

MINUTES OF MEETING
SAMPSON CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Sampson Creek Community Development District was convened on Wednesday, September 26, 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
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

Approval of the Minutes of the July 25, 2012 Meeting

Mr. Oliver stated included in your agenda package is a copy of the minutes of the July 25, 2012 meeting. Are there any additions, corrections or deletions?

Mr. Veazey responded on page seven in the motion box I don't think I seconded that.

Mr. Oliver stated I think that was Mr. Hayes.

Ms. Bock stated I will email you my revisions because they are just minor.

On MOTION by Ms. Bock seconded by Mr. Randolph with all in favor the Minutes of the July 25, 2012 Meeting were approved as amended.

THIRD ORDER OF BUSINESS

Consideration of Resolutions of Appreciation

Mr. Oliver stated David French and Steve Carter were instrumental in the planning and execution of the construction of the new fitness center expansion. David is actually out of the country right now on a hunting trip. I would like you to consider the resolutions tonight and we will have them executed and framed for presentation at the next meeting.

On MOTION by Mr. Veazey seconded by Mr. Hayes with all in favor Resolution 2012-09 & Resolution 2012-10 Appreciation Resolutions for David French and Steve Carter were approved.

FOURTH ORDER OF BUSINESS

Discussion of Process for Designation as Golf Cart Community

Mr. Oliver stated this is a process that we started at the last meeting. There was quite a bit of discussion and the board laid out a plan to gather information and initiate a survey of property owners. The survey results were provided to you yesterday.

Mr. Veazey stated I was wondering if we could get an update from Mike on the County ordinance.

Mr. Yuro stated I haven't heard back from the County Engineer if they have updated their ordinance. They indicated it was going to be sometime in the fall.

Ms. Bock asked does anyone know how many golf carts are in here? Many people made comments about setting up some type of registration for the golf carts and collecting a fee. Didn't we discuss that last time?

Mr. Haber responded yes. I really think it falls outside of the scope of what a CDD is authorized to do. A CDD by definition is a limited unit of government and its powers are set forth in Chapter 190. A CDD is only allowed to do what is specifically set forth in Chapter 190 of the Florida Statutes. In this case, this District has recreation power that is why we were able to build these facilities and adopt rules and rates as it relates to how this place operates. Is it possible that rules and rates and potentially some method of keeping track of the golf carts can be created by the CDD? Perhaps, but I think it would need to be directly related to as the golf carts use this facility. In other words, a parking space and you would need a tag to park at the recreation facility and you could monitor that. As far as monitoring the golf carts on the streets out there, I think that probably falls outside of the scope of what the CDD has the power to do. In large part, the reason why the CDD is involved in the process is we physically own the roads,

so we need to be the one to make the determination that they should be allowed on the roads or not. Once that determination is made, the laws as it relates to the operation of the golf carts on the roads is to be enforced by the police or the sheriff's office. That is not something the CDD would have the ability to do. I think this CDD needs to be careful that we are not over reaching and looking like a police organization as opposed to an organization that owns the roads and maintains the roads and runs the recreation and stormwater facilities. It is not clear cut, so there is probably some gray area, where we may be able to get some control but I would have to hear what the suggestions are then give a more specific answer.

Ms. Bock stated I think from looking at all of these responses that there were some major objections on the no side. People were disappointed and some of them irate at the number of underage drivers on these golf carts and no way to control that. They had no confidence in the police that they could call the police and get someone to come here and arrest that 10 year old with the golf cart and all of the kids on it. I don't know what we would do about something like that. I think registering the carts is a great idea but we don't really have the capacity to do it and if you see one without the registration tag on it what are you going to do.

Mr. Haber stated if you had a registration system, if someone was otherwise following the laws as it relates to operating the golf carts on the roads but doesn't have a sticker, they are not violating any laws. Essentially, once the roads are designated legal for golf cart use, anyone in the world that has a golf cart that wants to ride on the roads would be allowed to do that. I think that would be another factor that would be difficult to administer.

Mr. Yuro stated I believe we would need to follow the County ordinance, which does have specific requirements as far as age, etc. The underage drivers would be clearly in violation because you would need to have a license.

Ms. Bock asked but if nothing ever happens to them as a result of that, what are you going to do?

Mr. Hayes asked with the County ordinance not being complete, are we comfortable even making a decision tonight? I don't want to delay it but do we need the ordinance?

Mr. Haber responded the way I look at the ordinance I think there is probably the ability for the County to designate the roads as golf cart legal. I think the ordinance could provide some clarification, although, even if the ordinance isn't changed I think it could be interpreted to allow for that process.

Mr. Randolph stated my personal opinion is whether you designate the roads and you upgrade the signage I don't think it is going to change the usage of golf carts either way.

Mr. Veazey asked one of my thoughts is if we have off duty sheriff's out here and we made it legal, can we not have them enforce the traffic laws?

Mr. Haber responded I believe they could.

Mr. Yuro stated I have had conversations with the off duty officers. I can tell you that they are hesitant to issue tickets to adults, who are driving responsibility because we asked them to be out here enforcing the rules. If these are designated for golf cart usage and then the adult abiding by the law is no longer in violation then it takes that discretion away from the officers. I think it makes it easier for them to crack down on the underage drivers because then it is very clear. The impression I get is because they have been used for so long by so many adults that there is a hesitancy to really start issuing a lot of tickets because it is going to cause an uproar. This whole issue just really got brought to the surface recently, as we know when the sheriff came out and put the sign up, so they are going to have to start dealing with it one way or the other.

Mr. Oliver stated someone should summarize the results of the survey.

Ms. Mixson stated there was 152 for and 74 against but I don't have a summary of the comments.

Ms. Bock stated we did have a number of people that were not happy with the amount of money.

Mr. Veazey stated yes. That seems to be the number one complaint.

Mr. Sevestre stated one of the people in the survey also mentioned that he did get a copy of the survey and he felt that there were a lot of people that did not get it. I don't know how that happened.

Mr. Oliver stated we mailed out 799 surveys. We had about a dozen returned. I gave those to Erin. We got the last one returned today. We also had the survey online.

Mr. Veazey stated I think most of the people that objected said the kids are out of control and why should everyone have to pay for the cost. When you divide the \$30,000 by 799, it is \$40 a house. Some people say it adds value to your house to be a golf cart community. It would be nice if you could try to recover some of the money from the people that have the golf carts but I don't know if there is anyway to do it. Mike and I talked about going back to the club and

asking if they will pay for some of the signs. That is something we should try to do or at least ask.

Ms. Bock stated I agree with that.

Mr. Haber stated I have not read all of the comments. If the golf cart owners voluntarily wanted to take contributions from residents willing to donate and give them to the District to offset those expenses, the District would be allowed to accept those monies and apply them solely for the costs of the golf cart program.

Mr. Veazey asked could we set a dollar figure that if they contributed \$8,000 that we would approve it? At the last meeting people said they would contribute.

A resident asked will those surveys be public record?

Mr. Oliver responded yes.

Mr. Veazey stated my thing is just trying to figure out a way to recoup some of the money from the people that are actually going to do this.

Mr. Sevestre stated we could formally do the sticker system, where you are not allowed to park in the parking lot unless you have a sticker.

Ms. Bock stated but just like these people that know it is illegal and they are still riding on the roads in their golf cart.

Mr. Haber stated enforcement is always the tricky question. To answer your question Mike, I can't think of any reason that would prevent you from doing that. For example, if the estimate is \$30,000, the board is comfortable moving forward but only with the expectation of spending \$20,000, so we need to somehow raise \$10,000.

Mr. David Yencorelli stated I just don't think it is fair or just to punish because essentially, what the police have done is threaten to punish the of age drivers, who obey the laws and have golf carts that are in operable condition. The police have now stated that it is illegal to do this and if the board does not designate the community as a golf cart community, the of age drivers, who are not breaking any laws essentially will be punished. You are right that there are too many underage drivers. Designating the community as a golf cart community will actually give us a better handle on the underage drivers without punishing the people that are following the laws. If you don't designate it as a golf cart community, you are essentially punishing all of the golf cart owners in the community, who own a golf cart and who follow the rules because they can no longer use this investment that is in their garage. If you don't do anything then you

are essentially punishing people, who are following the rules. If you do pass it, you give the police and the off duty sheriff officers a way to better enforce it. It is never going to be perfect but no law is. It is \$40 a household and it is a one time deal. Are you guys going to make a decision tonight?

Ms. Bock responded we don't know yet.

Mr. Brent Brown stated I do have a golf cart. I do agree that kids have been a problem driving golf carts. I also agree that people driving golf carts don't know how to drive. It is the same thing on the interstate. People break rules everyday. It is not just in here. I don't have a problem paying something to offset this but I will also tell you that I have never stepped one foot in this pool. I have never used the tennis facility. I don't have a problem paying for that because as an overall community, it adds value to the community.

Mr. Dan Leveton stated I don't have a golf cart. I did vote no. My only concern was I didn't know if we could be held liable if a kid is run over by a golf cart or a golf cart causes an accident.

Mr. Haber stated the District owns the roads. If there is an accident on District owned roads, whether it is a car, a golf cart or a bicycle, depending upon the plaintiff's attorney, they are likely to name the CDD as a defendant in that lawsuit. What it ultimately boils down to is the defense and the liability. I think what they ultimately look at is was the accident caused by a condition of the road that the District maintains. If the road is well maintained, there were no line of sight issues and there was no way the District caused the accident, then in all likelihood, you are okay. The District does have liability insurance. The District also has what is called sovereign immunity. That type of cause of action would be a tort claim against the District. As a unit of government, we have sovereign immunity against those claims, so those claims are also limited by law.

Ms. Karen Millard stated at the last meeting I walked in late because of a childcare issue. What happened with the County ordinance?

Mr. Haber responded we don't know yet. I don't think it has been updated yet and we are monitoring it. My recollection is as the ordinance reads today would allow a designation. I think the amendment will facilitate the designation.

Ms. Karen Millard asked if we don't have the funding to pay for this then why are we asking the homeowners to chip in regardless?

Ms. Bock responded we do have the funding. I did talk with our management company about that. We do have the funding if we take it from capital improvements. The issue is that when we got the questionnaires back, we found that some people didn't want us spending what they consider their money on something that doesn't benefit them because they don't have a golf cart.

Ms. Karen Millard stated I am interested to know what the response rate was to the survey about the gym, the playground and the volleyball court and whether it was comparable to the response that we received for the golf carts. If 2/3 of the community are now in favor of golf carts, how many were in favor the gym and the volleyball court and if it is comparable then why aren't we moving forward with spending the money instead of asking us to pay for it individually.

Ms. Leslie Miller stated you are concerned with the underage children driving golf carts but there are several underage kids swimming up here without supervision. What is the enforcement at the pool or at the gym?

Ms. Bock responded when a child is swimming in the pool and he should not be in that pool, he is not going to damage someone or someone's property but when he is on a golf cart and he is driving recklessly because he is 10 that is something we should consider to make sure he doesn't kill you.

Mr. Sevestre stated the reason the police came out and put a sign up was because people were complaining about kids driving golf carts. It wasn't for any other reason than the neighborhood people were calling the police.

Mr. Yencaoelli stated I don't want us to be exposed to citations because they get called out for a kid and it is not a designated community.

Mr. John Thompson asked in my understanding from reading the materials that were sent out was that whether we are designated or not, that there are rules to be followed on who is allowed to drive the golf carts, right?

Ms. Bock responded yes.

Mr. John Thompson stated it is not just our community. The police are also on other communities to. I don't own a golf cart. Mike's comments changed my thinking. They were very good comments you made. I do think we chose to live in a community that has a golf course. We have supported the expansion of the fitness center. We have supported

improvements to the playground. The community broadly accepted that. It is not unreasonable that people moved into our community thinking they could use a golf cart with the golf course. I would probably support it for that reason.

Ms. Cindy Fentress stated I have a golf cart and I also have an SUV. I have to tell you that it is a whole lot cheaper to get in my golf cart to come to this pool for swim team everyday. I am an engineer myself. If a survey is not completed by the County yet then where did all of these numbers and designations come from? If the County hasn't written their ordinance, how do you know what the estimate is?

Mr. Yuro responded the County has an ordinance. There is a current County ordinance.

Ms. Cindy Fentress asked but it hasn't been updated and completed yet?

Mr. Yuro responded there is a complete and current County ordinance as it relates to golf carts. My understanding after meeting with the County Engineer is that they are looking to update their ordinance to specifically address the CDD issue. Their ordinance was written and it didn't really account for CDDs. It was written as if all roads were either private roads or County owned roads. Our neighborhood has neither. They are neither private nor County owned. They are CDD owned public roads. What has happened in that situation in the past is a CDD such as us, would go through the process and do an engineering study. Look at abiding by all of the current rules of the current code and then get an agreement by the County Engineer that they would agree that it meets the County standard. The estimates you are looking at are for additional signage that would be required for the current ordinance. Some of the estimate is for additional cart path on a County owned road. Leo Maguire is a County owned road, not a CDD owned road, so the County has authority with respect to what would be required and that is the cart path that they included. The sign requirements would be three signs that designate the neighborhood for golf cart use. You only need one at each entrance that designates it for golf cart use. We would need to add two signs, one in each direction, on Leo Maguire for crossing of Leo Maguire. One other recommendation would be all the golf cart crossings because the current golf cart crossings don't meet the regulatory requirement for a warning sign.

Ms. Cindy Fentress stated that is one of my concerns. First, I think this estimate should have been broken down by labor and materials. If you do go forward with it I suggest you get three estimates from three independent people. I would have to say that the price from \$31,000

to \$43,000 is a vague number. Most of the people who put their surveys on there considering these numbers is not fair. They weren't given the correct information to vote upon.

Mr. Yuro stated I would disagree. We have a hard number for the signs from the company that has won the award several times when we have bid out. It is certainly not appropriate to get bids yet if we don't even know if we are going to move forward. They did provide a courtesy quote. I got a hard quote from the sign vendor, who has done work in the neighborhood, so the sign number I am very comfortable is a fair estimate. The other numbers are based on unit pricing working with other contractors, who have done work in our community. It is not vague.

Mr. Oliver stated I think the broadness of cost estimates is because along Leo Maguire you had a high estimate if it were concrete or a low estimate if he used an alternate material.

Ms. Cindy Fentress asked but you did say the seven additional signs used for the golf cart crossings associated with the golf course is that required that the signs be there and why are we putting signs at the golf cart crossings for the golf course telling them that there is possibly golf carts being driven on the road.

Mr. Yuro stated you are totally not understanding. There are seven golf cart crossings. There are seven locations where the golf cart crosses a CDD road. Currently, in each one of those locations there are two warning signs for vehicles. Warning cars that this is a golf cart crossing. Those warning signs don't meet the MUTCD (Manual on Uniform Traffic Control Devices) requirements for a warning sign, so my recommendation as the CDD Engineer would be to replace those signs to a MUTCD appropriate warning sign. They are currently an 8 ½x11 sign that says golf cart crossing mounted three feet off the ground. The engineering requirements for a warning sign is a 24x24 yellow diamond sign mounted 5 ½ feet off the ground, so that would be my recommendation to the board.

Ms. Cindy Fentress stated so that is a recommendation but is not something that has to be done but then again, we are not responsible for golf cart paths. Wouldn't that be the golf course?

Mr. Yuro responded yes.

Ms. Cindy Fentress asked why do we have to pay for them?

Mr. Yuro responded my recommendation would be to go to the golf course and say your signs aren't up to date.

Ms. Cindy Fentress stated but once again, that number was put in this number with the golf cart people voting thinking that is a number and I don't want that. All of the information wasn't provided here.

Mr. Oliver stated I was contacted by some residents, who had additional questions about the survey and I had conversations with them if they wanted more details.

Ms. Cindy Fentress stated I am for the golf carts.

Ms. Bock stated we needed to get that survey out. There was a time issue there. Mike did the best he could under the circumstances. Once we know what we are doing then we would go to the golf course and ask if they would be interested in paying for this expense.

Ms. Cindy Fentress stated everybody is saying what they use and what they don't use. If I am correct we spent \$500,000 for the gym and I have yet to step foot in the gym and I highly doubt I am ever going to see the gym. I had to pay for something I am not using. I never got to vote and put my opinion in and say I think we should do other things than the gym.

Ms. Bock stated we did have a survey on that.

Ms. Cindy Fentress stated there was a survey but there was not a vote.

Ms. Bock stated this wasn't a vote either. I made it very clear at the last meeting that this was not a vote, where whatever the result was we were going to go with that. We simply wanted opinions of homeowners because we feel like that is important.

Ms. Cindy Fentress stated I just don't think that just golf cart users should put the money up. I would say then that people who work out in the fitness center should donate money to the fitness center.

Mr. Matt Youngblood stated this is about the legal operation of golf carts. If you have a problem with law enforcement, this group of people right here are not the people that can solve it. You can call 911 or St. Johns County Sheriff's Department. They are the only ones that can do it. This group cannot enforce anything. The cost to put this in, I agree with what Mr. Veazey said. The pools were here, the fitness center was here, the playground was here and we bought into that; however, we as a community decided to enhance those facilities and we used CDD funds for it. There were a lot of people against it. This is part of making a very nice community. Having golf carts here is another piece of the puzzle. We also talk about issues where people are complaining about golf carts being slow. These golf carts run about 20 mph. If you need to go faster than 20 mph on our roads, you have a serious problem. It is environmentally friendly to

drive the golf carts up here compared to our vehicles. It does save us gas. I think everyone is well aware that we don't have enough room for parking for events up here. Being able to drive golf carts up here and being able to park something that is only several hundred pounds instead of several thousand pounds and taking up much less space is something we should see as a major advantage. When we have fall and spring events, they are parking all the way down our grass. They are lining up and down St. Johns Golf, which makes it even more of a safety hazard. Having these golf carts being able to come up and park out of the way is a lot better for both the safety and the convenience of our homeowners.

Mr. Joe Palmer stated I am probably the only one here, who is not in favor of it. The problem I have is not so much with the children but that is an issue. It is children that are on golf carts that are not wearing seat belts and too many people on the golf cart. By Florida state law a maximum of four occupants are allowed on a golf cart. I regularly see more than that. There is obviously going to have to be a set of rules that will have to be abided by. The community does a terrible job right now at enforcing rules in the community that are on the covenants, like putting your basketball courts away at night. No one in this community does it. I am not saying I care one way or another but no one does it. No one stops at stop signs in this community. I don't see the police being able to enforce the rules. I have seen people driving golf carts while drinking. I know people that take their golf carts to go golf, so they can go drink and they won't get busted for drinking and driving.

A resident stated yes. They will.

Mr. Joe Palmer stated I know they should but that is the mentality. We cannot enforce the rules we already have within the community. I understand the gentlemen that said we are not here to be the enforcer but who is? If I hit you with my 5,000 pound Toyota Tundra in a golf cart, you are dead. I just don't want to be responsible for that. I don't believe the community was originally designed for the additional stresses that the golf carts will create. Every community that has approved this in Florida and elsewhere has had these same issues after they approved it. As far as having registered golf carts in their communities, a lot have done that. They require the operator to have a valid drivers license, registration, the vehicle has to be insured. There has to be training for golf cart operations. Someone has to enforce this. If we are going to have golf carts, let's do it responsibly. I don't care if everyone has to pay or not. Let's have it registered. Let's make sure that the golf carts are inspected and they are safe. Make sure

they have insurance. This gentleman over here is in favor of having golf carts parked wherever they want and I don't think that is right. Golf carts shouldn't be able to park just anywhere.

Mr. Frank Acevedo stated I have owned property here since 2004. When I came here there were six people who were still authorized to use a golf cart. How many are there now?

Mr. Yuro responded two.

Mr. Frank Acevedo stated everyone moved to the Jacksonville County Club and everyone had access to golf carts. They were using them all over and they ruined the golf course and they had problems, so they had to restrict them. We don't want to go through that here too. Florida Statutes 316.212 stipulates there are no golf carts allowed on any street in the State of Florida. I was president of the board in Timber Pines, which is in the Ft. Lauderdale area. There were 1,250 homes. This was a gated community. The streets were ours. We went to get insurance and the insurance company told us to make sure you tell all of your people with golf carts they are not allowed here and we will not cover you. We are the only ones, who pay taxes for the streets here, right?

Mr. Haber responded you pay CDD assessments.

Mr. Frank Acevedo stated if this is going to be approved, carts must be registered. They must be insured. They must be checked. The rules must specify the use of golf carts and you must send out the rules at least quarterly. Who is going to enforce them? The other thing is parking of these vehicles. I pay over \$60 a year for my license plate for my car and people come in and park in the spaces and they block the parking lot. I live in The King & Bear. I own property here but it is rented. Just six months ago a gentleman was walking his dog and a guy came with a golf cart on the sidewalk and pushed the guy into the road. He rushed home and grabbed a gun and chased the guy on the golf cart. Thank goodness they stopped him.

Ms. Heather Lister stated I moved here for the Florida resort lifestyle in this community. Now I am a realtor selling homes in here and that is what people like about this community. I own a golf cart. It is sitting in my garage and is broke. I am not going to invest the money into getting it fixed until I can drive it legally on the streets. I strongly support having some way to register it. I strongly support requiring insurance. I would donate towards some type of association. I don't necessarily agree with that because people benefit from all of the amenities here. I would love for them to come and stop the 16 year old that doesn't stop at the stop sign on my street but I can't say that I don't agree with 16 year olds driving, so I am going to oppose it.

I think having a law and welcoming the police into enforce it, could hopefully improve the monitoring of it. I can 100% support it and I will donate money.

Mr. Ken Irvin stated I moved here about a year ago because it is a golf course community. I lived in a golf course community up north. This community attracted me because of the golf course and the homes and values. The issue here really is everyone is going to drive these things, whether they are illegal or they are made legal. In my case, I made my cart street legal. You can do that. It will cost about \$1,000. My son also lives in this community and he made his street legal. I can drive this cart as a low speed vehicle anywhere. Regardless of whether this community approves it or not, carts are going to exist. If in fact you know that golf carts existed in the community and you failed to approve this, what liability do we have for ignoring it?

Mr. Haber responded we haven't ignored it. The issue has been addressed at the meetings. This board has intentionally posted on its website that roads are illegal for golf carts. The CDD does not approve of golf carts on the roads. The board has gone out of its way to make sure that residents know that golf carts are illegal.

Mr. Ken Irvin stated but your engineer has posed safety problems with it right now. As a matter of record, you do have safety issues with these golf carts. You were aware of the liability. You didn't do anything about it and if I were the plaintiff's attorney I would certainly bring that into play.

Mr. Haber stated I think it is a claim that could be made. The reality is that there is some protection there if the CDD is saying the person who was injured was breaking the law at the time they committed the accident. It is not fool proof. The fact that you have acknowledged the fact that it is illegal and have done what you can to put folks on notice that it is illegal, your defense to that is they may have been injured but they were breaking the law. We acknowledge it is not safe and it is not legal. We don't necessarily have an obligation to make a road safe for an illegal activity.

Mr. Sevestre stated the sign was put up when it was in compliance. It is out of compliance now; therefore, bringing the sign into compliance would only bring you into compliance. It wouldn't have anything to do with your liability issue.

Mr. Ken Irvin stated I would debate that. I ran an insurance company's claim division for 29 years . Liability here is questionable. If I were on the other side defending this, I would have

a tough time. Safety is the issue here. You should do something about the signage. Someone is going to get hurt if safety is not addressed.

Mr. Tom Ballas stated I have lived here since 2004. The name of this community is St. Johns Golf & Country Club. That is why I moved here. I wanted to live on a golf course. I would submit to this board that this place was designed for golf carts because it has golf cart crossings. I want the board to remember that at the last meeting you commissioned this survey. On my comment I put down that I don't think the survey results should be the only criteria but they should be noted. On a 2:1 basis, the survey came back in favor of. It is not our fault that not everyone responded. I have read the minutes in the past. I know the fitness center was in excess of \$300,000 and for this board to consider \$30,000 to \$40,000 to \$50,000 outrageous, to me, is outrageous. I never go into the fitness center. I never go into the pool. I think it is wrong to bring up only the negative comments that were made during the survey and none of the positive comments. I just think you have the responsibility to put your personal bias aside and do the best thing for the community. I strongly submit to this board that you pass a resolution allowing golf carts.

Ms. Kim Loferski stated I have been a resident since 2003. I think after I had lived here for six months I bought a golf cart. My husband is a golfer. We would have loved to use it on the golf course but that didn't work out. I bought it because I have four kids. I have two in diapers and two under the age of nine. I used to drive it up here for the day and use it as an RV. Now I have to haul all of the stuff for the tennis program down to the tennis courts. It is really nice to use to drive everything back and forth because we don't really have tennis storage, which I would love to have. It sounds to me that there is a ton of interest in the use of golf carts. I think that there have been 12 years of precedent setting that we have been able to operate golf carts. It has been illegal since the day I moved in here. It sounds to me that the County is now saying we were always breaking the law but we were breaking the law more now because we let our kids drive them. It is interesting to me that we can do something for 10 to 12 years and now turn around and say we are not going to support the operation of them. There are bikers on the road. We don't inspect their bikes. We don't ask them if they can operate the bikes. A friend of mine is a biker. I support bikers but we don't make sure that they know everything that they are doing. I know of a 14 year old, who used to drive his little brother to the bus stop driving a car. I didn't call him out on that but maybe I should have. A friend of mine in the next neighborhood

down, her son was run over getting on the bus by a bicycle. You can't regulate common sense and it sounds to me, like that is what we would have been trying to do if we are going to have to register them and inspect them and educate people. You include everyone in the fee.

Mr. Dan Hamilton stated I moved down here from up north in August of last year. It was funny going around with the realtors looking at all of these neighborhoods. The thing that attracted me to this neighborhood was that I came here on a Friday night when there was tiny tots going on and seeing everyone with their golf carts outside socializing. It looked like a real energetic social community that was an accepted practice to drive your golf carts around. I moved in and bought a golf cart. I have three kids. I have seat belts on the cart. I am fully in favor of making it completely street legal, which would include a horn and turn signals. I don't know if there is a requirement for window washers. There are other communities in St. Johns County that are golf cart communities and Sawgrass Country Club is one of them. There is a registration process that can work for the community. I am fully in favor of it. It is the only way to control, who owns it. You put big numbers on it and if you see someone that is clearly under the age of 16, you can report that. You can call the cops. You can report it to the CDD. You can take it up with the homeowners individually. I am very cautious when coming across a car because they feel they have more right to the road than a golf cart does, so I will pull over and wait behind a parked car before I know it is clear. Safety is always going to be an issue no matter what happens. Getting three kids out of car seats to drive .2 miles for soccer on a Friday night is a little ridiculous but if I can put them on a golf cart with seat belts it would be easier. We even have a car seat for my infant on my golf cart because we respect the safety nature of taking care of kids.

Mr. Jim Archer asked if I am playing golf out here right now and I cross the street in a community golf cart I am breaking the law, correct?

Mr. Haber responded I don't know if there is an exception in the law for that.

Mr. Jim Archer stated I think that is something we need to look into because otherwise that really opens the door. If I can't drive my golf cart on the street then how can I drive the golf course's cart on the street?

Ms. Bock responded we will find out.

Mr. Jim Archer asked of the cost to add signs for the golf carts, it would be my understanding that the CDD is going to cover the signs that are already out of compliance, correct?

Ms. Bock responded that is what we had to put into the proposal just to get the numbers.

Mr. Jim Archer asked what are they out of compliance for if there are no rules?

Mr. Randolph responded they are out of compliance with the ordinance with the County.

Mr. Jim Archer asked so that is a legal issue that needs to be covered as soon as possible then if we are out of compliance because otherwise, the CDD is actually acknowledging that it is okay?

Mr. Randolph responded no. I think if we want to become a golf cart community, we have to upgrade the signs to a certain spec.

Mr. Yuro stated my recommendation would be that they need to be upgraded either way.

Mr. Jim Archer stated my main question was the legal issue of driving the golf cart when I pay money to play golf to cross the street. If it is illegal for me to drive my golf cart personally on the street then it is illegal for them to drive them crossing the street.

Mr. Haber stated I can look it up. It wouldn't surprise me if there was an exception. I know I have seen in a number of cities around the State, where if you have a golf course and it is necessary for the purpose of crossing a road that is not otherwise designated for golf carts, it is very possible there is an exception in the law.

Mr. Jim Archer asked how much longer for the updated County ordinance and what is the likelihood of them doing that in the next six months to a year?

Mr. Haber responded I don't think there is a standard period of time.

Ms. Bock asked that they would get it finished?

Mr. Jim Archer responded yes.

Ms. Bock stated they have told Mike already that it is 60 days and we are already 30 days into it.

Mr. Haber stated it is a process that the County follows. There is no obligation for them to change their ordinance. They can change their ordinance if they want to. They don't have to.

Mr. Jim Archer asked after tonight's meeting when we are done talking about this, when are you guys going to make a decision?

Ms. Bock responded we don't know that yet. As soon as you are all done talking then we are going to talk some more.

Ms. Karen Millard stated I am also an attorney, so I thought it was very important for us to make a point that the laws are not updated every two weeks or every 30 days. It is possible that we are going to stick with the law that we currently have for the entire duration that all of us live in this neighborhood.

Mr. Haber stated I think we may be able to follow this procedure with the ordinance in its current form, as well as amended. I think the amended ordinance will make it clearer. Even if it doesn't get amended, I think the board can still decide to designate the golf cart roads and we can move forward and hopefully the County will allow it.

Mr. Randy Brown asked are the signs that are out of compliance, are they out of compliance and need to be changed no matter what the vote is on the golf cart community?

Mr. Yuro responded I would say that is a fair statement.

Mr. Randy Brown asked so what percentage of the cost that was put in the survey is going to have to happen no matter what?

Mr. Yuro responded the sign estimate was \$14,000 and that was for 19 signs. 14 signs are for the golf cart crossings.

Mr. Randy Brown asked so 14 out of 19 have to happen anyhow?

Mr. Yuro responded that would be my recommendation.

Mr. Hayes stated it would be about \$3,500.

Mr. Randy Brown stated we kind of danced around the practical issue. Let's pretend for a minute that the golf carts became illegal and you can't drive them on the roads. If people can't use their golf carts to go back and forth in the community then that would all become automobile traffic. We will eventually end up with a parking problem. People are not going to walk from Crested Heron Court and Forest Glen Way up to the soccer fields or up to the tennis courts.

Mr. Erik Haines stated there have been a lot of valid points made here today. I think what we have heard is a safety concern and a financial concern. Mr. Veazey brought up a good point. I am convinced that we will come up with some financial model that will work. 25% of the residents on my street own golf carts. If that were to carry throughout the neighborhood, that would be about 200 golf carts. I wanted to talk about the safety and enforcement perspective. I

was a law enforcement officer for five years. They hated to have to enforce the little things out there, like the noise ordinance, etc.

Ms. Bock asked do you think that making it legal will make it easier to enforce?

Mr. Erik Haines responded yes. If the laws are there in black and white that is a very easy situation then. I think it makes it a more enforceable and stringent set of rules as opposed to saying just don't do it.

A resident asked is it considered trespassing to be walking or riding a bike at night on the golf course?

Ms. Bock responded according to their sign, you are not supposed to be there.

Mr. Veazey stated it is private property.

A resident stated if this is not approved and the neighborhood gets in an uproar of this, people are going to start driving on the golf course in the day and it is going to turn into a whole other mess.

Mr. Haber stated with respect to the registration, because you are a CDD your roads are public. If you designate your roads as legal for golf carts, there is nothing you can do about anyone who is complying with the law that is going to be adopted. It is the same as the speed limits and any other law. You wouldn't be able to have a registration system that says if you want to drive your golf cart on these roads, you need to register with us. These are roads that are open to the public and if the roads are legal for golf carts then anyone who has a golf cart can then ride their golf cart on the roads. If you had a designated parking area and they wanted to take advantage of that then you could require registration for that. There may be some type of registration but you couldn't have a registration that says if you want to use a golf cart on these roads, you need to register with us because they are public roads and you are going to have a public road designated legal for golf cart use.

Ms. Bock stated for the gentlemen that brought up Sawgrass, that is not a CDD.

Mr. Haber stated yes. If it is a private community then that would make sense.

Mr. Veazey stated that is the same as Jax Golf.

Mr. Randolph stated if we are going to replace the signs no matter what then I think that addresses most of the cost issue. I would be in favor of making the roads legal for golf carts.

Mr. Veazey stated I would like to have staff go to the golf club and see if they will be able to upgrade or pay for the upgrade of the signs at the crossings.

Mr. Hayes responded I am trying to stay neutral. The negative comments are very valid. I think we are jumping a little too quickly that if we are going to do a registration then we need to get that organized before we actually move forward. I think we are leaning towards getting it in motion but I think there is a little bit of ground work that still needs to be done. I want to say aye but I think there are a couple of things we need to implement before we go ahead with it. The major complaint, even by the people supporting this, is the golf cart people pay for it. I am not saying that is what we need to do but that is one thing to think about.

Mr. Haber stated the only registration that I can envision is registering to take advantage of District owned facilities. We could say if you want to park your golf cart in a certain designated golf cart area, you need to pay a fee established by this District and get a sticker and park it there. As long as you are complying with Florida Law of having a golf cart that meets all of the Florida Law standards then you are going to be able to drive on the road. Could there be a voluntary organization to do that? There certainly could be. Likewise, with enforcement. If we had a St. Johns County Sheriff or police officer, who could enforce Florida Law then they could enforce that law. If you have a private security officer, you can direct them to concerns about people violating the law as it relates to using golf carts but then if they spot someone violating that law they can call the police to have that person charged.

Mr. Randolph stated the reason I am supporting this is because you are going to drive it anyways.

Ms. Bock asked even if you know it is illegal, you think people are still going to drive them?

Mr. Randolph responded yes. I still see golf carts driving around here everyday.

Mr. Veazey stated I would love to get a registration mechanism but I don't know what else you could do other than build a parking lot down here for golf carts and anyone that comes up to this facility has to park there.

Ms. Bock stated I think that is all you can do.

Mr. Oliver stated we manage golf cart communities at Eagle Landing and Eagle Harbor. They are both CDDs. They have a registration process in place. There is a high participation rate. I think you can work through the registration issue. I don't think you necessarily have to link the two issues at this point. The board is not approving Sampson Creek CDD to be a golf cart community. It is simply approving the recommendation and making the request to St. Johns

County for approval and they would make the approval or not. You still have time to develop a registration process.

On MOTION by Mr. Randolph seconded by Mr. Veazey with Mr. Hayes & Mr. Sevestre voting aye & Ms. Bock voting nay to Recommend to St. Johns County the Approval of Making Sampson Creek CDD as a Golf Cart Community was approved.

FIFTH ORDER OF BUSINESS

Update Regarding Interlocal Agreement with St. Johns County

Mr. Haber stated the agreement has been signed. I spoke with the County representative today and they made a check request for the \$10,000 payment to the CDD. We should be receiving that payment soon. I don't have any update when work is going to start but the agreement is in effect. As of now, the County has the authority subject to the terms of the agreement to move forward with expanding the pond and the road.

Mr. Yuro stated when I was meeting with the County Engineer, I would expect that the construction might start as early as the upcoming summer. They are getting one last round of comments in. They expect to go out to bid sometime around the end of the year. By the time they would get the bids received and a contractor on board, it could be as early as early summer. That was the latest I heard from the County.

SIXTH ORDER OF BUSINESS

Consideration of Tennis Vendor Agreement

Mr. Oliver stated included in your agenda package is a draft vendor agreement between a tennis pro named Peter Treyz and Sampson Creek CDD. This is a third party vendor agreement. This will allow this person to give tennis lessons on District property. The agreement would be between the District and him for the protection of the District; however, he would take payments directly from the residents using those services. There is currently an agreement that is in place with Dee Dee Alan for the same services. It is a nonexclusive agreement. We also have similar agreements for some of the instructors and fitness instructors that we have here on the property. No funds will flow through the District in support of this.

Mr. Haber asked so there is no exhibit A?

Mr. Oliver responded no. He would still have to coordinate schedules with the current provider Dede Allen, as well as the Art of Living Director, to make sure there were no conflicts.

Mr. Veazey stated at some point I think we should make sure that these vendors are giving the residents here a discount. These people are using our facilities at no charge.

Mr. Oliver stated and hopefully, competition will drive down that price.

Mr. Randolph stated I think maybe just verifying whom they are making the appointment for.

Mr. Veazey stated and to make sure it is residents.

Mr. Oliver stated this was initiated by residents, who are using this tennis program already.

A resident stated both pros are extremely competitive in the marketplace. Both of them really give us a great deal. If you go to Jax Golf, you are going to pay almost double. Most people that use them would say they are very competitive and kind of give us a discount already.

Mr. Veazey stated that is good and that is my main point. Maybe the next contract we do with them there is an hourly rate in there.

On MOTION by Mr. Veazey seconded by Ms. Bock with all in favor the Tennis Vendor Agreement was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2012-11, Amending the FY12 General Fund Budget

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2012-12, Amending the FY12 Capital Projects Fund Budget

Mr. Oliver stated these are in preparation for the fiscal year 2012 audit, which will start after the close of the fiscal year. Behind the resolutions, you will see the expenditure line items that have been increased to bring them into balance.

On MOTION by Mr. Veazey seconded by Ms. Bock with all in favor Resolution 2012-11 Amending the FY12 General Fund Budget & Resolution 2012-12 Amending the FY12 Capital Projects Fund Budget were approved.

NINTH ORDER OF BUSINESS

Discussion of Matters Relating to Construction of Fitness Center Expansion

A. Construction Update

Mr. Yuro stated the fitness center is complete. We received the last two invoices from the contractor. Many of you may have heard we have been having a lot of difficulty with some of the equipment and in particular the cardio equipment. We have 10 pieces of cardio equipment over there and five of those pieces need to be replaced. The recumbent bike has been an issue since day one. I can't even begin to tell you the amount of time I have spent on the phone or through emails dealing with the techs to try to get it resolved. It got to the point, where they committed to having a technician out once a week and this isn't part of the preventative maintenance that we pay for. This is just having someone out here once a week to check our equipment to make sure it is all satisfactory, which it still isn't. They are replacing five of the 10 pieces of cardio equipment. They are replacing two treadmills, two ellipticals and a recumbent bike. The bike came in. It wasn't supposed to come in until the middle of October but it came in the other day, so communication with them is still an issue because they have to get a tech out here to make sure it is set up right. I was told the other four pieces of equipment are scheduled to be here before the end of the week. Hopefully, this solves the problems and we won't have any more issues but if it doesn't my concern would be when we run out of warranty.

Mr. Randolph asked does the warranty clock restart after you get a new piece of equipment?

Mr. Yuro responded I would think so.

Mr. Haber stated typically, it would. At a minimum if it is unclear, I don't think it is a bad idea to send correspondence to them saying that you have replaced five pieces of equipment. It is the District's expectation that the warranty period for any new piece of equipment will begin upon the delivery and installation date.

Mr. Yuro stated we got preventative maintenance, which they have already performed once but they performed it on five pieces of equipment that are leaving us. The good news is there is about eight different people with Sears Commercial that I have been dealing with. They have been getting a lot of people responding to it. The bad news is their communication is pretty awful and I end up talking to eight people and telling them the same story and then the technician shows up and he still doesn't have the parts. They are aware of it and they keep promising they are going to get it fixed. At least they have committed to replacing the equipment. I just say we keep a close eye on it. I think it was a one or two year warranty on the equipment but I would have to look.

Mr. Veazey asked, “Wes, are you involved in this?”

Mr. Haber responded I was not aware of this.

Mr. Veazey asked do we need to send a letter to them saying to step it up or give us our money back on the cardio?

Mr. Yuro responded Erin and I have both been dealing with the different folks involved. We finally got their attention when I told them we had a meeting coming up and my recommendation to the board was going to be to send it back and they cut us a check and we will get different equipment. That is when it started getting elevated to the different regional manager’s. It appears that they are taking a step and replacing the equipment. I guess my recommendation at this point is for Wes to send something to them. I would say to give them until the next meeting to see if this new equipment is working fine. If we continue to have issues with any of the equipment then I think we seriously need to look at possibly changing. Brand new equipment should not be malfunctioning like this. When we first opened up, we had some issues with the strength equipment but I think that is probably normal. I haven’t heard any more complaints on the strength equipment. It has really been these five pieces of cardio equipment that have had issues.

B. Ratification of Pay Request No. 6

Mr. Oliver stated we approved pay request number 6 between meetings. We would ask the board to ratify that. The payment has already been made. It was in the amount of \$33,486.29.

On MOTION by Mr. Veazey seconded by Mr. Randolph with all in favor Pay Request No. 6 was approved.

C. Consideration of Pay Request No. 7/Cost to Complete Schedule

Mr. Oliver stated then we have the pay request, which is number 7 and is for all of the retainage. It is in the amount of \$33,166.33.

On MOTION by Ms. Bock seconded by Mr. Sevestre with all in favor Pay Request No. 7 was approved.

Mr. Oliver stated we did have change order number 3. It was a deductive change order of \$2,145.

On MOTION by Mr. Sevestre seconded by Mr. Randolph will all in favor Change Order No. 3 was approved.

D. Consideration of Other Construction Related Improvements

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Other Business

Mr. Veazey stated I would like to present Rose with this award. We appreciate all of the work you have done over the last six years for the CDD. You have been a great Chair.

Ms. Bock stated thank you.

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 in the agenda package. This room is just about complete. We just have to reinstall these cubbies that just came out of the old meeting room. I think this room turned out very well. The construction started this week on the old meeting room. By next week, we should be in the position to get it painted. We did receive the additional tables and umbrellas. The outside of the facility has been painted. The slide tower has been painted. A couple meetings ago, we brought up the sidewalk issue with the tree roots. Two years ago, we replaced several sections of sidewalk throughout the community because they were lifted up due to tree roots. Last year we had to replace several other sections in the neighborhood and this year I have noticed that we have some sections that have been replaced once and are starting to lift again. I met with a couple of arborists to look at what can be done to keep this from reoccurring. They both said there is no perfect answer. The tree roots are going to grow. They are going to look for water. The water is typically on the house side of the sidewalk and not on the street, so they are going to try and get there but you can certainly slow down the process if

you remove the sidewalk and you root prune the trees. One arborist said he would use some kind of saw to cut them and the other one would use a grinder. The bottom line is they would have to remove the sidewalk and address the roots and then re-pour the sidewalks. Davey Tree was about \$580 per tree to do the root work. Specialty Tree Surgeon was the other arborist that was recommended. He said it would be \$300 to \$500 a tree depending on how big the tree is and how much effort. Then there would be another \$200 or \$300 in sidewalk work at each location. It could be about \$800 per tree per location if we want to address this. The winter time is the best time to do it. You can do a dozen trees at a time. There is one that is really bad on St. Johns Golf Drive. The sidewalk is coming up several inches. It is one that we looked at a couple of years ago and it is really bad again. At the last meeting I was asked to get a second opinion on the arborist, so that is where we stand right now.

Mr. Randolph asked what is a rough estimate on the number of locations?

Mr. Yuro responded I would say plus or minus a dozen right now that I would recommend. Its the kind of thing you can budget for long term and address a little bit each year.

Mr. Randolph asked what percentage of the roads actually have the trees planted on the road side?

Mr. Yuro responded Eagle Point up to where St. Johns Golf ties into it and then St. Johns Golf and Drury.

Mr. Randolph asked so maybe 30%?

Mr. Yuro responded maybe not even that. If I recall when we had to the trimming on those, there was about 480 trees but remember there is only sidewalk on one side of the road, so there is maybe a total of 240 trees. I don't get the feeling that we are going to have to do all 240 trees but maybe years down the road. The arborist feel like there is a good chance of tree survival. The game plan would be to remove two to three sections of sidewalk and then get those roots out of the sidewalk area, so three quarter of the tree roots will still be intact.

Mr. Sevestre stated we have that same problem and we are now requesting eight to 10 feet away from our facilities but the root guard stuff that we tried in the past didn't work at all.

Mr. Yuro stated Davey Tree, who was the higher of the two, were talking about doing a root guard. The other guy said you can put those root guards in but those root guards are going to go down and then come back up. As the roots grow they are going to go to where the moisture is. The moisture is typically not on the road because of the asphalt and because of the storm

drains. The moisture is up in the grass on the other side of the sidewalk. They both said this should buy us a good amount of time but there is no perfect solution to it.

Ms. Bock asked what do we get for \$300 from them?

Mr. Yuro responded the way he priced it and the way he explained it to me, it may be based on the size of the tree. Some trees are smaller with a smaller drip line and he is only going to have to do 10 feet and other trees with a bigger line, he may have to do 15 to 20 feet.

Mr. Veazey stated there might be a resident out there that says I had this great looking oak and now you replaced it with this little four inch caliber tree and I am not accepting that. I don't know if they don't have a choice in accepting it because it is CDD property and it is what it is.

Mr. Randolph stated technically, they are supposed to maintain that, so we should almost approach each homeowner and have them sign a waiver.

Mr. Yuro stated I was thinking along the same lines because in my recollection if the street tree dies, the HOA is going to tell that homeowner to replace the tree, so if the CDD does something to the tree roots and the tree dies a year or two later, it might not be a bad idea to have something from the homeowner that says they acknowledge they are doing this. I believe the liability to those sidewalks goes back to the homeowners.

Mr. Haber stated that is correct. In accordance with the recorded covenants that is the way it reads. I think this board adopted a resolution that essentially says the CDD can make these repairs if you deem it is necessary for safety but you are not obligating yourself to do these very types of tasks. I don't think it is a bad idea to approach the homeowner who would be most directly impacted by this to say this is what your obligation is. The board is willing to pay to have a sidewalk removed and to have the roots ground or cut and then replace the sidewalk. Please know that while we use our best efforts, if the tree dies, you will be responsible for replacing the tree, not the CDD and nor does the CDD have any intent to replace the tree if it dies but we think it is a safety issue to have a sidewalk up three or four inches.

Mr. Yuro stated if the board wants to move forward I would be happy to identify those locations and get with Wes to get whatever documentation and then approach the homeowners. With those that sign off on it then we can engage the cheaper of the two arborists to get started and move forward.

Ms. Bock stated I think it is time.

Mr. Veazey asked if there are a dozen of them, are they all truly hazards?

Mr. Yuro responded the one is really bad. I would go and do a more thorough survey but my best guess right now is there are about a dozen of them that are well beyond the trip hazard that we should flag and do something.

Mr. Veazey asked and you are comfortable with Specialty Tree Surgeons?

Mr. Yuro responded yes. I have heard his name before. He is an older gentlemen that has been doing it for a long time and he came recommended.

On MOTION by Mr. Randolph seconded by Ms. Bock with all in favor to Proceed with Specialty Tree Service was approved.

C. Manager

There being none, the next item followed.

D. Art of Living Director

Ms. Mixson stated we have a resident that would like us to extend the gym hours to 11:00 p.m. as opposed to 10:00 p.m. Mike and I have discussed it. We have no issue with it. It won't cost anything extra. He is the only one that has made a formal request but there have been other residents that have informally made the request.

Mr. Yuro stated the key card access automatically locks it at 10:00 p.m. The alarm is set somewhere between 10:00 p.m. and 10:30 p.m. to give people a few minutes to get out. The security guard will clear the facility at 10:00 p.m. I did talk to the cleaning crew about pushing them back later and they said if the board wanted to go that direction that it would not be an issue with them.

A resident stated I talked to the gentlemen who made the request and what he told me was the door locks at 10:00 p.m. but if you are in there the alarm is not setting, so him and others were in there until 10:45 p.m. and the alarm wasn't setting. They said they were getting in there before 10:00 p.m. and they would leave at 10:45 p.m.

Mr. Randolph asked what time does it open?

Mr. Yuro responded at 5:00 a.m. Our whole facility is open from 5:00 a.m. to 10:00 p.m.

Ms. Mixson stated people are doing it anyways and unfortunately there is not too much we can do about it. People know the days the security guard is not here, so they push it as far as they possibly can. This would basically make it legal for them to be in there.

On MOTION by Ms. Bock seconded by Mr. Randolph with all in favor to Extend the Fitness Hours to 11:00 p.m. was approved.

Mr. Oliver stated Erin did a great job with summer camp. Erin is finding some assistants that are going to be on staff during the weekends for selected hours. I think it will help with some of the customer service issues.

TWELFTH ORDER OF BUSINESS Supervisors' Requests

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Audience Comments

Mr. Tom Hudson stated I owe you and all of the board members an apology for my comment about trying to get the audience to quiet down and let you do your job. I think you did an excellent job tonight. I walk and over at one intersection the sidewalk even has a cone there to keep people from possibly tripping over that. I can tell you that is the worst one and probably the only one that needs the attention.

FOURTEENTH ORDER OF BUSINESS Financial Reports:

A. Balance Sheet and Statement of Revenues & Expenditures for the Period Ending August 31, 2012

Mr. Oliver stated included in your agenda package is the balance sheet and income statement as of August 31, 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 Mr. Hayes 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. Randolph seconded by Mr. Sevestre 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 – November 28, 2012 at 6:00 p.m.

Mr. Oliver stated the next scheduled meeting is November 28, 2012 at 6:00 p.m.

SIXTEENTH ORDER OF BUSINESS

Adjournment

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

Secretary/Assistant Secretary

Chairman/Vice Chairman