked but you are not allowed to come down the sidewalk, are you?

A resident responded I live back there. I will cross and go into the grass and then drive thru the neighborhood to get to the amenity center.

Mr. Yuro stated that will be one of the challenges the study will identify.

Mr. Greg D'lessio stated I was going to buy a golf cart, but they said you can't ride it on the roads, so we decided not to do it. I don't have a problem with it but I do see concerns. It seems like most of the people here are interested in having this designation but there are a lot of people here, who didn't realize. The same thing happened with the fitness center. I will make the same suggestion I made then. Let's have a specific proposal with how much is it going to cost, what roads are we going to use, what liabilities, what restrictions and then you let everyone know by sending them a letter or an email saying this is what we are going to discuss and then we discuss it. I don't know the specifics of this process and I would like to know if it is going to affect me. The issue about crossing over Leo Maguire, I would suspect that has to be discussed with people about how that is going to be handled. To me, it is a mute point to have a vote without a plan. If you want to look into a plan then I would say that would be the way to go. I was not planning to have this huge debate about golf carts.

Ms. Bock stated our plan tonight was, we knew we needed to hear the community and evidently some groups went ahead and got opinions by way of a petition. We felt like it was only fair to listen to people who bothered to come to the meeting. We did give the agenda out and it is on the agenda. The reason for the survey is we feel like it is pretty divided in here. When you talk about what roads they are going down, we don't even know what the survey entails right now. No decisions are going to be made tonight. We are still going to gather information.

Mr. Greg D'lessio stated I am just saying if you are going to have a vote at a meeting then you need to have a plan then, so people know exactly what roads we are talking about.

On MOTION by Ms. Bock seconded by Mr. Sevestre with all in favor to Send Survey to Residents Regarding Designation as Golf

Cart Community & Authorization for District Engineer to Perform Traffic Study was approved.

**SEVENTH ORDER OF BUSINESS****Discussion of Interlocal Agreement**

Mr. Haber stated as the board is aware St. Johns County has approached the board about expanding the pond in the front of the community to deal with the increased drainage as a result of the widening of County Road 210. I have been negotiating an interlocal agreement with the County to address that issue. In essence, the agreement governs the plans for the expansion and the relationship between the District and the County as it relates to the County's work out there. You have seen a version of this agreement. You approved it in substantial form and you gave John Thibault the authority to have final approval and execution. As you know John resigned and it was just recently that I think we have reached a point with the County that I could put it in front of this board and have it approved. Some of the highlights that I bring to your attention are the fact that the County is going to be obligated to provide a set of plans to the District for review and approval before they can move forward with the work. Once there are approved plans, to the extent there are any changes to those plans, there is further consent that the County will need to get from the District. The County is required to make sure that the property is returned to its original state or better, once they are done with the completion of the approved plans. One of the issues we dealt with is there was a FPL easement and there is some work FPL is going to need to do to facilitate the electric needed from the pumps and other aspects of the expansion of the pond. FPL would not agree to let us negotiate their easement, as far as whether the power would go above ground or under ground and what they would do as far as the care of our property. If you look at section four of this agreement, the FPL easement is going to be attached to this agreement as an exhibit and it provides that in consideration for the District agreeing to grant FPL the easement, the County agrees to ensure that any electric utility facilities will be underground and after any work is completed under the FPL easement return the District's property to its original state or better. The items that we couldn't get from FPL, the County has agreed to take on as their responsibility. There are exhibits to this document. Primarily, there is an access easement and there is a maintenance easement. Both of those easements include the indemnification that we were looking for from the County. There is also insurance. The County is going to name the District, the board and the board's agents and contractors as additional insurers. In my opinion, this agreement gets us as close to where we want to be as it relates to this process. To the extent

the board wants to approve it, is that you approve it in substantial form and still continue to appoint someone because it is very possible that I go back to the County and they say there is one additional issue. In addition, I think it also makes sense to have someone appointed to address the approvals. As you see there is a 30 day approval and there is a seven day approval. You probably want to appoint someone to act as the boards representative for the consent to any changes. You may even want that person nominated to give the approval of working with Mike. The way I view it is, the plans will come in and we will give them to Mike. He will review them again and make sure the plans are consistent with what this board previously approved and to the extent they are, we will give them back to the County. This board can't meet in seven days, so we need someone with that authority.

Mr. Hayes stated I think Bob is the best candidate for that.

Mr. Sevestre stated that is fine.

On MOTION by Veazey seconded by Mr. Hayes with all in favor the Interlocal Agreement was approved in substantial form & Authorize Mr. Sevestre to Negotiate, Finalize & Execute the Agreement on behalf of the District.
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Mr. Sevestre asked, "Mike, these were the drawings that we looked at along time ago about the expansion of the pond."

Mr. Yuro responded correct. It is associated with the widening of County Road 210.

Mr. Hayes asked was it that about the \$10,000?

Mr. Yuro responded I am assuming the plans they give us are inline and similar to what they already approved. The theory behind this agreement is this District would not be put out in any way, including my time to negotiate the agreement and including Mike's time to review the plans. I want to set up an invoicing system. The County has already paid for legal work and engineering work for the first agreement. They originally said \$5,000 and I went back and said I have no idea what the amount is going to be, so let's just do the invoicing and they said we will give you \$10,000. As it stands right now, we have a \$10,000 lump sum payment, so if my work and Mike's work comes in at \$3,000, that is just \$7,000 extra you will have from the County. The risk is and I hope it is a small risk is that my work and Mike's work exceeds that \$10,000 because then it is on your dime.

**EIGHTH ORDER OF BUSINESS****Discussion of Matters Relating to  
Construction of Fitness Center Expansion****A. Construction Update**

Mr. Yuro stated we opened a couple weeks ago. We had some early issues we had to work through, as far as some of the machines. The Sears rep was out here yesterday and I think he addressed most of the concerns we had. The one thing that is still a little bit of a concern is the cardio equipment. The screens are freezing, so we are trying to get the cable company and the fitness manufacturer together to see if it is the cable or the machines. The facility is open. I have heard a lot of positive things about it.

**B. Consideration of Change Orders**

Mr. Yuro stated there is one outstanding change order. I don't know if it needs to be voted on. I think it has already been approved. It is a deductive change order. It should be the last thing that we coordinate with the original contractor on. It is for \$45 and is for some of the credits that we got with sod and light fixtures.

Ms. Bock stated thank you for staying on top of those.

Mr. Yuro stated I actually got it from Wes' office today. There are some numbers I need to fill in from the original agreement and then we will get it executed. We haven't made our final payment yet. There is still retainage. I am doing a list for the contractor on anything that we have noticed since we have opened.

**C. Approval of Pay Requests/Cost to Complete Schedule**

Mr. Yuro stated I think this is just in here for information purposes.

**D. Consideration of Other Construction Related Improvements**

Mr. Yuro stated if you remember at the last meeting, the CDD board had originally voted to renovate this room and turn it into more of an expansion of our fitness facility and we would redo the floors. Michael Holder, the original contractor, was going to do that work. In light of some of the concerns we had about the way he wrapped up this project, the board decided to take that out of his contract and get additional pricing and/or go back to the previous pricing that we had. We had four other contractors, who originally submitted pricing on this. We had one new

contractor that came and provided a price. On the front page is just a summary of the pricing. The top three contractors all either just gave me a price or recently confirmed or updated their pricing. If you remember we started this process back in February. In February we were talking about multiple rooms at the same time and painting. The second page is an email that I sent to all of the contractors that summarized and tightened up what this scope was going to be. Milestone, Dav-Lin and Kerry Construction either updated or confirmed their pricing recently. Ten contractors had told me they were going to give me a quote but I haven't heard back from them. I have included copies of their proposals behind here.

Mr. Hayes asked did we ever get these doors fixed?

Mr. Yuro responded we pulled it out of their contract. The idea is we are going to redo the floors to a laminate floor, which is more conducive to fitness classes. Those cubbies are going to be moved and hopefully reused in the old fitness room. We are going to build a wall straight across there. Where the cubbies are is actually going to be a built in closet for Erin's storage. There will be a hallway coming in from the existing door to a secondary door. This room will be separated from people that need to come in and visit Erin, so they are not disturbing classes that may be going on. The kitchen area will come out and become a closet for us. To frame the wall, sheetrock the doors and then we got quotes from Milestone for the flooring at \$21,270, Dav-Lin is at \$14,175, Carry Construction was at \$16,700 and the next two are the ones that haven't confirmed their pricing recently. S David was at \$15,070 and the other contractor is at \$16,251. These prices are higher than what we originally had with the previous contractor but I think we understand why they are higher.

Ms. Bock stated you get what you pay for.

Mr. Hayes asked so you guys are going to take that cubbie hole out?

Mr. Yuro responded yes.

Mr. Hayes asked are they going to build a physical wall there?

Mr. Yuro responded correct.

Mr. Hayes stated I am thinking of the carpet there in that area. Should we look to redo carpet in the hallway and into the closet?

Mr. Yuro responded that is included.

Mr. Hayes asked so we are going to put the laminate surface throughout?

Mr. Yuro responded yes.

Mr. Veazey stated my only thing is the wood flooring and getting the exact spec. You can get pretty big differences in the flooring.

Mr. Yuro stated I understand. I am in no way a flooring expert. I did the best research I could do. I did tell them I wanted to spec a minimum of eight millimeters thick laminate flooring with padding underneath. While there maybe different manufacturers and different grades, I was trying to at least give them a minimum spec to meet. Eight millimeters is in between the low end of the line and the absolute top of the line.

Mr. Veazey stated certain ones have a little more integrity on the bid on the flooring, like someone is going to put in quality flooring in and then you have someone that is going to come in and short cut it. Out of the bid, how much of that is the flooring? Wouldn't the flooring be the biggest money factor?

Mr. Yuro responded the flooring on the Milestone quote looks like it is about 40% of the cost. I think that is probably fairly consistent. Dav-Lin just lumped it altogether and so did Kerry Construction. If the board has a specific spec I can certainly go back and get that spec.

Mr. Sevestre asked so we do we need to research the flooring a little bit more?

Mr. Yuro responded we can. I am not an expert on flooring.

Ms. Bock asked, "Mike, do you feel comfortable working with Mike on the flooring if we give you a not to exceed?"

Mr. Hayes responded maybe go back to Dav-Lin and Carry and say this is the floor we are going to use, so update your bid with this flooring.

Mr. Sevestre stated I know the owner of Dav-Lin. They are major in Duval County.

Ms. Bock stated I see their signs a lot.

Mr. Yuro stated all of these contractors were recommended.

Mr. Hayes stated Dav-Lin should still remain the lowest, but it is a small project for them, so they may see it differently.

Mr. Yuro stated I will be happy to work with Mike and get the actual spec.

Ms. Bock stated then go with the low bidder.

Mr. Sevestre asked what about walking on it with wet feet? Is that going to impact the flooring?

Mr. Yuro responded one of the things that was discussed is this would no longer be the primary party room. The room over there with the rubber flooring would be the primary party

room. This would primarily be an extension of the fitness room. It is still a multi-purpose room. I would anticipate it still being used for these meetings because of the phone jack. It still can be a secondary party room, if need be. We did talk to the athletic trainers about if we would be better off going with a rubberized flooring over here and the answer was no because with the cardio classes and the aerobics, the rubber floor will tend to catch the shoes and potentially cause injury.

Mr. Hayes stated obviously, we had great success in moving out the equipment. There are spots that look brand new and then there are spots that look old. What kind of suggestions do we have with that?

Mr. Yuro responded the floors have been mopped but I think we can expect better success with a good scrubbing of those floors. I think some of that can scrub up. My first recommendation would be to go back to our cleaning company and say we need you guys to scrub these floors. I got down there and scratched some of it and saw it can come up. It should be a minimal cost, if any. If it is not usable after that then we can certainly look at changing out the floors. I don't think we need to go down that road just yet.

Mr. Hayes stated I would just assume replacing it. I went in there after it was cleaned and you can clearly see the T's from the equipment that was sitting on it. There are places that look brand new and there are other spots that are black.

Ms. Mixson stated I would just say we don't want to go with carpet again.

Mr. Yuro stated we can certainly get some pricing. My opinion is that the rubberized floor is probably the best for that. I would expect a rubberized floor in there to be between \$6,000 and \$10,000. I think it is more expensive than laminate.

Mr. Veazey stated but you can get lesser grades

Mr. Yuro stated we certainly need some numbers, so I will bring them back at the next meeting.

Mr. Sevestre asked so you are going to have it cleaned a little bit better?

Mr. Yuro responded yes.

Ms. Pam Watt stated I just wanted to thank the board very much for a beautiful fitness center. It is wonderful. There is so much space. The equipment is great. It increases the value of the neighborhood.

Ms. Heather Lister stated I know it was a thankless job but I also want to thank you all for all of the efforts that you put in for this. As a seven year resident and long time user of the fitness I truly appreciate it. Also as a realtor, I see the benefit this adds to our community. We are also so lucky to have Stacy, Billy, Wendy and all of the other classes that Erin helps coordinate. I truly value that as a resident. People that don't live in this community, value that as well.

Mr. Shawn Fentress asked will there be a change to our yearly fees with the expansion of the fitness center?

Mr. Oliver responded we are going to talk about the budget in a few minutes but there is not a projected increase for fiscal year 2013. After a year of operating it, we will have a better feel for that. Mike has fine-tuned some numbers in the maintenance budget and has made it work.

Mr. Shawn Fentress stated I did on your plan that you block off that wall. Being an electrical guy, you have to have exit signs, in order to get out of this facility per code. Your light switches are on the other side of the wall, which is out of code. I don't know if there is any electrical in Dav-Lin's bid or not.

Mr. Yuro stated I think there is.

Mr. Shawn Fentress stated I know Dav-Lin. They are great guys.

Mr. Yuro stated each contractor came out and walked through the whole process with us.

## **NINTH ORDER OF BUSINESS**

### **Public Hearing Adopting the Budget for Fiscal Year 2013**

#### **A. Consideration of Resolution 2012-07, Relating to Annual Appropriations and Adopting Budget for Fiscal Year 2013**

Mr. Oliver stated we actually started the budget process in May. The board approved the proposed budget. We are bringing back the budget 60 days later for adoption. We will discuss the budget. I will give you an overview of it and the board can discuss it. Then we will have a motion to open up the public hearing for public comment. We will then close the public hearing and then consider two resolutions to adopt the budget and also to levy the assessments and certify the assessment roll. The good news is there is no increase in assessments. This will be the fifth straight year that the Board has kept assessments level. If you look at the top of page one, you will see the total assessments adopted for fiscal year 2012 at \$916,438. If you go across

to the far right column, you will see assessments are at the same amount. Administrative expenditures is the cost of running a CDD. You will see that stays pretty stable at \$119,000 last year to \$118,000 this year. The next item is field management services. You will see total field decreased from \$759,000 to \$745,000. This was a pretty intense maintenance year, so I think Mike has caught a lot of the maintenance up and he was able to work these numbers, so we don't see an increase for fiscal year 2013. We may realize there are some additional maintenance requirements that will cause us to relook at this budget for fiscal year 2014 but we are confident we will be able to meet our goals with this budget. If you look in the next section under other sources, there is interfund transfers. You will see \$94,000 and that is the suggested contribution in the capital reserve study that was done a couple of years ago. Later in this meeting, I will present to the board a proposal to update the capital reserve study, so we can have the revised numbers based on the fact that we spent a lot of our funds on the expansion but also the cost of maintaining that expansion over the next 30 years. Once we make our semiannual interest payments, as well as our principal payment on May 1<sup>st</sup>, if there are excess funds still in the revenue account, those can legally flow over to the general fund, so that is what we are doing here. The assessments have stayed stable since 2009. The next page shows our beginning balance in the operating reserves. We expect to realize about \$43,000 in excess funds. Once we get the fiscal year 2012 audit back, we will have a firm number and those funds can be used for any legal purpose. You may want to use it for some type of general fund or other project but most likely you will direct staff to move it to capital reserve fund. You can see that for operating expenses, once we certify the roll and give it to the tax collector, the tax bills goes out November 1<sup>st</sup> and we will start receiving collections at the end of November, so we use a certain amount of these funds as a loan to the District to continue to operate during the first quarter. Over the next several pages you will see line item descriptions. On page 10 you will see the capital projects fund. You will see outlays for fiscal year 2012 of \$446,000. We estimated all in this project was going to cost about \$500,000. We are going to fall short of that. We will have a full accounting of the project at our next meeting. One thing that was omitted accidentally is we do expect outlays of \$29,837 for fiscal year 2013. We will put that in this budget. That would bring the expected balance of fiscal year 2013 to \$505,878 and that could be increased by excess revenues that we realize at the end of 2012. The next page is the debt service fund. These are the same payments every year. You can see what you pay by product type for the debt service payments.

The next page is an amortization schedule for the bonds. You can see the bonds expire May 1, 2031. There may be an opportunity to refund the bonds eventually. We had an advance refunding on these bonds back in December of 2006, so it is still going to be a number of years before we reach that and that is also going to depend on economic factors.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2013 was opened.

On MOTION by Ms. Bock seconded by Mr. Sevestre with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2013 was closed.

Mr. Haber stated Resolution 2012-07 adopts the budget. 60 days ago you approved a proposed budget and that budget was provided to the County. You held your public hearing. The adoption of this resolution will formally adopt the budget you just reviewed as the budget for the upcoming fiscal year. There are blanks in section two of the resolution and those blanks will be filled in with the total amount referenced in the general fund. The debt service fund is the annual amount that you will be paying to the bondholders for this fiscal year under the amortization schedule.

On MOTION by Mr. Veazey seconded by Ms. Bock with all in favor Resolution 2012-07 Relating to Annual Appropriations and Adopting Budget for Fiscal Year 2013 was approved.

**B. Consideration of Resolution 2012-08, Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Haber stated Resolution 2012-08 is your assessment resolution that certifies for collection the previously levied debt assessments, which secure the bonds and it also officially levies the operation and maintenance assessment that will secure the budget you just adopted. It certifies the assessments for collection to the St. Johns County Tax Collector and those assessments will show up on the tax bill that every homeowner in the property receives.

On MOTION by Mr. Hayes seconded by Mr. Sevestre with all in favor Resolution 2012-08 Imposing Special Assessments and Certifying an Assessment Roll was approved.

## **TENTH ORDER OF BUSINESS**

### **Other Business**

Mr. Oliver stated this is a proposal from Community Advisors, LLC. The principal is Charlie Shepherd, who was a member of this board a number of years ago and he is very familiar with this project. He did the original capital reserve study a few years ago. I asked him for a proposal to update that study. The letter from Charlie that has a proposed price of \$1,940, which is very reasonable. Julington Creek Plantation just did one for about \$4,000.

On MOTION by Mr. Hayes seconded by Mr. Veazey with all in favor Proposal from Community Advisors, LLC to Prepare Capital Reserve Study Update Totaling \$1,940 was approved.

Mr. Veazey stated there were a few things, like the lane lines, that we need to make sure we add into the study.

## **ELEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

There being none, the next item followed.

#### **B. Engineer/Property Manager**

Mr. Yuro stated my report is included in the agenda package. Charles Aquatics updated our grass carp permit, so they started to stock grass carp in the lakes that needed it. This year complaints have been minimal. Last year we changed to Charles Aquatics and I think they have done a really good job for us. The painting of the exterior has started. They are working on the slide tower. The installation of the new sound system started today. At the last meeting we talked about sidewalks and how the trees are uprooting the sidewalks. I did meet with an arborist from Davey Tree and their suggestion was you have to cut the sidewalk in front of the tree and then they can come in with a machine and air blow the dirt off of the roots. They cut the roots and then they put in a root barrier. He said that is what we would need to do. The quote he gave me was a verbal quote. I can get something in writing if we need it. It was for \$580 per tree in

order to do this. He recommends it to be done in the cooler months. He said we don't need to do all of the trees at one time. It was a 10 tree minimum for that price, so maybe you pick 10 or 20 trees. I started getting a list of unit prices from vendors on sidewalk removal or pipe repair or erosion repair. I don't have all of them yet and I don't know if it would be worth your while to look through them because they vary but for emergency repairs I would intend on going through the list of vendors and using the lowest unit prices available to address these things as we need. The bigger issues, like the sidewalks and the roots, I would want some direction on by the board. There is one area on St. Johns Golf Drive that is really bad and needs to be addressed. We fixed that sidewalk last year and now it has changed three or four inches.

Mr. Hayes asked can we get one other quote?

Mr. Yuro responded absolutely. He is probably the best but just to make sure he is inline.

A resident asked do they guarantee the trees?

Mr. Yuro responded no. The one area where the sidewalk is bad, there is a sidewalk that crosses the street, so you would really be looking at two sides of the tree as opposed to just one. The other thing we talked about with him was anything we can do to pull that sidewalk back. My thought was we have a five foot sidewalk and I am pretty sure we can go down to a four foot sidewalk around that tree, so the back edge of the sidewalk would stay straight but as you come up to the tree it would come around just another foot. The idea is giving those roots another foot is huge for survivability of the tree. I will reach out to another arborist. We accepted the stormwater permits about a year and a half ago almost. There is a condition in the permits that requires stormwater facilities be inspected every two years. I was going to request authorization from the board to perform that. It doesn't have to be done this month but in the next six months.

Mr. Oliver stated I would just do that through your normal duties as District Engineer.

Mr. Yuro stated okay.

### **C. Manager**

#### **1. 1,763 Registered Voters Within the District**

Mr. Oliver stated included in your agenda package is a letter from the St. Johns County Supervisor of Elections informing us there are 1,763 registered voters.

#### **2. Proposed FY13 Meeting Schedule**

Mr. Oliver stated included in your agenda package is a proposed meeting schedule for fiscal year 2013. We will fix the November meeting date.

On MOTION by Mr. Sevestre seconded by Mr. Veazey with all in favor the Annual Meeting Schedule for Fiscal Year 2013 was approved as amended.

**D. Art of Living Director**

Ms. Mixson stated we are going to schedule a grand opening for the gym. The tentative date is August 18<sup>th</sup>. We would love for the board members to be present. It will probably be a daytime event, where the trainers will be on hand. We will demonstrate the equipment. It will probably be 10:00 a.m. to 2:00 p.m.

Mr. Oliver stated staff will present a resolution to present to David French for all the work he has done.

Mr. Hayes stated Steve did a lot of work with him too. I would almost not want to leave him out. I felt they kind of went around together.

Mr. Oliver stated we can do two. Good job on the summer camp.

**TWELFTH ORDER OF BUSINESS                      Supervisors' Requests**

Mr. Hayes stated I have been using the gym regularly. I noticed you put water in there that is great. I did come in Monday at 5:00 a.m. and it was dry. Can we get a bigger unit? Stacy said we are going through water like crazy?

Ms. Mixson responded the five gallon is pretty much the biggest bottle I can get. I have upped the number of bottles we are getting. Mike and I talked about leaving one bottle out.

Mr. Hayes stated obviously a lot of people ride their bikes to come and workout. There is that little area, where the handicap ramp is, so maybe we should put a bike rack there.

Mr. Yuro stated we can find a spot for one.

**THIRTEENTH ORDER OF BUSINESS                      Audience Comments**

A resident stated some people in the neighborhood got together and joined a First Coast Tennis League for mixed doubles. It was going to go from mid September to January and there

would be five or six home matches on a Friday evening between 6:00 p.m. and 9:00 p.m. We will need all four courts and we wanted to make sure that was okay with everyone.

Mr. Hayes asked how do the ladies do it? They have a league that has been going on pretty actively.

A resident responded I don't know.

Mr. Hayes stated I think it is good that this is coming forth.

Mr. Oliver asked are the courts available on those nights?

Ms. Mixson responded as far as I know but I would have to double check.

**FOURTEENTH ORDER OF BUSINESS      Financial Reports:**

**A.    Balance Sheet and Statement of Revenues & Expenditures for the Period Ending June 30, 2012**

Mr. Oliver stated included in your agenda package is the balance sheet and income statement as of June 30, 2012.

**B.    Check Run Summary**

**1.    General Fund**

Mr. Oliver stated included in your agenda package is the general fund check run summary.

On MOTION by Ms. Bock seconded by Mr. Sevestre with all in favor the General Fund Check Run Summary was approved.

**2.    Capital Reserve Fund**

Mr. Oliver stated included in your agenda package is the capital reserve fund check run summary.

On MOTION by Mr. Veazey seconded by Mr. Hayes with all in favor the Capital Reserve Fund Check Run Summary was approved.

**C. Special Assessment Receipts**

Mr. Oliver stated included in your agenda package is the special assessment receipt schedule. The District is 100% collected for 2012.

**FIFTEENTH ORDER OF BUSINESS**

**Next Meeting Scheduled – September 26, 2012 at 6:00 p.m.**

Mr. Oliver stated the next scheduled meeting is September 26, 2012 at 6:00 p.m.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor the Meeting was adjourned.
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Secretary/Assistant Secretary

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Chairman/Vice Chairman