

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, February 9, 2010 at 6:00 p.m. at the Julington Creek Plantation Club, 350 Plantation Club Parkway, St. Johns, Florida 32259.

Present and constituting a quorum were:

Susan Beaugrand	Chairperson
Kathy Minnis	Vice Chairperson
Del Dosch	Assistant Secretary
April Spears	Assistant Secretary
Brian Pincket	Assistant Secretary

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Matt Maggiore	District Engineer
Mike Lucas	Basham & Lucas
Stuart Maxwell	Dicky Smith & Company
Stacie Hernandez	Julington Creek Plantation CDD
Brandi Benton	Julington Creek Plantation CDD
Shelly Timbol	Julington Creek Plantation CDD
Stacey Passen	Julington Creek Plantation CDD
Jerry Hill	Julington Creek Plantation CDD
Maria Gunther	Julington Creek Plantation CDD
Kim Harless	Julington Creek Plantation CDD
Jason Davidson	Julington Creek Plantation CDD
Derrick ___	Julington Creek Plantation CDD
Scott Miller	Julington Creek Plantation CDD
Ashley McVeagh	Julington Creek Plantation CDD

FIRST ORDER OF BUSINESS

Roll Call

Ms. Beaugrand called the meeting to order at 6:00 p.m.

SECOND ORDER OF BUSINESS

Approval of Minutes of the January 12, 2010 Meeting

Ms. Beaugrand stated included in your agenda package is a copy of the January 12, 2010 meeting. Are there any additions, corrections or deletions?

Ms. Minnis responded on page nine the second paragraph John's last name is spelled "Bratos."

Mr. Pincket stated then on page 13 the last line the word "imputing" should be "impugning."

On MOTION by Ms. Minnis seconded by Ms. Spears with all in favor the Minutes of the January 12, 2010 Meeting were approved as amended.

THIRD ORDER OF BUSINESS

Discussion of Facilities Improvements

Mr. Lucas stated we will start off with discussing the older aquatics system.

Mr. Maxwell stated we started our internal punch list. The project looks just about complete. There were a couple items we incurred late in the game. The wall lighting fixtures are supposed to ship. The door is on back order. We anticipate turning over the facility in the next two to three weeks. Dicky Smith came out and looked through the whole project and we went back through it one more time. We put a list together and this punch list is what we have come up with. This is basically just taking care of maintenance that wasn't identified when we were putting things together. Some of the things that are recognized at the bottom have been on our radar since we started this thing.

Mr. Lucas stated the reason some of these things came out was after Dicky Smith power washed it became evident of some of the maintenance things you that needed attention.

Mr. Maxwell stated PCO numbers 109 through 115 are paint maintenance and paint improvements in a few areas in the facility. PCO number 109 is to paint all windows and panes. PCO number 110 is to prep, prime and paint the circular entry bench. It didn't look faded until we put brand new arm rails on it and now it could use a good coat of oil based paint. Also paint all stucco bans to match the existing ones. Throughout the years the paint on the door frames have been touched up several times and it got a little bit on the stucco banning on the doors, so they are just going to come back and touch up the stucco banning color. This is also to prep, prime and paint existing dumpster gates. Also, to prep, prime and paint the existing bead board entry ceiling. Then prep, prime and paint two entry railings and eave drip. The last one was prep, prime and paint the perimeter pool architectural railing. It is those decorative railings that have been touched up.

Ms. Beaugrand asked the white around the pool deck?

Mr. Maxwell responded yes. It is the white railing on the front side looking at the pool. Into the building there were a couple HVAC items. We installed the existing HVAC duct trim. This was a good time to clean out the duct system while the rails are off there. It has been running for 15 years and could probably use a good thorough professional cleaning throughout the duct system and then it is an opportunity to put on new trim if you wanted to. Right now, we just replaced the exhaust fans that were rusting. Those are the pricings to replace all the grills and trim throughout the facility. There were a couple concrete items. One was over in the park there were a couple panels that needed to be removed and replaced. They were displaced by tree roots. I got that information from Jerry and there is a photo of 119 where the concrete had been chipped and overlaid with something overtime. You can see it is discolored and chipped up. That ramp really needs to be pulled out in front of the dumpster and replaced with new concrete. Item 120 the new playground is over there at the aquatics center and we have the shade structure and the deck squared off to look at it. There is an ADA ramp and grass and we could connect that with paver's right there, so you could have access from the deck to the playground. There are no benches at the playground currently, so we will be installing a couple benches similar to the ones that were provided at the volleyball and basketball courts adjacent to the playground.

Ms. Beaugrand asked so back next to this facility?

Mr. Maxwell responded yes.

Mr. Hill stated there are two old benches at the playground by the pool that were not replaced. There are two new ones at Plantation Park along the pond but then there was one in the bushes and one by the playground that weren't replaced.

Ms. Beaugrand asked so where would these new benches go?

Mr. Maxwell responded if you go Plantation Park at the new playground on the right hand side there is an older bench there. The problem with those benches is they are slated and they come apart. Then there is another bench back just before the little bridge that goes towards the dock.

Ms. Beaugrand asked so would this be replacing those two benches?

Mr. Maxwell responded yes, unless we take the one in between the trees and get rid of it, which I would recommend we do and not replace it.

Ms. Beaugrand asked so would that mean we would only need one new bench?

Mr. Lucas responded yes. PCO number 122 was to replace all the signage at the aquatics complex. This would replace all the pool signs and also over at the parking lot by the basketball court. PCO number 123 is to replace the front panel electrical box that is the motor started for your decorative fountain out front. It is sitting on pavers now. It was lying in the ground and it tripped the breaker because it was full of water. PCO number 124 you will see pictures of some white vinyl fence and some weeds and pool equipment. This is your grotto filter pump and it is disconnected currently. It has been disconnected for several years. It is just circulating the water. It is not filtering the water in the grotto. The equipment inside of that enclosure is in need of repair. This is also to repair grotto filter and pumps currently not working. This is actually to repair those pumps and get the piping hooked back up, so one is to clean up the entire area and put the rock and weed barrier in, so it looks like a nice clean equipment area. The other one is to make the pumps operational. Also optional it has not been getting filtered for several years and I'm not sure if it is an issue for any folks but when you get in and clean out that grotto the marcite is probably going to be discolored and pretty old. It actually has a marcite finish inside of there.

Ms. Beaugrand asked is that where you walk through the middle of it?

Mr. Maxwell responded yes. You walk through it that whole basin is a pool. Once it gets cleaned out I don't know what it is going to look like when we get in there and pressure wash it all out. With respect to PCO number 127, when Swim Pool Specialists turned the pools back on it took several days for the existing sand filters to clean the pool according filter pump size and that size of filter. They should have cleaned that pump up within a day or so. They think the sand media has just reached its usefulness. What will happen is the sand kind of clumps together and it forms paths through the sand when the water flows by it instead of filtering through it.

Ms. Hernandez stated every year we have CES come out and evaluate the filters and what they look for in terms of the sand is if it is channeling or mud balling and if there is calcification, as well as reoccurring algae and the only thing that I'm aware of is a recurring algae. We probably want CES to come out and assess the filters before we spend \$5,000. I believe it is probably time. I don't believe it has ever been done but I would like for them to come and assess what needs to be done. We normally have them come out every March to take a look at our filters here and assess what needs to be done, so we should probably do that and then address these issues and see if we are having channeling and mud balling.

Mr. Maxwell stated on PCO number 128 there has been some interest expressed in replacing the monument signs in front of the existing aquatics center with one similar to what we have here and what we priced here was the price to demolish the existing and reconstruct a sign to match. It is the masonry sign out front. That doesn't include the reader board or the lettering.

Ms. Minnis asked you have to permit a sign?

Mr. Maxwell responded yes. I have to do a building permit and a sign permit.

Ms. Minnis asked even on your own property?

Mr. Maxwell responded yes.

Ms. Minnis stated I'm still not sure which sign this is.

Mr. Lucas stated it is right as you come in. It is where you have that loop circle around there and it is a very low profile sign. It is probably 24 or 30 inches.

Mr. Maxwell stated a suggested improvement on landscape came with an allowance of about \$10,000 that was spent throughout the facility on landscape and rocks. Jerry had met with JCP's landscaper.

Mr. Hill stated I met with Cornerstone and they are working on three different setups to upgrade the landscaping inside the facility. PCO numbers 109 through 115 are normal annual things that we do about this time of year prior to opening.

Mr. Maxwell stated then is PCO number 129 for lightening protection for the aquatics building. PCO number 131 the fountain that has been out there for awhile we had a \$10,000 allowance for it and we decided to knock down the glass, cleaning out that ring, fixing the light fixtures and maybe putting another jet or two inside of it. This considers replacing the glass portion with a shell, marcite and decorative tile around it instead of having glass, which is more of a solid structure and probably a little easier to maintain and clean. Tying in with that is the round-a-bout. There is a photo of both of those items in here. The round-a-bout pavers are just 15 years old, so that is a proposal to replace them.

Ms. Beaugrand asked do you think the pavers are something that is necessary or nice to have?

Mr. Maxwell responded the pavers are going to last awhile. It would definitely be something that is nice to have because it is at the front of the facility. The last item was a general conditions number based on the majority of this work moving forward.

Ms. Minnis asked do we maintain the landscaping on the grotto?

Mr. Maxwell responded yes.

Ms. Minnis asked so this landscaping would be additional landscaping within the pool?

Mr. Hill responded what I talked to Cornerstone about beefing up the landscaping on the inside and doing work around the waterfall and the grotto but they have not come back to me yet with their proposal.

Ms. Minnis asked where it says removal of weeds is not part of their normal job?

Mr. Hill responded no. They weed eat in there and they clean it out but I think what Stuart is proposing is that they put rock down in there to prevent the weeds from growing.

Ms. Minnis asked how much does it cost for us to clean the fountain?

Mr. Maxwell asked do you mean to power wash it?

Ms. Minnis responded no. You all said you were going to look into the annual maintenance cost.

Ms. Benton stated it is actually included in our contract with Rick Arsenault.

Ms. Minnis asked so how often does he do it?

Ms. Benton responded once a year.

Ms. Beaugrand asked just to confirm 109 through 115 are done out of our normal operating budget?

Mr. Hill responded yes.

Ms. Beaugrand asked did we have sufficient funds in the budget landscape improvements for that?

Mr. Hill responded we have damage improvements, which comes into the grounds maintenance side of it.

Ms. Beaugrand asked within our annual budget?

Mr. Hill responded yes.

Ms. Beaugrand asked so that is another number that we would not necessarily need to take into consideration on this sheet? I'm trying to make sure that if it is in the annual budget we don't need to take it out of that and pull it over here.

Mr. Hill responded right. The only thing that comes out are unforeseen things that come up like if trees are hit.

Ms. Beaugrand asked so you didn't actually have in your budget repair and replacement of landscaping at the original aquatics center?

Mr. Hill responded no. It is just under grounds maintenance.

Ms. Beaugrand stated there are a couple of things that I'm not sure are quite necessary. One of the things that is not necessary is number 120, regardless of the dollar amount I don't think putting in a paver from the walkway to the playground is all that necessary. I just don't know the benefit of re-marcing the grotto either. I don't know how much of that \$4,400 is the re-marcing.

Mr. Maxwell stated that is the cost for the re-marcing.

Ms. Beaugrand stated the question of whether we need to spend \$7,600 on a new sign there is another nice thing to have but not necessary. Then removing the pavers is another \$16,300.

Ms. Minnis stated I walk up there every weekend and I don't see the contrast to justify new pavers. The fountain has been an ongoing discussion. If we filled it in and made it a planter would it cost us any less annually?

Mr. Hill responded maintaining the landscaping is not that expensive.

Ms. Beaugrand stated versus having Rick Arsenault clean it once a year and pay for the electricity to run the fountains and run the water through there.

Ms. Minnis stated it just seems that once a year doesn't seem to be enough.

Mr. Hill stated it is closed for six months, so it just sits there.

Ms. Minnis asked when is it cleaned?

Mr. Hill responded it will be cleaned in the next couple weeks. We do a lot just prior to the opening of the pool.

Mr. Dosch asked I thought we discussed before that it was kind of a wash between the landscape and the fountain?

Ms. Beaugrand responded that is what I remember to.

Mr. Dosch stated my preference is a fountain.

Ms. Beaugrand stated I think everything they have on here is something we should probably consider with the exception of 120 and 121 gets cut in half and 126, 128 and 132. If the landscape upgrades are not already in our normal operating budget then that should be on this budget versus coming out of the contingency budget.

Mr. Pincket asked what kind of money do we have to do this? My recollection was we didn't have enough money to do everything we wanted to on the wish list. Was there anything else we were discussing doing with this money?

Ms. Beaugrand responded no. I think the outstanding items we have were the fountain and then the lightening control for the pool area. I don't think there is anything left off of that owners budget that we haven't either nixed or included in the Davis Pond or what we had left in the bond funds for this building.

Mr. Pincket asked so we could do all of this and possibly still have \$100,000 left over and not really have any need for the \$100,000 right now?

Ms. Beaugrand responded we would have \$125,000 left over.

Ms. Minnis asked is the handicap ramp included in here?

Mr. Hill responded you said where it was the concrete was all chipped up but it is in front of the doors to the dumpster.

Ms. Minnis asked it is?

Mr. Hill responded when we went and looked the actual handicap ramp doesn't have chips in it. It is smooth. When you come down towards the dumpster that is where it is all pitted and sinking down a little bit but it is not the actual handicap ramp.

Mr. Pincket asked so what are the ones you propose?

Ms. Beaugrand responded I suggested 120, 126, 128 and 132. Then obviously general conditions will change depending upon the final total. We would also pull out 109 through 115 because that is already in our operating budget, so that is another \$4,000.

Mr. Pincket asked what is the worst-case scenario if you were to drain the grotto as opposed to pressure wash it? Is there a structural problem with it or is it just an esthetic issue with it?

Mr. Maxwell responded it wouldn't be a structural. It would just be a cleaning. We would drain it, pressure wash it and if there are any minor repairs that need made.

Ms. Hernandez stated Jim Worth with Rick Arsenault does that, as well at the beginning of each year, so we might have him do it as part of our contract. He does that every year.

Ms. Beaugrand stated okay.

Mr. Dosch asked and that is in the O&M budget?

Ms. Beaugrand yes.

Ms. Minnis asked how do we know if he covers that or not?

Ms. Beaugrand responded Rick Arsenault does.

Ms. Minnis asked so we are saying that number 126 would be covered by normal maintenance?

Ms. Beaugrand responded cleaning it and repairing it would but 126 is actually prepping it and re-marciting it, which is \$4,400. Instead of doing that we just continue with our normal protocol of cleaning it and repairing it every year. It is not like a pool, like where we just replaced all the marcite on the pools.

Mr. Lucas asked will Rick take a look at the sand and then you will handle that out of your budget then?

Ms. Hernandez responded yes.

Ms. Beaugrand stated so 127 would be another one. Is that in the O&M for repair and replacement?

Ms. Hernandez responded yes.

Ms. Beaugrand stated so that takes 109 through 115, 120, 126, 127, 128 and 132 out.

On MOTION by Mr. Dosch seconded by Ms. Minnis with all in favor PCO Nos. 116 through 119, 121 through 125, 129, 130 and 131 were approved, plus the general conditions.

Mr. Lucas stated as far as the Davis Pond building they are shooting for the week of the 27th to do the walk through and preliminary punch. They are about 90% done on all the painting and the millwork. The flooring should be completed by next week and then the phone and data starts next week. They are progressing and it really looks nice over there.

Ms. Beaugrand asked so what is the projected final date?

Mr. Lucas responded the walk through is on the 22nd, so I would say probably in a couple weeks.

FOURTH ORDER OF BUSINESS

Approval of Pay Requests

A. No. R-012, Payable to Hopping Green & Sams, in the Amount of \$1,280.00

Ms. Beaugrand stated included in your agenda package is pay request number R-012 to Hopping Green & Sams, which is basically contractor review for the Angelo contract.

B. No. R-013, Payable to Hopping Green & Sams, in the Amount of \$120.00

Ms. Beaugrand stated pay request number R-013 is also relating to contract discussions to Hopping Green & Sams for \$120.

C. No. R-014, Payable to O.R. Dicky Smith & Company, Inc., in the Amount of \$338,002.00

Ms. Beaugrand stated included in your agenda package is pay request number R-014.

Mr. Lucas stated they have wrapped up about everything on their contract. They are waiting on the building lighting sconces. There are a few miscellaneous doors and other items. The marcite is done. The pavers are done. The pool lights are done and all the interior improvements are done.

Ms. Beaugrand stated so we are at 99% complete and we have about \$57,000 remaining to fund, plus retainage.

D. No. R-015, Payable to The Angelo Group, in the Amount of \$58,823.00

Ms. Beaugrand stated included in your agenda package is pay request number R-015 to the Angelo Group in the amount of \$58,823.00. This pay request takes us through the end of January and its 67% complete.

On MOTION by Ms. Minnis seconded by Ms. Spears with all in favor Pay Request Nos. R-012, R-013, R-014 and R-015 were approved.
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FIFTH ORDER OF BUSINESS

Discussion of Risk Manager Position

Ms. Hernandez stated for the past two months there has been open discussion about the management practices and specifically hiring policies in place for the Julington Creek Plantation recreation center. I feel it is important tonight to correct information for the public record that has been stated, implied or insinuated by a member of this board at the most recent meeting held in January. Furthermore, I wish to state my position publicly in response to the critical accusations about my performance as General Manager of the recreation center and that of my staff. Number one, management practice regarding selection of landscape contractor: It was stated in the January 12, 2010 board meeting that the process for evaluating qualifications and

bids for a landscape contractor was influenced in part by the Property Manager reporting to the General Manager and therefore not impartial. For the record, evaluation criteria matrix used for the contractor selection was provided by Jason Walters from Hopping Green & Sams and all results reviewed by a selection committee, including JCP Recreation Center General Manager, Property Manager, board member Kathy Minnis and CDD legal counsel Jamie Fowler. Independent scores from each of the selection committee members were reviewed and final selection made by consensus of the committee. Committee results were then submitted at the September 9, 2008 board meeting and approved by the full board of supervisors. A bid protest was submitted to the board after initial selection was made and the committee was tasked again to put the contract out for complete rebid open to the past bidders and those who had not participated in the original bid. The same review process was used by the selection committee and results were submitted to the board for approval. The process outlined contradicts the accusations of any influences of the selection of vendors due to the reporting structure of the General Manager and Property Manager and to say so would be implicating influence over a board member, legal counsel and District Manager. Number two, management practice regarding hiring a qualified lifeguard staff: The qualifications and capabilities of lifeguard staff were questioned at the January 12, 2010 meeting that must be corrected. For the record, all candidates for lifeguard position must demonstrate and pass a swimming test ensuring they have this critical prerequisite skill even prior to taking a lifeguard course. Candidates must then complete a rigorous professional rescuer course sanctioned by the American Red Cross. Let me point out that Brandi Benton, one of our JCP Recreation Center Aquatic Directors has been selected by the American Red Cross to conduct professional rescue training certifications for our facility and other facilities based upon her years of service in the aquatic industry, knowledge and qualifications. We are fortunate to have some of the best lifeguard staff protecting our families here in Julington Creek Plantation. The board member comment that our lifeguards “couldn’t pull an adult out of the pool if their life depended on it” is offensive, careless and disproved by numerous rescues, including that of an adult this past season. Number three, hiring practices at JCP Recreation Center: In November of 2009 the board received an anonymous letter informing them that my daughter is employed at JCP. The policy in question was in place and even encouraged by the previous management company, who was YMCA of Florida’s First Coast, which was employed by the District. The policy has been reviewed by the District legal

counsel and changes have been made to the notification of employment opportunities, documented hiring procedures and to management reporting structures to address statutory requirements that were unknown to the board of supervisors and therefore the General Manager, as well. The management team in place has the maturity and experience to effectively manage their respective staff regardless of relationship. I agree with these changes, including reporting structure as they will ensure our further success by continuing to hire the best qualified and capable staff. The availability of board members in this very public forum provides ample opportunity for issues or concerns to be raised by staff, employees or residents. This directly mitigates concerns voiced by a board member regarding the potential for intimidation by the General Manager or other management staff that would prevent accurate evaluation or assessment of staff performance or policies. Number four, General Manager performance: The board of supervisors had placed tremendous responsibility and trust in my position as General Manager over the past 16 months the facility has been in operation. In the years prior to opening the board of supervisors relied on my expertise and judgment for the design, the development, the construction, hiring, program development and management of facility and staff that now provides amenities to a community of over 6,000 families and perhaps the premiere facility in Northeast Florida, yet now my judgment and performance is being questioned and has been discouraging and personally difficult for me, as well as the entire staff and has the appearance of being personally motivated with malicious intent towards me. In closing, over the past nine years of managing the aquatic and recreation facilities here in JCP I am entirely confident that we have some of the hardest working individuals and the majority of them are residents and family members. I have complete faith and confidence in our Property Manager Jerry Hill, our Aquatic Directors, Brandi Benton and Ashley McVeagh, our Administrator Shelly Timbol, our Fitness Director Kim Harless, our Director of Tennis Scott Miller, Childwatch Director Maria Gunther, our Front Desk Manager Sue Ulman, our Special Events Director Stacey Passen, Food and Beverage Manager Brad Whittaker, Skate Park Manager Jason Davidson, Swim Teams Head Coach Mark Corley and the entire JCP staff. They have done an excellent job and should be recognized through the support and encouragement of the board of supervisors. To that effect, please continue to bring to my attention any concerns or issues that the board or residents may have. It is unfair to take an anonymous letter at face value or treat it as fact without the ability to respond or address the concern. Rumors should be treated as such. If a board member here is a

concern it would be appropriate to discuss the concern with the General Manager or Staff Manager. I have an open door policy that means that any employee, board member, manager, resident or contractor has the ability to voice questions, get information or to provide input that can help us continually improve overall communications. I take great satisfaction in servicing this community and making JCP a desire place for families to live and enjoy. I appreciate the opportunity to serve as General Manager and as a homeowner to have such a great facility that adds great value to our homes. Thank you for your continued support and trust.

Ms. Beaugrand stated we have talked over the past 60 days about how to handle the existing employment of Christiana Rosario. A lot of discussion has taken place and a lot of people have done a lot of research and we need to bring this to a conclusion one way or another. I don't think the turmoil is good for any of us or the operation of the facility. From my perspective I have struggled with this over the last 60 days. It is not an easy thing to do with personnel issues in a very public forum but we have no choice. As I looked back at minutes and documents that Kathy researched and thinking back about all the conversations from my perspective I see three options. One option is to terminate. The second option would be to set up some type of reporting structure that would have to bypass the General Manager and I'm talking in general terms because however we do this we have to set our policy based on no particular people. We have to set a policy from a corporate standpoint in my opinion. If there is an employee who is on staff who happens to be a family member of the General Manager then we have to come up with some way to bypass the General Manager in that reporting structure to make it fair for all of the employees and not put anyone in any kind of uncomfortable situation. The issues with doing that are that you still have all the managers reporting to the GM and the General Manager has oversight of all of the employees, so that still presents somewhat of an uncomfortable situation in my opinion. Another option that I came up with is having the family member report to a board member or the District Manager or someone up here because none of us have any direct ties with whoever the General Manager is and only the residents can fire us. The issues that I have with that is for the last 60 days, I was technically the person who is supposed to be managing Christiana, but I'm not here all the time. I come here and workout frequently but I think I have seen her in the facility one time because I'm usually here at night. In my opinion in being a manager in the corporate world, that is not an effective method of managing. There is not the day to day interaction. Whoever that person is can't see their

performance, so having someone like one of us be in that position isn't necessarily fair to us or to the employee because you are not providing a proper assessment. The issue is if you have an employee who is a family member based on what Wes has said to us over the last two months any issues around role changes we would have to have some clarity about how roles would change and who has the authority to make those promotional advancements. We do have roles changing here very frequently as this facility has evolved over the last year and it will continue to evolve. Any promotion or advancement of that family member employee would be a violation and that is a hard thing to overcome. It is very complicated. It is very precedent setting. Whatever we do is precedent setting in however we do it and then there is the issue of hesitancy of staff members to raise concerns. Some people are certainly going to be very comfortable doing it and other people are not. We do have employment at will and our policies state that and I think we have to be careful about setting our policies based on one person or two people. We have to base them on a corporate business structure. We have to be fair and we have to be consistent and we have to put something in place that can be applicable across the board and not put anybody in an uncomfortable situation. We can't have any kind of perception of influence of the family member over anyone else on the staff. One thing that really struck me in reading back over the minutes was a quote from Bill Curtis, who is Stacie's attorney where he says he understands the sensitivity about the direct line between Stacie being a supervisor and how the organization chart is setup, so something creative would have to be done that is completely out of the ordinary. I don't know from my perspective if that is really the right thing to do. I think we have to set up a policy and procedure that can be applied across the board with no exception. I think that the one position in this organization that this has the biggest effect on is the General Manager because we can have family relationship employees working here without having a direct line of management and we do have a number of them and I think we have restructured the org chart appropriately to make sure that there is not the direct line of management but that is impossible to overcome with the GM position unfortunately. I have known Stacie for a long time and I have come to the conclusion that I don't think we have any choice but to look at the termination. It has nothing to do with Christiana and it has nothing to do with Stacie. It has everything to do with making sure from a business perspective that we set this thing up right, so that it is durable and it doesn't have any error of impropriety and that no one can question us. We are a public business.

Ms. Minnis stated I did receive a change to the employment forms that Stacie provided. They do now have a form that asked for employee relationship in here for disclosure. They have added the recruiting strategy, which was a discussion of how we post these positions. I think we need to restructure the org chart, so it is more by department. I think we need documentation and I asked for that in the report that I gave. I think we should look at these and make recommendations. I agree, Susan. We have this structure but it needs to still be tightened up.

Ms. Beaugrand asked so you want us to take this and review it during this month?

Ms. Minnis responded there was discussion about hiring processes and just to look at the organizational chart if there is a way to identify if there are hiring members, so there is no question down the road. The part I'm not clear on is who has the authority to hire. Is the ultimate authority in the General Manager's lap?

Ms. Hernandez responded no. It is all the people that I identified as my manager's tonight. It is all the people in a straight line across here.

Ms. Beaugrand stated I would like to sit down and read this but I appreciate the work you have done on that. I think this chart is already set up by department.

Ms. Minnis asked is this organization still in effect.

Ms. Hernandez responded the only changes would be Liz Gunther is working under Sue Ullman.

Mr. Dosch stated I think you did an excellent job on presenting the options and it does look very difficult. Versus termination, is there any option to give the individual a notice and have an opportunity to look for another opportunity?

Ms. Beaugrand responded yes that is what we have to figure out today.

Mr. Hill asked on this issue is it based more off the fact of them reporting to Stacie versus the ability of the managers to manage the person?

Ms. Beaugrand responded it has nothing to do with who the managers are or who Christiana is or who Stacie is. I'm looking at a generic business structure. It is the fact that the managers report to the GM. It is not necessarily that I think there is an issue with the manager's being able to manage a particular employee, but it is the potential discomfort that could be created under that scenario that everyone reports up to the GM. To make sure that we have the most effectively operating organization and that is our fiduciary responsibility because we are managing a lot of money for the residents and the property owners.

Mr. Alan Belcher asked before Christiana was hired was her potential hiring brought by Stacie to the board?

Ms. Hernandez responded no. It was not.

Ms. Timbol stated during this month my husband has contacted Wes Haber about the possibility or his opportunity to run for a seat on the board.

Mr. Haber stated given Shelly's position as an employee I told him I didn't see it as a problem. If he were a board member he would have to recuse himself from any decision of advancement, etc. But because Shelly still falls under Stacie, who is making all the day to day decisions I think he, as a board member, could have a wife that serves as the administrator. I think he would be able to. As I mentioned, I think he would have to recuse from any decision the board would make as it relates to Shelly's employment, but as this board knows I don't know that we have made any decisions regarding anyone's employment before this issue we are presently dealing with.

Ms. Timbol asked my reason for bringing that up was then if he were on the board then there is a potential for Stacie to be intimidated by him because in effect she would be answering to him?

Ms. Beaugrand responded but it is not one particular board member who has authority over anything. Not one of us could make a decision without the group as a whole voting on it.

Ms. Timbol asked and there would be no way to make a provision where the board would still be the authority over the General Manager, so that if an employee felt that there was something unfair that they could appeal to the board?

Ms. Beaugrand responded I think that is something that should be in place anyways regardless of the current situation.

Ms. Hernandez stated the open door communication option document has been inserted into the new hiring packet and the new hiring packet is much different than the original one you received a couple months ago.

Ms. Passen stated it seems in listening to the last three months of board meetings that Christiana's capabilities, credentials, professionalism or experience are not in question. It seems what is in question is the unbiased ability to manage her without any type of intimidation. Is there a possibility if you have a team of three managers, so then it would be a clear and honest assessment coming from three managers that work with her on a day to day basis and then that

would be an unbiased way and an unthreatening way to be able to assess her without saying I have to go to Stacie to say this?

Ms. Beaugrand responded I think I thought through that process because I think Dorothy Davis had the suggestion of having the anonymous reviews by the board members, so I kind of thought through that process. That is certainly an option but I still think there is potential for intimidation factor in the facility as a whole when you have a family relationship. I think you have to take that into consideration because our top priority is to ensure that this facility is a top running facility.

Ms. Minnis stated I have heard we work 70 hours and we work seven days a week. I think that is unreasonable to be asking multiple people to manage someone to accommodate this problem. I think we have to have a way that it works for everyone. It has to be a set structure. In most corporations you don't work for you spouse or in a public corporation and that is another thing. We fall under the Florida Law. People have said do we have to discuss this in this meeting but it is because we can't. We would love to be able to not talk about this in this format. That is the other thing is if we accommodate we can still be brought in front of the Ethics Commission and that is costing the District. How many hours of research have you put into this, Wes?

Mr. Haber responded I did a quick analysis and it is between 35 and 40 hours between myself and my associate. With that said, that hasn't been billed yet. I review those time entries and it is likely some of those hours will be written off.

Ms. Minnis stated and if we end up with a complaint with the Ethics Commission it would be a lot more hours and that is billed to the residents, who are then going to look to us to say why did you let this continue.

Ms. Hernandez stated I certainly respect that very much, but on the other hand is anyone looking out for me regardless of who is out there. I have to bring an attorney to work to protect myself because I didn't understand the law. I didn't understand the penalties. I didn't know what was going to happen at the CDD meeting and I have also spent a lot of money having my attorney come here and I have never had an attorney go to work with me before. I am a homeowner, so it has cost me, as well.

Ms. Beaugrand stated I think at this point we need to bring it to a conclusion.

On MOTION by Ms. Beaugrand seconded by Ms. Minnis with Mr. Dosch voting Nay and Mr. Pincket and Ms. Spears voting Aye to Terminate Employment of Christiana Rosario Effective 60 Days from Today's Date motion passed 4-1.

Mr. Haber stated based on a brief conversation I had with Stacie's counsel prior to today's meeting, in which he raised the issue of whether it was appropriate to terminate Ms. Rosario based on a violation of section 112.3135, Florida Statutes, I wanted to make it clear for the record that this motion isn't saying that the Board found that there was a violation of that statute, but rather the Board is concerned with the appearance of impropriety and the overall general manner in which the District was governed as opposed to any specific finding in that regard.

Ms. Beaugrand stated absolutely.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber stated at a previous meeting you authorized a waiver of a conflict of interest for Tom Jenks with respect to an assessment challenge. He hasn't filed anything formally but he and I have had a number of informal discussions regarding the manner in which a particular piece of commercial property is being assessed. I have had conference calls with Jim Oliver, Jim Perry and Tom Jenks regarding the issue. Based on the last conversation I had with Mr. Jenks, I think that we may have resolved, or at least sufficiently explained the issue. It is still possible that he may pursue that issue but I'm hopeful that the issue has gone away. He represented the District in the District's acquisition of real property. He potentially is representing a commercial property owner to potentially challenge assessments on that property owner, so we waived it because his representation on the real property transaction really didn't give him any beneficial knowledge as it relates to the assessment challenge, so we were comfortable waiving that conflict. He hasn't filed any formal action or even a demand letter as it relates. My firm has a relationship with him from the real estate transaction, so we have been informally answering questions and dealing with issues.

B. Engineer

There being none, the next item followed.

C. Recreation Facility Manager

Ms. Passen stated Stacie asked that I would share with you the results from the recent health and fitness expo but I would also like to give you a quick comparative snapshot of where we are this year in this fiscal year as compared to last fiscal year. Because of the rain for the health and fitness expo we brought the event inside. Admission to it was free for the community. We had attendance of about 1,000 residents. We had 35 vendors with Blue Cross Blue Shield and Winn Dixie sponsoring the event for \$2,500. We also got the St. Johns Sheriff's Department to sponsor with two presentations of Stranger Danger for the kids. Some other vendors were CVS, Salantic, Baptist South, Blood Alliance, Red Cross, St. Johns Fire and Rescue and many other medical and sports professionals. They offered the H1N1 shot, flu vaccines, raffles and free giveaways, as well as health screenings and free tests. The community comments were all positive that day. They basically stated they were happy to see a true health and fitness expo. Profit after all costs was over \$4,000 and actually lost \$1,300 because it rained I couldn't have all the vendors that were on standby that wanted to come on board. The dance lessons that have been going on for about a year now to date in this fiscal year we are averaging about \$1,200 to \$1,500 a month and those are special events. Those are just six weeks of dance sessions that we do that have been very popular over the last year and continue to be. I'm looking to incorporate other things like art classes, cooking classes, etc. The two areas that I oversee; multi-purpose and special events, last year's fiscal year to date October 2008 through January 2009 was \$5,501 in revenue and this year it is \$16,482, so we are up 300% over revenue last year in this first four months. Special events last fiscal year were \$958 and this year in the first four months it is \$16,400, so we are up there. We continue to grow and a lot of it is through banquets that started last summer. Just to give you a projected annual compared to what we had projected for 2009 and 2010 special event revenue we had at \$69,600 and we are on target for \$98,754, which is going to be a 42% increase over the original projection for this year. For expenditures, we had projected \$43,200 for special events and we are on track for only \$32,000, so it looks like we are on track for expenditures.

Ms. Benton stated in the last CDD meeting Mr. Pincket stated that I know of lifeguards that were hired here that have never swam in their life and couldn't pull an adult out of the water if their life depended on it. For the record, Ashley and I would like to make a statement. The American Red Cross prerequisites to be eligible for the lifeguarding course must be 15 years old and successfully complete a 300 yard swim continuously using front crawl, breast stroke and either for the last 100. There is no time requirement for the swim. The purpose of this is to demonstrate comfort in the water. Also, they must retrieve a 10 pound brick starting at 20 yards and diving down seven to 10 feet retrieve it and swim back 20 yards and exit the water without using ladders a step and do it within a minute and forty seconds. As an instructor of four people not able to swim the prerequisites and they were not able to advance in the class. When teaching a lifeguarding course here for JCP I'm not teaching just as a JCP Aquatic Director but I'm an authorized provider for American Red Cross. As a Red Cross instructor I must follow guidelines for teaching the course. If I don't follow the Red Cross guidelines then I put my self at risk for never being able to teach a lifeguarding class again. I have been in the aquatics field for over 12 years and I would love to keep it that way. I would not risk my career or my certifications I hold by passing or hiring lifeguards at JCP that I thought could not swim or pull someone out of the water. I would also like to remind you that we have monthly staff meetings that require 300 to 500 yard swim. I would now like to report on current aquatic department happenings. From February through July we will be having eight lifeguard certification courses. In March we plan to start scuba classes in the recreation competition pool. We are currently planning baby swimming courses, junior lifeguarding camp and summer swim lessons. The pool opens on March 26th.

Mr. Hill stated the playgrounds have been finished for a couple of weeks and the place has been packed ever since. I believe the building has been rented for the next month straight and even beyond.

Ms. Beaugrand stated it looks very good.

Ms. Harless stated our biggest loser event that we had we had 100% participation at our first meeting. We have our second meeting February 11th located in the multi-purpose rooms. We are also advertising a boot camp that is going to be starting March 1st through the 26th. It is 12 sessions. It is on Mondays, Wednesdays and Fridays at 5:45 a.m. Over the past several weeks and continuing into the near future Jeri Jo is offering to the residents several free master

classes ranging from body pump, body tap, cardio dance and intro to cycling to see if they would like to add one or more such classes to the group fitness schedule. The residents are emailing with feedback or they are filling out anonymous evaluations of said classes. We want to offer classes that are fun, challenging, motivating and necessary to help residents fulfill their fitness goals.

Ms. Beaugrand asked when we do those free intro classes are they handing out questionnaires, so that people will feel free to give feedback?

Ms. Harless responded yes.

Ms. Gunther stated child watch has been scheduling parent night out programs. Since the beginning of October of 2009 attendance has been incredibly successful. These programs are scheduled twice a month. Spring Break camp and summer camp registrations started this last past Saturday and it will be an ongoing registration until we fill up for both camps. We had a really good turn out on Saturday even though it was early in the year for registration. I'm expecting 40 children to sign up for Spring Break camp and 65 to register for summer camp. I also have an after school program, which is hip hop. It is a six week session. We started it in October of last year. We average between 18 and 22 kids every week.

Mr. Hill stated going back to the RFP we went over when Bryan said I was under duress because of working under Stacie. My decisions were solely my decisions and I would be happy to show anybody my notes on how I came to that decision.

Mr. Jason Davidson stated I am the Sportsplex Manager down at the skate park and at the basketball court. Between me and John Randolph we have created several events to be executed throughout the rest of the year, including basketball and skateboard lessons, clinics and competitions. We are structuring our lesson system as an individual and also as a small group consisting of no more than three individuals due to families having several children that would like to participate. With our clinics they are more of group lessons with 10 kids and an instructor. We had a three on three basketball tournament back in November that went well. We have a May skateboard contest. We have a back to school contest that we will be doing. We had a winter camp that created a lot of hype for the spring and summer camps that we will be doing this year. I expect a lot of participants because of how well the winter camp did. We are also doing games of skate and it is played just like horse in basketball. The person that spells the word skate is then eliminated. We also do it in a fashion with dice where the dice actually have

tricks on it. We get anyone that is involved in the community as far as any skate shop, or bicycle shop to help participate and maybe give a little bit for a prize packet.

Ms. Hernandez stated Jason has done a great job since we hired him in October. We actually have revenue coming in now. Kids love him. They are drawn to him, so if you hear kids talking about Duddy they are talking about Jason and if you hear people talking about Sparky they are talking about Aaron at the skate park. We have two professional skaters on staff.

Mr. Scott Miller stated our numbers are doing well this year. Each month we seem to be about 80% up in revenue versus the same month last year. We have probably added a number of league teams also. I know that in the D league we have two of the top three teams in Jacksonville and then our C team is in first place. Out of our teams are in the top six in their division and it is usually out of a 15 or 16 team league. Our socials are varying between 40 and 80 people and the socials take place about every six or eight weeks during the spring and summer and a little less frequently when it's cold out. A lot of our kids that have just started with us here about a year and four months ago are just now starting to play in the first level of tournament play. We have had between six and eight different kids win their respective division in the city in their age group.

Ms. Passen stated we have a huge calendar of events coming up to include a wine tasting dinner that is going to be in February. We are planning a leave your kids at home pool party that will kick off our happy hour in March. We are also planning a murder mystery dinner, a boogie night, and a jazzy night of entertainment, Polynesian luau, three more drive in movie nights, casino night, a wedding expo and a fall festival.

D. Manager

Mr. Oliver stated on next month's agenda we will have a mid year budget review.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

Ms. Minnis asked, "Del, it has been several months but we had discussed the landscaping but I was just wondering if you still had that task?"

Mr. Dosch responded I think the last discussion we had you were going to get your information to me through Wes.

Ms. Minnis stated okay. Let me go back and review that. It is the discussion of the boundaries and the mowing.

EIGHTH ORDER OF BUSINESS

Audience Comments

Mr. Ron Sullivan stated you all had an opportunity to do something right tonight and I understand it was a difficult decision but I feel you were all bullied. There was an opportunity and good options outlined on the table. I work for a company that has 600,000 people worldwide and there are people who have direct reporting relationships up to managers who report to senior executives. It was not that difficult. It was easy and expedient for the decision you made and I think it was for the wrong reasons. This is a Community Development District. It is a public organization but it is also a neighborhood organization and a community and I think you were bullied. In terms of the past three meetings that I participated in and seen the level of participation and discourse among all of the individuals. I am very disappointed and as a homeowner I am disappointed in this board. I think there were a lot of personal things stated. I would just have to say shame on you for making the wrong decision. You didn't do this community or organization any good and you definitely impacted an individual in a very significant way that didn't have to happen.

Ms. Beaugrand stated you certainly have the prerogative to voice your opinion and I respect that; however, I will tell you right now that no one bullies me. I made my decision based on my own personal decision. I didn't make my decision based on what anyone else in this room said. I take great offense when you tell me that I'm bullied. I have been doing this for 13 years and every decision that I have made during those 13 years has been as thought out as I could possibly do and if that is not good enough for you then I'm sorry.

Mr. Ron Sullivan stated apology accepted. It is not good enough for me. There are five board members that have the opportunity to state opinions and offer suggestions and the suggestions came from the audience. The suggestions didn't come from the board members.

Ms. Minnis stated we follow the Florida Statutes. We don't run a corporation, so although we can say we want it to run like a corporation at the end of the day we answer to the Florida Law and that is what we had to consider.

Mr. Ron Sullivan stated and the Florida Law was stated clearly and you were not in violation of the law.

Ms. Janet Ridgeway stated thank you for the new basketball courts by the aquatics center. When do the lights go off and on?

Mr. Hill responded they on at dusk and go off at 10 p.m.

Ms. Beaugrand asked is there a timer switch there?

Mr. Hill responded there is but we put a lock on it. We have had people messing with it, so it is locked now.

NINTH ORDER OF BUSINESS

Financial Reports:

- A. Balance Sheet as of December 31, 2009 and Statement of Revenues & Expenditures for the Period Ending December 31, 2009**
- B. Treasury Report – December 31, 2009**
- C. Assessment Receipts Schedule**
- D. Check Register Summaries**
 - 1. General Fund**

Ms. Beaugrand stated included in your agenda package is the check register for the general fund.

On MOTION by Ms. Minnis seconded by Mr. Dosch with all in favor the General Fund Check Register was approved.

2. Recreation Fund

Ms. Beaugrand stated included in your agenda package is the check register for the recreation fund.

On MOTION by Ms. Minnis seconded by Ms. Spears with all in favor the Recreation Fund Check Register was approved.

TENTH ORDER OF BUSINESS

Next Scheduled Meeting – March 9, 2010 at 6:00 p.m. @ Julington Creek Plantation Club, 350 Plantation Club Parkway, St. Johns, Florida

Ms. Beaugrand stated the next meeting is March 9, 2010 at 6:00 p.m. at this location.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Minnis seconded by Ms. Spears with all in favor the meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman