

MINUTES OF MEETING
JULINGTON CREEK PLANTATION
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Julington Creek Plantation Community Development District was held Tuesday, July 8, 2008 at 6:15 p.m. at the Community Development District Administrative Offices, 950 Davis Pond Boulevard, St. Johns, Florida.

Present and constituting a quorum were:

Kathleen P. Minnis	Vice Chairperson
April Spears	Assistant Secretary
Brian Pincket	Assistant Secretary
Del Dosch	Supervisor

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Tom Welch	District Engineer
Chris Commins	Basham & Lucas Design Group
Stacie Hernandez	Julington Creek CDD
Shelly Timbol	Julington Creek CDD
Ashley McVeigh	Julington Creek CDD
Jerry Hill	Julington Creek CDD
Maria Gunther	Julington Creek CDD
Kim Harless	Julington Creek CDD
Jennifer Ferguson	Julington Creek CDD
Morgan Ragland	Julington Creek CDD

FIRST ORDER OF BUSINESS

Roll Call

Ms. Minnis called the meeting to order at 6:15 p.m.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the June 10, 2008 Meeting and Minutes of the Continued Meeting of June 24, 2008

Ms. Minnis asked are there any changes to the minutes of June 10? We have two sets of minutes and we will start with the minutes of June 10.

There not being any,

On MOTION by Ms. Spears seconded by Mr. Pincket with all in favor the minutes of the June 10, 2008 meeting were approved as submitted.

Ms. Minnis asked are there any changes to the minutes of June 24th?

There not being any,

On MOTION by Mr. Pincket seconded by Mr. Dosch with all in favor with the exception of Ms. Minnis who abstained from voting the minutes of the June 24, 2008 meeting were approved as submitted.

Ms. Minnis stated I am abstaining because I was not present at that meeting and cannot comment on whether they are correct or not.

THIRD ORDER OF BUSINESS

Consideration of Audit Committee Ranking of Audit Proposals

Ms. Minnis stated the third item is consideration of audit committee ranking of audit proposals.

Mr. Oliver stated for the record the audit committee met earlier this evening and ranked the four proposals that were received in response to our RFP. The four firms in ranked order are Berger Toombs first, Keefe McCullough second, Grau & Associates third and Carr Riggs fourth. Should the board decide to accept these rankings we will contact the top ranked firm and ask for a letter of engagement which we will bring back to the board at the next CDD meeting.

On MOTION by Mr. Pincket seconded by Mr. Dosch with all in favor the rankings by the audit committee being Berger Toombs first, Keefe McCullough second, Grau & Associates third and Carr Riggs fourth were accepted and staff authorized to obtain a contract for services which will be brought to the next meeting for approval.

FOURTH ORDER OF BUSINESS

Discussion of Proposed Budget for Fiscal Year 2009

Ms. Minnis stated item four is discussion of the proposed budget for fiscal year 2009. There was another budget distributed in front of us but there weren't any changes?

Mr. Oliver responded the budget in your packet is the same proposed budget that has been distributed to you and the audience. If you look at the second column actual, the one in the agenda packet is through April 30 and the one in front of you shows the actual expenditures for 2008 through May 31. The next column projections have also changed. That will help to show what the line items will be for 2008. The proposed budget itself has not changed. We did change the audit line item based on the numbers we received in these proposals. When we go to adoption we will bring those down some more based on the selection that you made tonight.

Mr. Pincket asked are we reviewing all three budgets, the general fund, the recreation fund and the debt service fund?

Mr. Oliver responded yes. Just to highlight the process for the audience members who have not participated before, we approved the proposed budget at the June meeting and will have the adoption hearing next month which will be August 12th and that will be held at the Fruit Cove Middle School. There is a public hearing on it and the board will adopt the budget and following adoption that budget is put into the form of assessment rolls which are provided to the tax collector of St. Johns County and that line item will be on your property tax bill that comes out November 1st.

We can talk about each of the three budgets. The biggest movement for this budget is the fact that you issued bonds a couple of years ago and started construction of the recreation facilities and they are scheduled to open sometime this fall so you will have a full year of operations for the recreation facilities whereas in fiscal year 2008 you only budgeted for a partial year with the hope that it would open sometime in the late summer, early fall. When you had a budget hearing in August 2007 this was contemplated that you would have a rise in O&M assessments for fiscal year 2008 and fiscal year 2009. As you go through this budget you will try to find opportunities to keep that increase in assessments as low as possible.

Mr. Haber stated the only thing I will add and you may have been told this when you approved your proposed budget is because assessments are going up there is a requirement that the district notice the public hearing both by mail and publication. The mailed notice will state that the proposed budget whatever it ends up being after tonight's meeting is X which would result in an annual assessment of whatever that is. That is the number that you are going to have

to work from as your ceiling and you can only go down from there at your public hearing on the budget to the extent that you make any adjustments. When you are looking at reviewing the budget now if you are looking at anything you should be looking to go conservatively high for purposes of that notice with the idea that you will be able to go down but not up at the actual public hearing because of those mailed and published notices that are going to go out.

Mr. Pincket asked how much notice do we have to give before that hearing?

Mr. Haber responded 20 days written and published notice.

Mr. Pincket asked when is the budget hearing?

Mr. Oliver responded August 12th.

Mr. Haber stated this is really the last meeting before district staff sends out those notices.

Ms. Minnis asked will we put this budget on the website? Is anyone opposed to doing that?

Mr. Pincket stated I think it is a good idea.

Ms. Minnis asked who writes the letter that goes to the residents?

Mr. Oliver stated the letter will come from my office. It is a pretty standard form letter which actually Hopping Green has developed for all of the districts. It will meet the requirements of statute and we will spell out the increase of assessments, the total of the operations and maintenance budget. It will not talk about the debt service budget because there is no increase in the debt service budget and you did send out mailed notice when you went through the 2006 bond financing. You have already sent mailed notice for the debt service. This will just be about operations and maintenance.

Ms. Minnis asked can that letter be amended to add the website so that this office doesn't get inundated and they can go there first?

Mr. Haber responded it certainly can and typically there is a sentence in there that says to the extent that you want to see a copy of the budget please contact district management. I'm sure Jim would be happy to have something that says to the extent that you want to see a copy of the budget please contact district management or access and give the website. That would be fine.

Mr. Pincket asked will it be available at the district management office, not that we are going to start sending copies of the budget out to people who request it.

Mr. Haber responded correct.

Mr. Oliver stated I will refer them to the website. We often email them copies of the budget.

Mr. Dosch stated if they want to retrieve a hard copy they can pick it up here or at your office?

Mr. Oliver responded they can do that if they didn't have access to a computer.

Ms. Minnis asked do you think you will have a lot of requests for that? Or do you think more likely people will go to the link?

Ms. Hernandez responded it is not going to be a great request.

Mr. Pincket stated Stacie and I spoke today and I also spoke with the woman at GMS who put the budgets together and I think you had a conversation after we spoke. What was the result of that? There were some pretty big discrepancies in how 2008 was going to play out. You had quite a few more expenses than she had.

Ms. Hernandez stated she contacted Shelly and I told her to check her email dated June 3rd. She went back to her June 3rd email and got the corrected amounts I had originally given her. I didn't have a discussion with her.

Mr. Pincket asked have you had a chance to look at the July 8th budget?

Ms. Hernandez responded my projected budget ends in September.

Mr. Pincket stated there is a total projected at the end of September in all the budgets we have been looking at and that is where the discrepancy I saw between the numbers you had given me and the numbers that were in this budget.

Ms. Hernandez asked for revenue?

Mr. Pincket stated the revenue was off by about \$75,000. Yours was lower than what was in the budget which concerned me a little bit. Then the expenditures yours were up quite a bit.

Ms. Hernandez stated I'm just looking at this for the first time. Her numbers for the carry forward surplus as I indicated to you she gives me that number and her number is higher than what I had.

Ms. Minnis asked are we saying that this piece of paper doesn't reflect your numbers?

Mr. Oliver stated you provided the total projected for fiscal year 2008.

Ms. Hernandez responded correct.

Mr. Oliver stated that did not change from the copy that is in the agenda to the one that was distributed.

Ms. Hernandez stated correct but that is not the one I gave her.

Ms. Timbol stated Brian it would be helpful if you could give us a line item that was different and by the amount because then we can make sense out of this.

Mr. Pincket stated in the recreation budget the total revenues projected at September 30, 2008 which is the fourth column the budget I'm looking at has \$2,550,916. I thought Stacie had given me a number of \$2,476,000.

Ms. Hernandez stated correct because the number that I had originally gotten from Maggie, the carry forward surplus, is much greater right here than I had given her or that she had given you originally. That number is now higher. The number I gave you did not reflect \$679,173, my number was \$573,817 in the original budget.

Mr. Pincket stated okay so my understanding with that adjustment then your numbers would be the same.

Ms. Hernandez responded yes.

Mr. Pincket stated let's go to the bigger number, total expenditures. This budget I'm looking at is projected total expenditure for 2008 of \$1,453,000, the fourth column on the last page of the budget. I thought you had given me total projected expenditures of \$2,127,000 for fiscal year 2008. That is \$600,000+ off.

Ms. Minnis asked where are you getting the numbers that Stacie gave you?

Mr. Pincket responded from notes of conversation I had with her today.

Ms. Minnis stated I just want to remind everybody to state your name when you begin to speak for the person who is doing the transcription. In a meeting it is not like it is in this document here.

Mr. Pincket stated no.

Ms. Minnis stated that is why I'm having a hard time following this.

Mr. Oliver stated it will probably be helpful to talk about the process just for a second. You have an accountant that puts together the format of the budget based on numbers that are provided by Stacie and Shelly. There may be some accounting differences in the format and that is what it sounds to be when you are talking about the difference of \$600,000. I don't mean a

number crunching difference I'm talking about perhaps dual expensing of a line item. Maybe some type of reserve or something.

Mr. Pincket stated I talked to her today and she didn't have much time to get with your office.

Ms. Hernandez stated I am going to have to go through this line by line.

Mr. Pincket stated I am going to ask you to do that then after this meeting. The proposed budget for fiscal year 2009 has total expenditures of \$3,813,000. Does that number look right to you?

Ms. Hernandez responded yes.

Mr. Pincket stated so if we approve that proposed budget you are okay with that.

Ms. Hernandez responded yes.

Ms. Minnis stated the bottom line with this discussion is you don't have an issue with this proposed budget. My concern is can we have a budget hearing next month with this discussion of people having to go back and now review this.

Mr. Pincket stated no I don't have a concern with the proposed budget.

Ms. Minnis asked it was other numbers coming up to this point?

Mr. Pincket responded yes. Based on Stacie's answer to my last question I don't have a problem with this proposed budget.

Ms. Minnis stated this is the budget we are going to put forward. If Stacie takes this away and starts going line by line and sees a change what happens to the hearing when we say this is the budget we are going to have a hearing on and she finds some difference?

Mr. Haber responded that is brought to the board's attention and that is what the board can adjust at the public hearing. That is why we have the time leading up to the public hearing, the notice says this is the proposed budget and the board is meeting to adopt the final budget and the purpose of that public hearing is to have a discussion on just those things.

Mr. Pincket stated the expenditure number is a big number and that is okay because the higher the expenditures the lower the review the higher the monthly amount of increase in assessments is going to go in the notice but we can always come off of that. I'm not suggesting that it is okay on the high number but we can come off of that number if any discrepancies are found between now and the public hearing.

Mr. Oliver stated again I think it is tied to capital reserve. I think the numbers will reconcile. Exhibit A behind the budget, that treats capital reserve different and I think the difference is about \$600,000. It is just the treatment of it so you are not adding the expense of capital reserve and then passing it through to the following year which would essentially be a wash.

Mr. Pincket asked capital reserve or operating reserve?

Mr. Oliver responded I'm using those terms interchangeably.

Mr. Pincket stated apparently those reserves are being treated differently this year for the first time. Capital reserves were included in the line item of the budget last year they are not this year.

Mr. Oliver stated what we have done with exhibit A is to show those funds are received, there are certain obligations that must be met. If you look at that exhibit it shows based on the proposed budget that you are going to have funds available at the end of fiscal year 2008 of \$1,073,000 and of that amount we want to reserve \$620,000 to operate the district for the first couple of months because the tax bills don't go out until November 1, and your first flow of funds won't come in until the end of November. The next item the capital reserve setting aside \$350,000 very subjective and the board will have some opportunity to move that number up or down.

Ms. Minnis asked do we have to have a resolution for this?

Mr. Haber responded no unless you are going to make a change to it. If you were going to make a change I would suggest that you do that by motion but if it is not changing at all then we will move forward. Some districts that are less complicated do their proposed budget and then don't meet again until their final hearing and no action is taken, we just notice it and hold that final hearing. If no changes are made we can just move forward.

Ms. Minnis asked we don't have to do anything?

Mr. Haber responded not if there aren't going to be any changes to what we proposed.

Ms. Davis stated this may have already been addressed but my question was has Mr. Oliver and the board members reviewed the budget and supporting documentation that Stacie has presented since there is going to be an increase in fees and we had an increase last year. I wanted to make sure that someone is looking at the budget in detail and reviewing the supporting

documentation because when we look at the budget we don't know how she arrived at this number. I just wondered if any of the board members have done that.

Ms. Minnis stated Stacie and I had that conversation today and it is ongoing conversation just as it was with Mr. Pincket. There are two books sitting on her desk that she explained the process. They have gone out on everything we have done over the last several years we have given them homework assignments. What does Palencia do, what does Eagle Harbor do and they have gone out to other CDDs, gone on their websites, done comparisons so for every piece of this they have come back and reported how they came up. This budget didn't just come to us today, it has been over the course of the years as we are adding onto this complex, when we decided how many tennis courts, what we would need to support it. They had to come back and justify what we needed this for. If we made a change to a room what was it going to bring, how many camps were going to bring in revenue. We had lengthy discussions with the swim team and other residents on how we can accommodate the hours not raise it too high, cover all the lifeguarding costs. This has been going on in these meetings for over a year and she has files and files of backup. There are meeting notes that lead up to this as well which is the last year which are out on the website where they have come back and explained how they have come up with these numbers.

Ms. Davis stated I do realize you have done a lot of research but you feel comfortable with what is being presented.

Ms. Minnis stated yes, I do.

Ms. Davis asked are there any kind of reserves from previous years in case the revenues don't come in?

Mr. Oliver responded there are reserves from prior years that are not reflected in the budget, they are reflected on the balance sheet. They were not used to arrive at this budget. For this particular budget we are talking about fiscal year 2009 there will be a certain amount of the surplus from fiscal year 2008 that will go forward to fund the fiscal year 2009 budget.

Ms. Minnis stated that was the part you were saying until the tax bills are issued and the money comes in.

Mr. Oliver responded that is right. That is a component of it. The board will have some flexibility to decide what amount of carry forward surplus they want to use to help pay down assessments. Every board has that opportunity.

Ms. Stuart asked Stacie for your non resident CDD membership at the skate park fees for next year, was that a best estimate or how did you guess what those should be?

Ms. Hernandez stated based on the conversations we had it was based on the current number of families that join this facility we were able to come up with how many we would get by complex and I got from Scott our tennis pro his emails and roll calls of the number of people who want to join the tennis family and individual. Based on other local competitive fitness areas what their memberships were.

Ms. Stuart stated it looks to me from looking at the budget that the assessments for the bonds are going to be the same this year.

Mr. Oliver responded that is correct.

Ms. Stuart asked do we have an estimate of how much the O&M part of the assessment might go up?

Mr. Oliver responded based on today's budget I would project an increase of \$85 for a single family home. If more carry forward surplus is used we could get within the \$75 range which was discussed last week.

Ms. Behrmann asked on the insurance on the recreation we have \$136 in 2008 but we went down to \$125. Insurance always seems to be going up not down.

Ms. Hernandez stated we actually changed companies and saved quite a bit. Also when I put this budget together originally I had expected that we might open up in May and then they told me July and then we found out August but when I was doing the budget it was last May. Worse case scenario I made sure we had plenty of money for insurance in case we needed it earlier rather than later. There is extra money in there thinking we might have been open earlier then Jim did some research got a new company and saved us even more money.

Ms. Behrmann stated credit card fee is going from \$900 to \$20,000 is that because we are going to be taking credit cards for membership?

Ms. Hernandez responded yes, it is 1.7% transaction and then 25¢ per transaction so it is an estimate based on our sales.

Ms. Behrmann stated the satellite radio \$12,000.

Mr. Hill stated I have been quoted about \$1,000 per month to get the packages that we want which is through Direct TV, it could be a little bit lower than that because the guy is

working on a package now. To get the NFL package, basketball and Direct TV it is about \$1,000 a month. That is radio and TV in several locations in the building.

Mr. Pincket stated there will be events there that some people may not have at home so they come up to the facility to watch it.

I want to reiterate something you said and that is the process has been a long ongoing process and Stacie and her staff have put a tremendous amount of time into these numbers. I have individually on several occasions gone through the budget with Stacie almost line by line asking a lot of the same questions that were just asked. We rely on her expertise to a large extent and her hard work in going out to other facilities, finding out what their budget is based on the size of their facility and the number of users. There is an art and a science to this but I am comfortable that she has done an excellent job and the staff has done an excellent job. This is the first year we are going to be operating the new facility on this budget. She has made a lot of assumptions that just might not come true but the question is were those assumptions based on reasonable information and I think they are. Time will tell.

Mr. Dosch stated I am kind of a Johnny come lately here but I would like to thank the supervisors and Stacie and all of her staff that worked on this because when you first look at it I like to look at the big numbers first and it hits you but as you look at it and digest it and all the homework they have done, I think they have done an outstanding job. As Brian said it is a budget so this will be the first operating year of the new facility and we go back and refine it after year one of operation.

Ms. Minnis asked what is our next step?

Mr. Haber responded as long as it is the same as what is proposed there is no step to be taken and if there are no other comments you can move on to the next agenda item.

FIFTH ORDER OF BUSINESS

Discussion of Landscape Maintenance RFP

Ms. Minnis stated the next item is discussion of landscape maintenance RFP and the supervisors were sent a package from Jerry and remember to send anything that is sent to us to Jim. Jerry has asked us to evaluate this. I read this and we have gone through the RFP for landscaping more than once. The first thing in reading the material is on the project manual the only issue I had is in the introduction we say the Julington Creek Plantation Community Development District then we put Julington Creek requests proposals. Then there are

instructions to the proposers and I think I would like to see some consistency in the term “owner” “district” “Julington Creek”. I prefer JCPCDD used rather than Julington Creek so we are not confused with the Julington Creek Homeowners Association. Because this might be bigger or not as big as someone expects just if they see Julington Creek. The terms 1.8 it was owner, 1.11 it was owner, 1.15 we say district and then term of contract we go back to Julington Creek Community Development District. That was my comment on that. Does anyone else have an issue with the wording or the terms?

Mr. Pincket asked is this a proposal that we have used in the past?

Mr. Haber responded yes.

Mr. Pincket asked are there any significant changes to what we have done in the past?

Mr. Haber responded when you ask is it a proposal that was used in the past my answer is yes. Is it the proposal that was used in the past by this district I do not know. What I think happened was that Jamie Fowler an attorney in my office worked with Jerry to put this together and I believe also received input from ETM and I think in putting it together Jamie used a proposal that was used in the past at other districts. I don't know how it compares with ones that were used. From my experience and my perspective on these things the most important aspect of it is the description of the actual work that these contractors are going to be asked to do. Generally, the terms that you see as far as protesting and what the form of the contract is going to look like and what they need to do those are going to be very similar from RFP to RFP for maintenance. They differ for capital improvement work with a general contractor but for maintenance this stuff is going to look very much the same and the biggest variation you will see is on the description of the actual work that needs to be done.

Ms. Minnis stated I know we worked with England Thims & Miller in the past when we did one of these and it was Rob Mizell, myself and I think it was Stacie we were the committee that put it together and evaluated. One of the things that we saw and I don't know if it can be spelled out here is in the pricing. We had A, B, and C come back with their pricing, one would give us a price for a plant if it was replacement plants, one was 10 gallon, one was 1 gallon, one was seeds. It is kind of hard to compare what are you going to get from the seed or the 10 gallon. I don't know if you can make it consistent to come back with a certain price.

Mr. Haber stated it is all a matter of how specific you are in what you are requesting. You bring up those issues and the more specific you can be and what we want from these

proposers then they have an obligation to meet what we requested. If we are general and don't give them an idea of what we want as a backup plan and specify seeds and ten gallon or five gallon then we open ourselves to that discrepancy. It is just a matter of how specific we are.

Ms. Minnis stated what we found is we were looking at two that looked equal but one plant was outrageous on this side for this one and this one was outrageous and they were sort of in-between here but if we needed to use this one then we were going to kill ourselves having to replace these plants. I don't know how to get around that.

Mr. Hill stated on some of the maps that I did not send you because there are 138 pages of maps, there are plant schedules that are going into the new facility and the parking lot over here they do specify the size of the plants, the gallons they are supposed to be in. That is all in there and there are also planting instructions that also are in the map that came in the actual architectural drawing which they all will get a copy of those things with a map.

Ms. Minnis stated based on that they could come back with we see what you have to replace it, here is a 10 gallon price that is what we should expect to see in the package.

Mr. Hill stated you should expect to see that and there is a prebid meeting on the 23rd at which point I will be there and I will emphasize these things to everybody so that everybody knows it is equal across the board.

Mr. Pincket stated you should be able to put it in the specs if you need to replace a 10 gallon tree, what is it. You know the kind of trees we have throughout the community. Just ask for the different sizes we need to replace them that should give you something to compare one bid to the next. There have been issues or misunderstanding in the past between the CDD and the homeowners association in terms of what property is the CDD and what is the HOA. Have all of those issues been worked out?

Mr. Stuart responded yes.

Mr. Dosch stated regarding the site visit a lot of times in the public sector it is a mandatory site visit for those who want to propose that way the scope is clear, the site is clear. A suggestion may be that you think about having a mandatory site visit.

Mr. Haber stated it is not uncommon and if you want to do it we can make it so that anyone who doesn't show up at the site visit cannot propose. If there is a great person who misses it and you think they are qualified then they are out. I want to make the board aware of

both sides of it but if you want to make the site visit mandatory and if they miss it then they are out then that is something the board can do.

Mr. Pincket asked do we think that has been a problem in the past where people have bid and not understood what they were getting into and maybe a site visit would have helped address that situation?

Ms. Hernandez responded no.

Mr. Hill stated I have had a few people call inquiring about it and all of the people I talked to expressed interest in coming to the meeting which I would think they would want to come to because they are bidding on the project and if it were me I would certainly show up.

Mr. Pincket stated but the meeting is not a meeting to walk the property.

Mr. Hill responded we are doing the whole thing.

Mr. Commins stated I think you will find all of the contractors will be keenly interested right now because a lot of the landscapers who don't have install jobs are doubling up on their maintenance. I think you can expect a mob scene.

Ms. Minnis stated the thing that we did see when we issued it before was having them follow the instructions for what we asked them to do. We asked for certain criteria so we could vote on them and they didn't put it in there so we had to give them zeros. If you would stress that to make sure that to get full credit they follow the instructions closely because if it is missing they won't get credit for that part. I have a question about 2.18 extra work. The contractor shall do all extra work not specified herein that may be ordered in writing by the owner. Is that reasonable? What if they can't do it? They are basing this on their capacity to do work. As you said a lot of people might be out of work.

Mr. Pincket stated the next sentence says that for this work they will be paid at the rates identified by the unit prices and hourly rates set forth in the proposal forms. They are going to know what kind of extra work we are talking about. I suspect it might just be the same kind of work that is already in the bid but maybe more work than they initially thought. Even if it is different I think it needs to be identified in this proposal form so when they respond to the bid they are going to know the kinds of extra work they are going to be asked to do.

Mr. Haber stated the third sentence specifies that if extra work is of a class for which no rate is fixed in other words if it is for work that isn't previously identified then it is negotiated which I think leaves it open to if you can't successfully negotiate it then I think they are outside

of being required to do the extra work because you are not able to successfully negotiate that work. I think the fact of the matter is if there is extra work and you go to the contractor and the contractor says I can't do that, the district is going to have to find another way to do it. If it is underneath the bidding threshold the district doesn't have to go through this formality and kind of put proposals in front of the board. If it is a lot of extra work if for some reason something was largely missed you have to go through this process again and find someone who is qualified to do it. I don't think there is anything the district can do to say you signed this that says you have to do it, if they can't do it they can't do it. I don't think there is any huge repercussion although the district is going to have to find someone to be able to do it.

Ms. Minnis stated other than the wording of using a standard word those were my comments.

Mr. Pincket asked is it true that we have two separate vendors providing this kind of work to the CDD right now?

Ms. Hernandez responded no we have one. We did have two.

Mr. Pincket asked this encompasses all of this kind of work for the CDD so we are just going to continue with one whoever the successful bidder is?

Ms. Hernandez responded yes.

Mr. Dosch stated the push to water twice a week, conserve water, in the irrigation description I didn't see where if we get excessive rain that the contractor is responsible to monitor that system and turn it off. I assume there are rain sensors within the systems but I know the POA has a constant battle with sprinklers running after two or three days of rain.

Ms. Minnis stated we also have had and this goes back to being the first right of getting the water is the requirement of getting the water of the reuse and you have to get it out and the only way to get it out is with the sprinklers. You have to keep that water moving to keep that system working properly. Can you contact the JEA to find out what is the proper way so we know how the reuse is working? We were told in a meeting a long time ago when it was developer owned and I believe it was England Thims & Miller reported at the time that JEA or it may have still been Atlantic Gulf at the time, that the water had to continue flowing out of the utility to maintain the utility at the proper level and since we had the first right of the water we were responsible for getting it out of there. We have had this comment a lot that we are just

watering to be watering and we are wasting water. On the other hand we have been told by official people we are doing the right thing.

Mr. Hill stated we had a meeting with JEA two or three months ago and they were asking to see if the golf course or we could use more of the reclaimed water. They have been out there since to find out if the pond is being filled with reclaimed water which it is. They had asked because they had tried at the golf course if you guys dig the lake we will fill it full of water and they didn't want to do that. They were trying to see if we could use more water.

Mr. Pincket asked do you think there is some minimum amount of water we have to pump out of there?

Mr. Hill responded yes.

Mr. Pincket asked will you look into that?

Mr. Hill responded yes, I will.

Mr. Pincket stated in response to something Del said, Jerry, shouldn't you be the person who is flipping the water off when we can subject to our agreement with JEA rather than rely on the contractor?

Mr. Hill responded there is a problem with the water flipping it on and off because a lot of the valves and timers we share with the POA so their guys are in and out turning it on and off all the time and our landscape guy also is in there trying to keep it going. For me to just flip them on and off there is a lot of different locations where the meters and valves are down Race Track and S.R. 13 plus through here but it would have to be coordinated through them also because some of their stuff is running off the same set of valves.

Mr. Pincket asked how do we deal with that?

Ms. Minnis responded I think we need a map of all the sprinklers. Do you have a map?

Mr. Hill responded I have a map of where the meters are, I have a map of the sprinklers, the original maps of where they were all put in.

Ms. Hernandez stated right now I don't think we have an issue. I don't think we have a problem. The advantage that we have with Trim Terrific is that Glenn Smith lives in Fruit Cove and it is just a matter of picking up the phone and when people call me and say they have hit a water main or a tree is down I just give him a call and he comes over immediately and that is the beauty of him right now servicing.

Ms. Minnis stated before we do anything and give that direction we need to know if we would be a liability to the utility by turning off water that is supposed to be going out of there and if something happens to the utility the JEA would hold the district liable for that problem. That is why I think we need to work with the JEA to understand and be aware that we are not wasting water, we are doing what we are being told to keep the utility working properly although it does flood across the street a lot of times on the sidewalk to make sure that we have JEA's agreement to any turning off. I agree if we have had a lot of rain we don't want to add more water to it. That is kind of separate from the RFP but I guess it is not in this RFP but understanding where all these sprinklers are does come down to doing this. Given this are you going to make changes to this document?

Mr. Hill responded if I need to. I went back and forth with Jamie on this and this is what was presented with the exception of the few things we changed like we added all of our locations because in the past it was kind of vague. We put recreational office, recreation center, aquatic complex, all the locations. That is basically what the changes were. When it was sent to us this is the way it came with Julington Creek Plantation Community Development District.

Mr. Haber stated what we would be looking for from the board tonight is approval of the RFP package, approval of the evaluation criteria and also setting up an evaluation committee which can be the entire board similar to your audit committee this evening. If the only change that the board may have is Kathy's suggestion of using JCPCDD to describe throughout the entire package the district you can approve it in substantial form subject to staff making that change and either Jerry or my office can go through and do a quick search and change wherever it says the district or owner or whatever to make sure that always says JCPCDD.

Mr. Pincket asked Jerry since you sent this package out to us do you have any changes to this?

Mr. Hill responded no. The date the package will be available is the 16th which is a week from tomorrow. If it gets approved I can make these changes. I need to get it to the printer because I have to get all of these copies also made and put in the packets for the individual proposers. If it is okay I will make those changes and get it rolling.

Ms. Minnis asked is there a motion to approve the project manual and criteria based on changes to be done by Wes' office?

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor the RFP landscape bid package submitted to the supervisors by Jerry Hill that includes the project manual, evaluation criteria, proposal forms, and the remainder of the package subject to the changes to conform the name of the owner to JCPCDD.

Ms. Minnis stated now we have to decide on the evaluation committee.

Mr. Haber stated it can be members who are not on the board. In other words if you wanted Jerry to be on it or anyone else they can be on it as well.

Mr. Dosch stated I would like Stacie and Jerry to be on the committee.

Mr. Haber stated we probably should have at least one board member on it.

Ms. Minnis stated I have done this before. When are you going to try to do this?

Mr. Hill responded August 20th. It doesn't have to be that day. We just picked that out of the blue because the package will be back on August 15th so any time after that but the contract is supposed to start October 1st.

Mr. Haber asked is August 20th mentioned in this package? I know August 15th is the due date of the package but August 20th is not?

Mr. Hill stated August 20th is just us.

Mr. Haber stated if you need to look at your calendar we don't need to decide August 20th today. The committee members can set that, get with the district manager so they can advertise that committee meeting at the committee's convenience so it works with everyone's schedule.

Ms. Minnis asked does it have to be a public meeting?

Mr. Haber responded yes it has to be a publicly noticed meeting.

Ms. Minnis stated I will be on it. I just needed a months notice to tell them.

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor Stacie Hernandez, Jerry Hill and Kathy Minnis were appointed as the landscape maintenance evaluation committee.

SIXTH ORDER OF BUSINESS

Approval of Pay Requests

A. Pay Request No. 242 Payable to Julington Creek Plantation CDD in the Amount of \$381.27

Ms. Minnis stated item six is approval of pay requests.

Mr. Pincket asked what is pay request 242 for?

Ms. Hernandez stated that is for six medicine balls.

B. Pay Request No. 243 Payable to Julington Creek Plantation CDD in the Amount of \$928.32

Ms. Minnis stated pay request 243 is for \$928.32.

C. Pay Request No. 244 Payable to Julington Creek Plantation CDD in the Amount of \$19,209.51

Ms. Minnis stated pay request 244 is for \$19,209.51. This is all for the recreation center?

Ms. Hernandez responded yes.

D. Pay Request No. 245 Payable to England Thims & Miller, Inc. in the Amount of \$752.50

Ms. Minnis stated pay request 245 is for \$752.50.

E. Pay Request No. 246 Payable to Basham & Lucas Design Group in the Amount of \$10,645.00

Ms. Minnis stated pay request 246 is for \$10,645 to Basham & Lucas.

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor pay requests 242 through 246 were approved.

SEVENTH ORDER OF BUSINESS

Discussion of Recreation Complex

Mr. Commins stated change order no. 9 requires a signature. I have three copies.

Ms. Minnis asked is this what we approved at the last meeting?

Mr. Haber asked was this previously approved as a proposed change order and is now being processed as a change order?

Mr. Commins responded yes. The proposed change orders are in the back, PCO no. 34, PCO no. 35 and PCO no. 36.

Mr. Haber asked all of those proposed change orders are encompassed in this final change order?

Mr. Commins responded yes.

Mr. Haber stated the proposed change orders came before the board, were approved, went back to the contractor.

Mr. Commins responded that is my understanding.

Mr. Oliver stated this is for the proposed changes we previously approved that encompasses PCO 34 the lights at the crosswalk and Mike did tell us that those lights flash simultaneously, the stair case ceiling modifications. Previously there was not a ceiling and the final is cove tile in the pool restrooms. You previously approved these as proposed change orders now they are in the form of change order no.9.

Mr. Haber stated let's have a motion to approve change order no. 9 which reflects previously approved proposed change orders.

Ms. Minnis asked why don't we approve them in the previous meeting?

Mr. Haber stated the proposed change orders are something that Basham & Lucas are coming to the board and saying these are our recommendations for a change. You are approving Basham & Lucas to go to the contractor and say we would like to make these changes to the contract, they get that as a final change order to the contractor to the extent they are able to negotiate those in the exact form and they are coming back to you for final approval as the actual change order to the contract.

Mr. Commins stated that is correct.

On MOTION by Mr. Pincket seconded by Mr. Dosch with all in favor change order no. 9 was approved.

Mr. Commins stated I do have a copy of a proposed change order no. 38 and I believe the board has discussed all of the details. Mike's note was to have Susan sign this copy and return it. This has to do with that credit for the playground allowance of \$50,000 that would be credited off of Dicky Smith's contract but then an addition to provide all of the required formation, layout, labor, materials, tools and equipment to complete the set up and also provide the additional fencing we discussed last time to fully enclose this area and protect the children from the slopes that go down into either a wetland or over the bulkhead in proximity to the retention pond.

Mr. Pincket stated I thought when we talked about it Mike was going to come back with that proposal, we were going to review that before we voted on it. Is that what you are contemplating tonight?

Mr. Commins responded this is the only information I had from Mike but certainly we can do that and get the approval. Previously this entire area was not enclosed by a fence.

Mr. Pincket stated I just learned of that at the last meeting. In discussion of the playground it came out that there was no fence. This is the area where the young kids are playing right outside and they could fall into the pond.

Mr. Commins stated this would be at the maximum about a four foot drop there. I think this is where the old fence came through and we tied it in to wrap, require an access gate here but a security gate would move forward to here, still allowing deliveries into the facility, still allowing free access through the security gate into this area but once you get into the pool complex you can roam freely.

Mr. Pincket asked the security gate is what, only the people with the right card can access that gate?

Mr. Commons stated that is correct and then on the way out it is the red button to get out because this is an evacuation route as well. We secure to the corner of the building, off the top of the bulkhead and wrap around.

Mr. Pincket asked how high is that red button for someone to hit that to walk out?

Mr. Commins responded it is a 4 foot tall fence and 4 foot 8 wide gate.

Ms. Hernandez stated the gate will be closed.

Ms. Spears asked if you push the button the gate opens?

Ms. Hernandez responded yes and it has an alarm.

Ms. Spears asked if someone pushes the button the alarm is going to go off too?

Ms. Hernandez responded yes.

Mr. Pincket stated so this is not an encouraged exit for anybody who might be in the pool who wants to get out of the facility.

Mr. Commins responded that is correct.

Mr. Pincket asked what is to stop them from just walking out there?

Ms. Hernandez responded nothing. They can hop over the fence it is not that tall.

Mr. Pincket asked you want everyone going out through the center of the building?

Ms. Hernandez responded correct but you have to have that egress right there.

Ms. Spears stated maybe we need a sign that says emergency exit only.

Mr. Commins stated that notification may be on that cover. I'm just not familiar with that piece of equipment and I'm sure Mike can elaborate on that.

Mr. Pincket asked what about this gate? Obviously people can walk from here into this facility. How about the other way around? I'm trying to contain the young kids from wandering back into this facility. Is there some way to make that more difficult to go one way versus the other?

Mr. Commins responded not to my knowledge unless you went to a secured situation. How do kids get in to use the facility?

Mr. Pincket stated maybe the kids who are swimming in the pool will also go over and use it. Initially I thought it was going to be used primarily by the day care and they would all be coming out of the building into the area.

Mr. Commins stated we were trying to address movement any way we could, trying not to restrict that other than the fact that we knew the typical departure would be through the building itself.

Ms. Minnis asked the play equipment is going to come out and be purchased separately?

Mr. Pincket stated out of the Dicky Smith contract and be purchased by the JCP directly.

Ms. Minnis stated that was to take \$50,000 out and then to secure this area by the diagram was the \$13,972 which Dicky Smith will do?

Mr. Commins responded yes.

Ms. Minnis stated then the credit is \$36,028.

Mr. Commins responded right.

Mr. Pincket stated from which we are going to buy the \$44,000 of playground equipment.

Mr. Dosch stated going back to Brian's comment even though this is a change order there is no description as far as increase length of fence to the lineal footage. Is there going to be some documentation on the drawing that reflects this change order?

Mr. Commins stated we have a total of 241 lineal feet.

Mr. Pincket asked is the fence of a style and type that is consistent with the other fencing?

Mr. Commins responded yes. We think that is a good solution for all matters of concern.

Mr. Pincket asked Stacie does this all make sense to you? Did you review the fencing and the flow?

Ms. Hernandez responded yes.

Ms. Minnis stated just for the audience there is another comment in here, playground to be directly purchased by owner and provided and installed by their vendor, Playmore for a CDD tax exempt price of \$43,919.65. We are securing the fence for approximately \$14,000 in an area where children would have been able to go into a pond. That is the purpose of this change order and then removing this equipment that was estimated at \$50,000 and getting it at \$44,919.65 so the credit coming back will be \$36,028 and that would be applied to the \$44,919.65 price.

On MOTION by Mr. Pincket seconded by Mr. Dosch with all in favor PCO no. 38 was approved.

Mr. Commins stated we are working with the landscape contractor. We discussed some of the issues last time and I got some general direction to proceed to develop a proposed change order to the landscape contractor. Unfortunately I didn't receive his paperwork. The discussion was about adjustment to some size of material, adjustment of seed application versus sod application in certain areas. We have some concerns about making sure our slopes are all sodded and we are in a better position to maintain the slopes rather than the seed that was called for originally. I think the net result was about a \$2,800 credit back from the contract but I'm still waiting on that paperwork. It will have to come to the next meeting.

There is one item I want to bring up to the board that has to do with the landscape contractor in their contract we had them provide the cypress mulch and also the rubberized mulch that goes within each of these play structures. The play structure comes with small landscape timbers that stack up and they are usually plastic or recycled material. The last couple of years we have taken to specify the rubberized mulch material that is more soft and amenable to children playing whereas in the past we used to put just cypress mulch. When we were researching the new equipment the Playmore representative recommended that we consider a specification of 6" of depth with the rubberized mulch as opposed to the 3" we specified originally. Throughout the city and North Florida we have done 3" for the last 8 to 10 years at just about all of our facilities. Many of those being cypress, the newer applications have been the rubberized mulch. We initially included some documentation where there was an up charge or about \$2,000 to conform with the configuration and then upgrade to 6" of mulch. We have

gone through this and evaluated and with our concerns watching the budget throughout the process. I have done the calculation and if we took the equivalent amount of mulch for the original contract amount and applied this credit to these areas we are going to get 5.14" of mulch. We stepped back and took a common sense approach to this and we are going to give you two alternates. We are going to recommend that we don't change that out and we don't increase the amount of rubberized mulch because we are already getting 2" more than we put in any application. We mentioned that and suppliers are famous for making vague references to new code requirements. We haven't found a code anywhere that says we have to have 6" of rubberized mulch. That will come off and it will be very clear on the paperwork we submit next month but I think our recommendation will be to hold with the amount of rubberized mulch already in the Sun State contract. We will give them the plan, they are already familiar with this new configuration and they will hold the price and spread it and we will achieve 5" of mulch and we think that is satisfactory. We will have a cost difference for the board's consideration. We have never seen an application with 6" we have never designed or approved a project that had 6", only 3" to date. It is kind of a new improved benchmark but it certainly is not a code requirement.

Ms. Minnis asked is there a code required for rubberized mulch yet?

Mr. Commins responded no.

Ms. Minnis stated so there is no requirement at all to have it.

Mr. Commins responded no but the grade of mulch has been going down generally. They are pulling out cypress and a lot of what we get is pine or pine bark that has been pulverized or different types of woods. We are seeing big chunks and some of those get sharp and for that reason we have gone exclusively with rubberized mulch. We are going to hold with that recommendation. We think that is better and they are very agreeable with kids in landing at the bottom of a slide or jumping off of a tire swing. We are going to strongly recommend that we stay with rubberized mulch but we don't see the need to incur additional dollars for achieving what was a supplier's recommendation of 6".

EIGHTH ORDER OF BUSINESS

Discussion of Preliminary Opinion of Costs

Ms. Minnis asked item eight is discussion of preliminary opinion of costs. Do you have any opinion on this Jim?

Mr. Pincket asked this is something Shelly puts together isn't it?

Ms. Timbol stated I track it.

Mr. Pincket asked no anticipated issues going over?

Ms. Timbol responded no.

Ms. Minnis asked are some going to come in at the end like lightning and surge protector?

Ms. Timbol responded I anticipate after the building is built some of these things do need to wait until a certain point.

Mr. Pincket asked the fact that there is nothing in the liquor license category isn't an indication that that is not coming right?

Mr. Haber responded we are working on that.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber stated I have one item I want to bring to your attention which came to our attention this afternoon. I think the board knows that in order for the district to charge a fee for something under Florida law it is required to go through a process of establishing that fee in a public hearing. The district has already held a public hearing establishing a number of fees. There are some fees that we have found that were not included in that original public hearing which are from staff's perspective important that they get established as quickly as possible. What I have handed out to you is a resolution setting a public hearing for the establishment of those rates as well as the fees that we are proposing be adopted at that public hearing. Stacie put together the exhibit. Because the public hearing to establish the rates and fees requires roughly a 30 day notice, there are two notices one requires 28 days and the other requires 29 days, staff discussed wanting to get the fees established as quickly as possible because of the time crunch of getting a notice of the hearing to the paper in time for the board's August meeting is setting the public hearing at the board's continued August meeting. What we have been doing is continuing the meeting each month which means a lot of times when the meeting wasn't needed the continued meeting was getting canceled. In August because we will be spending the cost of this advertisement and needing these rates than more likely than not the August continued meeting will need to take place. We will need extra confirmation that a quorum will be available for that

continued meeting in August. Similar to the budget the purpose of this public hearing is for this board to address the rates whether they are adequate, whether it is something you want to do. If you have any questions about the fees you can address those to Stacie.

Mr. Pincket asked would that be August 26th the continued meeting?

Mr. Haber responded yes.

Ms. Minnis asked can these be put on the website as well?

Ms. Hernandez responded we always do. For the most part most of those are already on the website. Fees for swim lessons, fitness classes, tennis instruction.

Ms. Minnis asked can they be there if we haven't approved them?

Mr. Haber responded they shouldn't be charged to the extent they have been charged that would be a problem. If they are there do they have to be changed, they will get changed at the hearing.

Ms. Minnis stated then I don't have an issue with it. I wanted them to be there so that is one less question for you, you can say go to the website. Since we are covered and no one is charged. I have looked at them they look reasonable to me.

Mr. Pincket asked is this a situation if we approve a fee and we want to reduce it we are okay?

Mr. Haber responded yes and that is something Stacie and I discussed because her staff puts on holiday events and sometimes the charge for the holiday event may be \$5 and sometimes it is \$20 depending upon what is being offered at the specific event. What I have asked Stacie to do is try to estimate a high number for what that would be and then based on what specifically happens at that event you can go lower. If it turns out that the event would result in a fee that is going to be higher then I told Stacie she is going to have to change her plans for that event and make up for it next year by going through the public hearing process.

Ms. Hernandez stated you will notice on the aquatics we might have a diving clinic and charge \$10 per person and if you go as high as 250 if you are doing an adult masters group that lasts all weekend and we have other people coming in to do the sessions so there is a big range and we won't know that until we get in and see what the needs are. Some of those you will see vary and others you will see a hard number. We know what it is going to be for fitness, we know what we are going to do for child watch.

Mr. Pincket stated I would even err on the high side for purpose of the public hearing and let common sense and resident response kind of dictate what the real rate would be. Are you comfortable with these?

Ms. Hernandez responded yes and that is what the budget is based on.

Mr. Dosch asked just a clarification tennis fees are for professional lessons, correct, that is not the court?

Ms. Hernandez responded we have already established those.

<p>On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor Resolution 2008-07 setting a public hearing on the rates for August 26, 2008 at 6:00 p.m. in the same location was approved.</p>

B. Engineer – 2008 Engineer’s Report Bond Series 2002

Mr. Welch stated in your agenda packet Mr. Maggiore did provide an annual report for the master assessment. This is a report that we do on an annual basis. The existing recreational facilities appear to be in good shape and good working order as well. I did notice in the minutes of an earlier meeting that Ms. Beaugrand and Mr. Maggiore exchanged a brief conversation on potholes in one of the parking lots. It is my understanding that those will be repaired when Dicky Smith does additional paving later on in his contract. If you have any questions I will be happy to answer those for you.

Mr. Pincket asked how extensive is your inspection of the structural integrity of the buildings? Do you go there?

Mr. Welch responded it is not required.

Mr. Haber stated this is a requirement of 189.415 that requires special districts to provide a report and this will get provided to the county that essentially lets the county know these are public facilities and this is the status.

Mr. Pincket asked does 189 set forth the requirements of the report?

Mr. Haber responded it does and I don’t know the requirements off the top of my head. Generally the purpose of 189.415 is when the counties put it all together it is overall future development land use plan. It wants to know what all of its public entities within its boundaries are doing. I do not know the specific requirements of 189.415. If there is concern whether this meets all those requirements it is to be provided annually and I think we probably have time if

the board wants staff to go back look at 189.415 in comparison to this report and a determination be made that it is not sufficient, update it to meet those requirements.

Mr. Pincket stated he is saying it complies.

Mr. Welch stated typically we will look at the master trust indenture which goes back to when the bonds were issued and they spell out different requirements in there. Off the top of my head I don't know exactly what those are.

Mr. Dosch asked is there a form they will fill out to submit to the county?

Mr. Haber responded no I think this is mailed to the county saying attached is the public facilities report required to 189.415.

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor the 2008 engineer's report bond series 2002 was approved.

C. Recreation Facility Manager

Ms. Hernandez stated I am very impressed with the workers that are working on the tile in the facility. They are doing an excellent job. The ones doing the pavers, perfect. The installation of the slide looks wonderful. I appreciate that Basham & Lucas is keeping the site clean. The tennis courts look great. I was able to watch the sprinklers and they were perfect. They hit every single little inch. I think it was a very wise decision to put that gutter on the side. You can't see it, it is low, it looks nice, very attractive. I have been to other facilities they didn't have anything that looked that nice. It is easy to clean and it looks good.

Ms. Minnis stated I have gone to the facility and went in and I agree for a construction site it is very clean. No one said anything to me but I felt very awkward being there with just walking in. Does anybody question people walking in there? Do you know?

Ms. Hernandez responded they are familiar with me but they are just workers, they are not going to do that. When they were spraying the stairs on the fitness floor they asked me to get out because of all the fumes. I assume if a supervisor was there he would say something to somebody.

Mr. Commins stated right the supervisor or his foreman under him will approach people if they look like they are not part of the working crew out there. They don't have anybody monitoring flow in there.

Ms. Minnis stated this is just so I know because I do want to go back now that you said this on the improvements, can I just ask someone can I look around? Just approach someone?

Mr. Commins responded sure. The best way is to point out one of Dicky Smith's foremen. That is always your best bet because they will alert you. When we had the cranes going out there lifting slide tower subsequent to the crane installation we had to go back and remove one of the palm trees to make it fit just right so there is some heavy equipment and big items they are picking up and moving around. That is a concern. Public health and safety is the biggest concern. Your best bet is to ask any of the workers for a Dicky Smith supervisor and they will point him out.

Ms. Minnis stated I went on my way into work so they hadn't started working. They were looking over plans.

Mr. Hill stated I just want to leave with you, it is not for tonight you can take them and look at them, back to the playground across the street the upgrades we were going to change the slides and everything. The third one is to move what we can from over there to the pool. Take it and look at it and we can discuss it.

Ms. Minnis asked would you like us to put this on the agenda next month? Next month is a public hearing. When do you want this?

Mr. Hill responded the next meeting or the one after that, whenever it can go on. We have been talking about it and it kind of got pushed behind.

Ms. Minnis stated why don't we discuss it in the meeting where the fees are discussed at the continued meeting so we stay on it and it doesn't get lost.

Mr. Dosch stated the price is valid until 6/30/08.

Mr. Hill stated that is because we have been going back and forth with the same guy on some of them.

Mr. Pincket stated going back to the issue Wes mention of trying to ensure a quorum for that continued meeting. I would like to hear from the supervisors at this point if they think they are going to be able to attend. I will be available for that.

Mr. Dosch stated I will be available.

Ms. Spears stated I will be available.

Ms. Minnis stated I will be here.

D. Manager – Proposed FY 09 Meeting Schedule

Mr. Oliver stated you have the proposed meeting schedule for fiscal year 2009. It is the same schedule we have used in previous years, the second Tuesday of each month at 6:00 p.m. The only question I have is we have November 11, and that is Veterans Day. I think that is the traditional Veterans Day but I'm trying to recall if that is celebrated on a Monday.

Ms. Minnis stated it is the actual day.

Mr. Oliver stated then you may want to consider moving that based on what this board desires to do.

Mr. Pincket asked if we meet on Thursday of that same week is that a problem for anybody?

Mr. Oliver stated the reason I bring it up is we are required to publish an annual notice of all of the meeting dates even though they can be changed.

Mr. Pincket asked what about Wednesday the 12th?

Ms. Minnis asked when do you submit this notice?

Mr. Oliver responded I have to have it published by September 30th so you have a little time. We can table this until the next meeting.

Ms. Minnis stated let's do that because then we can look at holiday calendars. Based on the schedule is there any issue reserving this building for these meetings?

Ms. Timbol stated by that time the new facility will also be open so you have a choice if you want to continue meeting here or do you want to meet there.

Ms. Minnis asked do we have to have that decided to put in the notice?

Mr. Oliver responded we will have to have the location.

Ms. Minnis stated we are changing the August meeting to Fruit Cove but because you noticed it and it changed that is okay.

Mr. Oliver responded yes. In an abundance of caution we actually have monthly notices also and they supercede the annual notice.

Mr. Haber stated the annual notice is a requirement of Florida Statutes. We are required to publish that notice. Most districts do a monthly notice to encourage public participation because the reality of it is that if the district is able to meet every date that is on the annual notice, the reality is you are not going to get nearly as much participation because people either

aren't going to see it or are going to forget the one notice for the entire year. You do it to meet the statute but then we are also publishing monthly for each meeting.

Ms. Minnis stated I would say let's notice this building once we determine that then if we move it, it will be within that notice.

Mr. Oliver stated we will bring this back to the board.

TENTH ORDER OF BUSINESS

Supervisor's Requests

There not being any, the next item followed.

ELEVENTH ORDER OF BUSINESS

Audience Comments

Mr. Jones stated I just want to make a statement I believe the June 10, CDD minutes reflect that Mr. Dosch committed to resign from the POA board and that the POA board meeting minutes for June 11, the following day does not make any mention of Mr. Dosch resigning.

Mr. Dosch stated I did resign as an officer of the POA. That position is completely voluntary and at my discretion if I want to volunteer for that position. We have an opinion from our attorney regarding the continuation of a volunteering status on the board.

Ms. Minnis asked what is the legal standing of being elected on other committees? What is legal?

Mr. Haber responded I think there is a difference between elected positions for example Al resigning because he was going to run for the St. Johns County Commission. Because of the voluntary nature of Del's position and I wasn't at that meeting but in reviewing the minutes I saw what Jonathan said that there isn't a violation of law for Del to be a CDD board member which is an elected position even though he was appointed he is still considered an elected official and his service with respect to the HOA which is a private entity, not a public entity where people are voting for that position.

Ms. Minnis stated they do vote in a way. If any of us sit on another board do we have to worry about conflict of interest between the two?

Mr. Haber responded yes, there is always a conflict of interest issue that you should probably keep your eye out for but there is no specific law prohibiting the holding of two seats.

Mr. Pincket stated I'm not sure I understand their distinction, your response to his question.

Mr. Dosch responded when I was sworn in as a CDD supervisor here the next POA board of director's meeting I resigned as an officer which I was treasurer.

Mr. Pincket stated so you are no longer an officer of the POA.

Mr. Dosch responded I am a director but not an officer.

Mr. Pincket asked what do the minutes reflect that he agreed to? Was it resignation of the officer position or his director position or both?

Mr. Haber stated I would have to review the specific language in the minutes. I don't recall.

Ms. Minnis stated Brian you asked the question at the meeting.

Mr. Pincket stated I just don't recall how it came down whether Del said he would resign or would resign if the board chose for him to do so.

Mr. Dosch stated on page 3 at the bottom, Mr. Johnson stated there is no legal requirement that he couldn't serve on both boards.

Mr. Haber stated on page 10, the second line from the top it doesn't go into the specificity as to whether it is an officer there could be a different interpretation between what you were thinking and what Del was thinking. He has been appointed. The motion for appointment was prefaced or premised on his resignation.

Mr. Pincket stated I was the one who asked the question. When I asked the question it wasn't clear to me that Del was both an officer and a director. My concern was could he handle it and I seem to recall the notes don't reflect it in those subsequent conversations that I was going to leave it up to Del to decide whether or not he could properly focus and handle both positions. I am satisfied that he has resigned as an officer to remaining a director so you have no obligation to attend the meetings of officers but of the board of directors you would at this point. Are those two separate meetings?

Mr. Dosch responded no the POA board is made up of three or four officers and two alternates or two other members.

Mr. Pincket stated the way I left it in my mind anyway was if Del felt he could handle it fine and if he couldn't I was going to leave it to his judgment if he couldn't then we would revisit and ask him to resign. We as a board I don't think we can force him.

Mr. Haber stated I don't think you can force him. I think you weighed in that factor which made the decision as to who you wanted to appoint. This has if you are comfortable with

that decision and gave Del the discretion to do what he thought he would be able to do to accommodate both positions.

Mr. Pincket asked Del, when you made the statement that you would resign in your mind you were thinking of the officer position not the director position.

Mr. Dosch responded that is correct.

Ms. Minnis stated my only concern is if there is ever something where the POA and CDD have to decide and you have a voting position.

Mr. Pincket stated he can recuse himself.

Mr. Haber stated that would be similar to what you and Susan did with respect to your work and that is something you have to take special care to pay attention to that you are not voting on something that could be a conflict of interest.

Ms. Stuart stated I was here at that meeting and Del did say he would resign if the CDD wished it. It was left open. I think the CDD supervisors wanted to say let's see how it works if he can hold up his end.

M. Minnis stated they came up with Brian asking the question. He pointedly asked the question and that is what is in the minutes, Mr. Pincket asked would you be required to or would you opt to resign your seats on the POA? Mr. Dosch responded that is a good question. Those positions are voluntary so I am not sure but if that is the choice of the CDD group I would opt to resign from those positions. Mr. Johnson stated there is no legal requirement that he couldn't serve on both boards. Then there was further discussion with Susan asking a question and what his availability was. That was the end of the POA question.

Mr. Stuart stated I think it is a good idea if Del can handle both being on the board and being here too as a liaison between both, we haven't had that in the past. I think it is a good idea to have both.

Ms. Davis stated my comment is I have been in the neighborhood for almost three years and all the feedback I have heard from both boards is we can never get anyone to volunteer and there were candidates that appeared for both positions so I don't understand why someone feels that they need to serve on both boards. I am afraid in the future that will discourage other people from coming forward to the board.

Ms. Minnis stated I'm not sure I understood that.

Ms. Davis stated the board members the officers of both organizations have repeatedly said we cannot get residents from the neighborhood to run for the board. You did have more than two or three choices I believe. My concern is why would anyone feel like that they needed to fill a seat on the CDD board as well as on the HOA board if there were other candidates. My concern is in the future I'm sure from year to year you get different people running for a position so my concern is in the future if everyone feels like the boards are kind of locked out with people serving on multiple boards they are not going to want to run.

Ms. Minnis stated I see what you are saying now. Your position is different from Charlie's.

Ms. Davis responded yes.

Ms. Stuart stated I think we also have to note that this was a special circumstance. Normally CDD supervisors are in a regular primary and general election status on the ballot that we would vote for any other major office. I think we have less of a chance of that happening.

Mr. Stuart stated I don't think we have a problem so much of people running for boards, everybody wants to get on a board but nobody wants to be on a committee like the grounds committee or any of the other committees. They just want to jump right on and get on the board. I think it ought to be a requirement that anybody that runs for any board serve on a committee prior to it.

Ms. Minnis stated the board of supervisors falls under Chapter 190. You would have to get that passed through Florida law to change that.

Mr. Pincket stated Charlie to reiterate your point I agree with you and that was one of the points I made in the discussions of evaluating the prospective candidates for Al's open position and as I stated then and will state now the primary distinguishing factor I saw between them was Del's tremendous commitment on several committees as well as POA officer position as well as the board of directors.

Ms. Stuart stated I just have a couple of questions and then just generalized type questions that concern POA business as well. Is there a maximum limit on the number of non CDD memberships for sale?

Mr. Haber responded no.

Ms. Stuart stated I am concerned about parking when we have tournaments. Are we going to limit like trying to gage the days that if there is a tennis tournament there is not a swimming tournament?

Ms. Hernandez responded yes.

Ms. Stuart asked is there enough parking at the new center to handle both the regular residents and members coming in to use the facilities?

Ms. Hernandez responded we don't know that answer.

Ms. Stuart asked is there a plan for overflow at the new facility because it is going to be harder to park on the shoulders.

Mr. Pincket stated there are no shoulders.

Ms. Minnis stated when we made these plans I had the impression that people would park all the way up that thing and there aren't any shoulders.

Ms. Stuart stated that is what I'm asking. Have we thought about that?

Ms. Hernandez responded yes. We went over parking, we went over the number but since we did that the facility changed and we had to move the center back over here and it completely changed the parking. It is as many as we can possibly have without reducing the multi-purpose room or the offices or the pools and tennis. We are out to the very edges as we can possibly get and we will do our best in scheduling tennis and swim meets on different days but our hands are somewhat tied because you go to schedule at the end of the year you are not going to lock into certain days and times. There is a little flexibility in that but absolutely we don't want that nightmare of two events at the same time.

Mr. Pincket stated there will be days we are going to have problems with parking. There is no way around that. The challenge was designing the facility that had all of the things that this facility has to offer and at the same time having the appropriate amount of parking. I think the parking will be sufficient 360 days a year but there is going to be a handful of days where it is going to be a problem. We talked about it already and have talked to Stacie about some kind of contingency plan and I don't know if it is renting a shuttle bus to bring people back and forth to the parking lot here but it is something we need to think about.

Ms. Minnis stated if the mindset of the swim team and the parents could change, my son runs cross country and we go to Tallahassee, Gainesville, Titusville, Daytona and there are

parents who refuse to have their kids carpooled so they will take another car too. I take 7 kids in mine and they will bring their Suburban with two kids in it.

Ms. Stuart stated if we can try to work that better with the organizations on those days it would help.

Ms. Hernandez stated the beauty of the competition pool and year round swim teams is that we control year round swim teams. We can make mandatory parking for our swim team whereas we don't have that control at the current recreation complex but they will park here and this parking lot will be finished so that should improve the parking considerably.

Ms. Stuart asked do we have an opening date yet?

Ms. Minnis responded we need a certificate of occupancy.

Ms. Stuart stated the POA board is interested in going to nighttime meetings which means we would have trouble staying in the annex and also at times the library. We would be interested in talking to Stacie about maybe permanently having our meetings probably in this building and if not maybe a specific date to use one of the rooms in the new building. There is a fee for the new building, right?

Ms. Hernandez responded correct.

Ms. Timbol stated Rich came in and we looked at the calendar together and of course if it is open it would be available just like any of the other community based meetings that meet here but that being the case that is difficult there are a lot of other meetings going on and also until the new facility opens we have fitness classes here several times a week. We discussed Thursdays.

Ms. Minnis asked when is the POA meeting?

Ms. Stuart responded it is tomorrow. It is normally Wednesday at 4:00, 5:00 or 6:00 p.m.

Ms. Minnis asked would we have a set date if we made this a regular time?

Ms. Stuart stated yes, the idea is to go to a set day of the month and a start time of probably 5:30 or 6:00 p.m.

Ms. Minnis asked Shelly is it something we wouldn't commit to at this time?

Ms. Timbol responded if they could come up with a day that they wanted and it worked with the calendar there would be no reason for us not to. We have committed to JCP Cares, to Southern Creek Homeowners Association, grounds committee so certainly.

Ms. Stuart stated the last thing I want to ask the board our grounds committee is currently working with UF and the Forest Service and St. Johns River Water Management District about

getting Julington Creek Plantation a fire-wise or water-wise Florida friendly neighborhood. Some of that will be educational and we would like to know if we could post when our workshops or demonstrations might be taking place, if we drop brochures off here and at the new center when it is open for residents and people to pick up to advertise those pickup points.

Ms. Minnis stated I don't have any objections if it is informational, you are not soliciting money.

Mr. Pincket stated you say it is focusing on Julington Creek Plantation issues.

Ms. Stuart responded right.

Mr. Stuart asked is there an emergency management plan in effect or is it required by the CDD with the new facility?

Ms. Hernandez responded we have an evacuation plan.

Mr. Stuart stated not an evacuation plan but an emergency management plan that takes care of battening down everything, securing your buildings.

Ms. Hernandez responded yes.

Mr. Stuart asked is there any comment about the sidewalk? Is that going to be a requirement?

Ms. Minnis stated the required sidewalk to nowhere exists. That is what was required by the county. We approved additional studies we don't have that information back.

TWELFTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet as of May 31, 2008 and Statement of Revenues and Expenditures for the Period Ending May 31, 2008

Mr. Oliver stated the balance sheet is information.

B. Treasury Report – May 31, 2008

Mr. Oliver stated the treasury report shows the available balance in the bond accounts.

C. Assessment Receipts Report

Mr. Oliver stated right now the district is at 96% collected. That is common in a lot of districts right now because of foreclosures but I think the district will be made whole through the tax certificate sale process. There is nothing for the district to do. It is in the hands of the county tax collector.

Ms. Minnis stated if someone doesn't pay their assessment is it on a foreclosed house?

Mr. Oliver responded if they don't pay their taxes of which this is a line item, then the tax collector has a tax certificate sale and the proceeds from those sales go to pay these assessments as well as the other line items on the tax bill.

Ms. Minnis stated I notice that tax certificates are up for sale that you or I can buy them.

Mr. Oliver responded right, as an investment.

Ms. Minnis stated hoping that person will come through?

Mr. Oliver responded if they don't somebody will buy it because it is property, so it is a good thing.

D. Check Register Summary

1. General Fund 5/29/08 – 6/27/08

Ms. Minnis stated section one is the general fund.

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor the general fund check register was approved.

2. Recreation Fund 5/29/08 – 6/27/08

Ms. Minnis stated section two is the recreation fund.

Mr. Pincket stated there is a check for \$4,880 to the Preferred Governmental Insurance Trust.

Mr. Oliver responded that is a progress payment for the insurance.

Mr. Pincket stated I guess we bought a maintenance cart for the tennis courts.

Ms. Hernandez responded yes.

Mr. Pincket stated I guess that is standard equipment.

Ms. Hernandez stated actually our tennis pro was able to find one that is in very good shape but is used so it was at a reduced price.

Mr. Pincket asked is the cart used to pull something or push something?

Ms. Hernandez responded yes.

Ms. Minnis asked where were the raccoons?

Ms. Hernandez stated we had a family of raccoons over at the pool.

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor the recreation fund check register was approved.

ELEVENTH ORDER OF BUSINESS

Next Scheduled Meeting – August 13, 2008 at 6:00 p.m. @ Fruit Cove Middle School, 1380 Race Track Road, St. Johns, Florida

Ms. Minnis asked do we need to continue?

Mr. Haber stated that has been the trend and it is not a bad idea to stay with it. It is easy to cancel if it is not needed.

On MOTION by Mr. Pincket seconded by Ms. Spears with all in favor the meeting was continued to July 22, 2008 at 6:00 p.m. in the same location.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson