

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, October 9, 2007 at 6:00 p.m. at the Community Development District Administrative Offices, 950 Davis Pond Boulevard, St. Johns, Florida.

Present and constituting a quorum were:

Susan S. Beaugrand	Chairperson
Kathleen P. Minnis	Vice Chairman
Brian Pincket	Assistant Secretary

Also present were:

James Oliver	District Manager
Jonathan Johnson	District Counsel by telephone
Matt Maggiore	District Engineer
Mike Lucas	Basham Design Group
Stacie Hernandez	Julington Creek CDD
Shelly Timbol	Julington Creek CDD
Ashley McVeigh	Julington Creek CDD

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Beaugrand called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the September 11, 2007 Meeting**

Ms. Beaugrand stated the next item is approval of the minutes of the September 11, 2007 meeting. Are there any changes or corrections to the minutes?

There not being any,

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the minutes of the September 11, 2007 meeting were approved as submitted.

**THIRD ORDER OF BUSINESS**

**Discussion of Recreation Complex**

Ms. Beaugrand stated the next item on the agenda is discussion of the recreation complex.

Mr. Lucas stated I don't know if anyone intends to drive by but Dicky Smith was making some progress, he had the footings dug and he started pouring the footings until we had rain so basically they got 75% of the footings poured and then the rain came and washed everything out. All of last week they were unable to get on the site because it was too muddy.

Ms. Beaugrand stated it was still very wet when I drove by last night.

Mr. Lucas stated I haven't had a chance to drive back out there. I talked to Stewart and they want it to dry out pretty good. They did have a little water in the lake but it wasn't enough to amount to anything unfortunately.

**Proposed Change Order #3**

Mr. Lucas stated I do have some proposed change orders I want to discuss. A while back we talked about the possibility of changing the deck from concrete to pavers. We gave Dicky Smith a paver to price and he came back with a net change of \$769 for pavers. This is for pavers for the deck. The pavers we were thinking about is called a mega old town, sort of a light beige and comes in two or three different size stones. The color would be considered a sand dune. It is a new pattern and we weren't sure whether it came out with two or three stones. We would put the pavers together to form the pattern and then we would use one of the pavers to create a banding around it.

Ms. Beaugrand stated to give a little bit of history when I had the first meeting with Mike and Dicky Smith, Stewart and Dicky Smith, Jr., Dicky had some suggestions after he looked at the plans and everything after the bid was done. The first thing that Dicky brought up was the paver versus the coolcrete issue and he said the majority of the facilities have changed from the coolcrete decking to the paver decking and if you remember back to when we discussed this previously the biggest issue we were discussing was the heat issue with the pavers and I think that was the primary reason we stuck with the coolcrete.

Ms. Minnis asked what about the weeds?

Mr. Lucas responded this is over a sand bed.

Ms. Beaugrand stated if my memory serves me correctly it was the heat we were most concerned with. Clearly the cost is not that big of a difference that it is a deciding factor one way or the other. I did talk to Erik Wilson of the Hutson Companies. Both of the pools that they did at Oakleaf Plantation four or five years ago and then the new one that opened this past year have the pavers. The original one had a darker paver which they said was a bit hot and the new facility that opened last year they used a lighter paver and they have been very happy with it. Maintenance has not been an issue for them. I think Mike mentioned to me that if there is something that has to be done underneath the deck it is much simpler to pull up this type of material than it is to crack up a concrete pad and the coolcrete and match the whole thing all over again.

Mr. Lucas stated you have been fortunate over here not to have had that but it is something nice to keep in the back of your mind if some lighting or something has to be changed out or you want to change the tiles for some reason such as if it were stained and it can't be cleaned, you are able to replace it as opposed to cutting out a section of concrete. This is what all of the new communities are putting in. The concrete slab a lot of them are still doing them at home but I think even a lot of homes are going to the pavers. It is just a nicer, cleaner look. You can get them in the lighter colors and you can get some accents and that is what we have done. Sometimes we go back to the darker color as an accent but typically all of the pavers we put down are light.

Ms. Beaugrand stated there is a house on the street where I live where they put a pool in this year and they used the pavers and the pool deck looks really pretty.

Mr. Lucas stated Durbin Crossing put in a smaller pool and put pavers down.

Ms. Beaugrand stated Bartram Springs also.

Ms. Minnis asked what about mildew? Can you pressure wash and do everything?

Mr. Lucas responded yes.

Mr. Pincket asked are these two part of the same set the same color?

Mr. Lucas responded that is the type of variation you get and there was a third one. Dicky Smith gave me three stones but when I was talking to Paul he wasn't sure whether this new pattern came in with the three paver pattern or the two paver pattern.

Mr. Pincket stated I like the color variation myself.

Ms. Beaugrand stated I do too. I think it will be less apt to show stains as the paver ages it will be less noticeable. I thought it was something to consider. My biggest issue was the heat and I spoke with Erik and he said the lighter paver was not an issue at their newer club.

Mr. Maggiore stated I have them at my house about that color for about three years and it is not hot, the kids play out there.

Mr. Pincket stated I actually put in a pool in South Florida with pavers a little bit darker than this and it was fine.

Ms. Beaugrand stated these are proposed change orders and I think what we did last month was went ahead and voted on them and then they would show up in a subsequent payment.

Mr. Lucas stated each of the proposed change orders will have an ultimate change order. This one we need a decision because it affects a lot of things. It affects how much grade they are going to cut out because this goes on a sand bed and a few other things and we need to go ahead and be able to cut the grade accordingly. It also affects the pool beam and they have the pool staked out and you want to go ahead and get going on the pool and if you have a concrete curb or paver curb they have to lower it. The urgency is to go ahead and try to make a decision if this is something you want to pursue.

Ms. Minnis stated you said the cost difference was \$790.

Mr. Lucas responded \$769.

Ms. Minnis asked does that include changes to those grades and everything? When you are saying you are going to have to change the grade of certain things?

Mr. Lucas responded that is already taken care of.

Ms. Beaugrand stated that is the net add by making the change from the coolcrete to the pavers would be an addition of \$769.

Mr. Pincket asked where is this going? I can think of the obvious places around the pool but how far do they go?

Ms. Beaugrand responded anyplace we have coolcrete.

Mr. Lucas stated you would have a concrete sidewalk still but all around the pool deck and it would be the decking under the covered area.

Mr. Pincket stated it looks like everything inside the fenced pool area right to the building.

Mr. Lucas stated I would have to check to see. I'm assuming that they included that but I'm not sure if they included the sidewalk down to the tennis courts. I would think they did.

Ms. Minnis stated based on that statement if they didn't that would change the price if we said we wanted it up there too.

Mr. Lucas stated I wouldn't think it would be that much.

Ms. Beaugrand stated the way this is depicted here it has the same depiction with the grid pattern as it does where the pool deck is and the patio area outside the building itself.

Mr. Lucas stated I would think they would stop at this gate and stop at this gate and it would be all inside the limits of this.

Mr. Pincket stated I think it would be nice to have it wrap around there.

Ms. Beaugrand stated I think it is the way they have that grid.

Mr. Lucas stated everything within the fence line and I will call Stewart and verify that.

Ms. Beaugrand stated I think the optimum would be to have an answer this meeting, worst case scenario next meeting but I think it is critical that we have it this meeting.

Mr. Lucas stated yes I had both him and Dicky on the phone and Dicky said he forgot about the pool having to be down about 3" for the pavers.

Ms. Minnis asked if we vote on this and approve it and you go back and there is a change in price then what?

Ms. Beaugrand asked the change order locks in the price doesn't it?

Mr. Lucas stated let me call him and make sure as far as the limits of what he is talking about. I assume but I don't know.

Mr. Pincket stated because the timing is so critical at this point can't we approve it subject to an increase with a cap?

Mr. Johnson responded yes you can do that.

Mr. Lucas stated I will call after I get done.

Ms. Beaugrand stated then we can come back to this item.

#### **Proposed Change Order #4**

Mr. Lucas stated the second proposed change order, we had a meeting with Stacie and all of the personnel security people and all of that and we need to be able to tie the skate park building to the recreation building and in order to do that we are going to have to install 2” conduits to extend basically from the clubhouse electrical room to the check in building and that is a change order of \$4,700 to lay that conduit to tie these two buildings together.

Mr. Pincket asked why do we have to do that?

Mr. Lucas responded in order to have security that you will be able to read from the check in building, for the two buildings to be able to communicate other than just the phone line.

Ms. Beaugrand stated it is the computer equipment and modem lines.

Mr. Lucas stated until we sat down with all parties involved to find out what they needed we were not able to have this ahead of time.

Ms. Minnis stated that makes sense based on what you are saying and based on the progress and the conversations. I guess my question is how do we keep track of all of these change orders? If each meeting we are coming in and oh, \$4,500 doesn't seem that bad when you are talking about \$12 million but my concern is that we are going to get down to oh, I'm sorry you can't have a play structure because you had so many change orders.

Mr. Pincket stated I think it is part of the process. It is a valid concern.

Ms. Minnis stated as a group I'm asking how do we keep track of this?

Ms. Beaugrand stated every month we are going to get the AIA document that lays out the whole application and on here is the change order summary. There will be along with every pay request we have a listing of change orders. We have had one change order so far and that was for the builders risk insurance.

Mr. Pincket asked what is change order no. 2 since we just looked at change order no. 3?

Mr. Lucas responded we have had one change order. These are proposed change orders. There may be some things in here that we will propose and you don't want.

Ms. Beaugrand stated and there may be change orders that are deducts as well as additions. We will be able to keep track of it on a monthly basis and we know what kind of contingency is out there. It will always be summarized on here.

Ms. Minnis stated if you did not have this change order for the skate park what was the result?

Mr. Lucas responded you would just be able to communicate by phone service. Your computer lines, modem, security, no data, no security.

Ms. Beaugrand stated the check in is going to be computerized so they won't be able to use a computerized swipe card to check in at the skate park.

Mr. Pincket stated with this change they will.

Ms. Beaugrand responded they will. The computer links the security system during off hours at the main building so all of the structures would then be linked with the conduit. This was basically a miss.

Mr. Lucas stated I don't know that it was a miss but we didn't have a chance to sit down and know exactly. We had everybody sitting in the conference room saying what they needed to make what you wanted to work.

Mr. Pincket asked you had that meeting and that is when you came up with this change order?

Mr. Lucas responded yes.

Ms. Minnis asked based on what came out of that do you think you are satisfied? Will this meet the needs you were looking for out of there?

Ms. Hernandez responded yes.

Mr. Lucas stated this is just providing the conduit to tie the two building together.

Ms. Minnis stated right but without that she can't have the plan she wants.

Ms. Hernandez responded no.

Ms. Beaugrand stated I think the security and check in are the biggest issues right there. If we are going to go electronic for check in we need to go electronic for check in.

Mr. Lucas stated PCO no. 4 has two parts. The first part was the conduit and the second part is adding light fixtures to all the palm trees due to the fact that the landscape drawings were delayed a little bit and my electrical engineer didn't get the note to put up lights on the palm trees. I have an add of \$6,900 to up light all the palm trees which I think there are 7 or 8 palm trees. Two are at the front entry and the rest are on the pool deck. The total for PCO is \$4,700 for the conduit and \$6,900 for the lights, we have \$500 for coordination and the total amount of this PCO is \$13,776.

Ms. Minnis asked how did this change order become half and half like that? They seem like two distinct items.

Mr. Lucas stated he put it on the same PCO. He could have easily had one but I think it was something I talked to him about at the same time, both electrical issues. In the future if you want one item per PCO I can do that. They were both electrical items.

Ms. Minnis stated I'm just thinking if we approved one and not the other.

Mr. Lucas responded you are right, we probably shouldn't have done it that way.

### **Proposed Change Order #5**

Mr. Lucas stated the last PCO in the drawings it called out for a 2.1 cubic foot floor safe but unfortunately, that manufacturer is no longer in business. I asked Dicky Smith to give me an alternate and he gave me a list to choose from varying in size and I sent that over to Stacie because at the time I specified it I wasn't sure of the size she needed so I specified a 2.1 cubic foot size. The one Stacie would prefer to have would be a 2.7 cubic foot steel in floor safe and that one was an additional \$400. I have a proposed change order if you go for just the floor safe a change order of \$452 but there is an option to add a drop slot so that after hours people wouldn't have to access the safe, they could just slide it in safe and that would be an additional \$95 if you choose to add the drop slot option. I asked Stewart to look at one that was more comparable to the one I specified and there was a 1.8 but winded up being \$300 more.

Ms. Minnis asked is that about the size of that box?

Ms. Beaugrand stated probably not too different.

Mr. Pincket asked will you explain the drop slot function?

Mr. Lucas responded that is so you don't have to open the safe. It is a slot you would slide the money pouch in.

Ms. Minnis stated when you go in a store like Publix and it says we don't have access, they just take the cash and put it in and can't get it out.

Mr. Pincket stated so your staff would be using the safe only depositing money throughout the day.

Ms. Hernandez responded correct.

Ms. Beaugrand stated you have dual control when you get it out so it is not just anybody going into the safe.

Ms. Minnis stated and they don't have to do it at night. If they had a function and collected money they drop it in and they come back during the day and go to the bank and deposit it. I think that is the safest way to go. How big is the drop slot?

Ms. Hernandez responded I don't know.

Ms. Beaugrand stated I'm sure it is probably similar to a night drop at a bank.

Mr. Lucas stated those are the two options. Do you want me to find a smaller one?

Ms. Minnis stated I think that is sufficient and I think the drop box is necessary for safety.

Mr. Lucas stated that would be a total change of \$559 to go from a 2.1 to a 2.7 with a drop slot.

Mr. Pincket stated I thought it was \$452 plus \$95.

Mr. Lucas stated you have to figure the overhead and profit. The credit for the 2.1 cubic foot is \$440, the cost of the 2.7 is \$839, the drop slot is \$95 and then you have overhead and profit and bonding insurance for a total add of \$559.

Mr. Pincket asked is that proposed change order no. 5?

Mr. Lucas responded yes, you would be accepting PCO #5 as opposed to PCO #6 because PCO #6 was without the drop slot.

Ms. Beaugrand stated the pavers was PCO #3.

Mr. Lucas responded yes.

### **Pond Liner**

Mr. Lucas stated we have two other items for discussion. You asked me to look into a pond liner since it looks like we are not going to have a lake back there. The pond liner for the big pond is an approximation and if you want to pursue this we will get harder numbers but I wanted to give you something to look at for the amount of money we are talking about. The pond liner for the bigger pond was \$100,000 and the pond liner for the smaller lake behind the skate park is \$50,000.

Ms. Minnis stated I wouldn't want to discuss that without the full board here.

Ms. Beaugrand stated we don't need to it is not imperative that we discuss it tonight anyway.

Mr. Pincket stated if we build it without the pond liner and for some reason if after the fact we want to go back and put a pond liner in, is there some significant additional cost to doing that?

Mr. Lucas responded yes, because you have the equipment there now and what they are going to do is put the pond liner down, cover it up, put the rest of the pond liner in and cover it up so you are going to have a significant labor charge. I had already asked Stewart that question. Right now if you go there you will see 2/3 of the bank is built and he left out a section of the bank because they still have to go down another couple of feet to get to the bottom of the lake.

Mr. Pincket stated if we don't put the pond liner in the dirt will be left higher.

Mr. Lucas responded it has to be left the same area but what we will do is come back if you decide you don't want a pond liner we will come back and sod it. We will delete the fountain which is a \$15,000 deduct and we will sod the bank.

Ms. Minnis stated Brian I don't think you were here when we discussed this. Have you been to Bartram Trail High School? When you come in as you are going up to the circle it goes down and back up.

Mr. Pincket asked is that a pond?

Ms. Beaugrand stated it is a dry retention area.

Mr. Lucas stated we do have a dry retention pond when you come in, that was designed to be dry. I wanted to give you an idea of what it would cost so that if you want to pursue it I will get hard numbers but it is something we would probably have to decide on in the near future.

Ms. Minnis asked what is the latest point we can decide?

Mr. Lucas responded when I call Stewart and ask him about this too.

### **Extending Sidewalk**

Mr. Lucas stated the last thing that we have been asked to look at was extending the sidewalk either down to Race Track Road or to the nearest intersection which would be Flora Branch. We took an approximation, we got 2,600 lineal feet and this is a bare bones cost because we don't know what St. Johns County would require for design or anything like this but for a five foot sidewalk for that length it is about \$60,000 and an eight foot would be \$96,000 and that is just bare bones to give you a minimum of what we are looking at if you want to

consider doing that. We could try to pursue it by going back to the county to see if we have sidewalks that extend the property line and see if they would consider us creating a nice flashing pedestrian crosswalk. I don't know if they will because we tried to get out of putting the sidewalks across the front of your property because they didn't connect to anything. They were pretty adamant about keeping the sidewalks in front of your property line. That is something we could possibly pursue.

Ms. Minnis asked put a cross walk right in front to go across?

Mr. Lucas responded to tie into the existing sidewalk on the other side because you have a nice wide sidewalk on the other side.

Ms. Beaugrand stated there is a sidewalk if you go down towards the entrance of Pine Crossing behind Fruit Cove Middle School and the park there is a pedestrian crosswalk there. We are going to have to do something like that anyway if we don't have a sidewalk so we were trying to come up with options. I think everyone would probably agree the safest thing to do would be to have a sidewalk down to the four way stop because you have sidewalk converging there from three different directions versus taking it to Race Track Road where you are impacting fewer people directionally than you would taking it to Flora Branch but an alternative to that I think at the very least if we can't do that because there are a lot of grading issues with the swales already there of not having enough room.

Mr. Lucas stated we don't know what the county is going to require. It was just trying to give you something to think about as far as if it is something you want to pursue this would probably be the minimum cost. It is not critical right now it is something for you to think about.

Ms. Beaugrand stated we were trying to come up with an alternative. If we are going to do a crosswalk there I think we need to do more than just a painted crosswalk, I think we need to have some kind of flashing light similar to what we have at the school zones to make sure drivers are aware they need to slow down in this area.

Ms. Hernandez asked could we get a stop there?

Ms. Beaugrand responded no.

Ms. Minnis stated they balked when residents wanted a four way stop at Flora Branch and Durbin Creek. They are not going to go for this.

Mr. Pincket asked is this something if we decide not to do this now, the incremental cost of delaying is probably not significant.

Mr. Lucas responded this is just something for you to think about because it was something we talked about earlier. Originally we were going to put that sidewalk across the front as an alternate because my civil engineer was trying to get them not to put it in because it didn't connect to anything and the county is requiring it. Then Susan came up with if we have to have it let's see what it takes to make it useful and it makes more sense to go to Flora Branch since more kids and people are going to be coming from that area.

Mr. Pincket asked what is the county's rationale for insisting on that?

Mr. Lucas responded they want it.

Ms. Beaugrand stated the other thing we were talking about is because it is actually going on both sides of our drive, it goes towards Race Track and it goes towards Flora Branch, if we were to decide to put the sidewalk down to Flora Branch and get rid of the other sidewalk towards Race Track at least and put that money towards the other side or towards a cross walk of some sort. This is food for thought right now. When we did the ad hoc committee the sidewalk is one of the things that we strongly considered but it was all contingent on what kind of money we had. That is the purpose. We don't have to decide anything right now. It is just to start the thought process going.

Ms. Minnis asked can you explain one last thing? What are you required to do?

Mr. Lucas responded what we have to do is have a sidewalk from property line to property line.

Ms. Beaugrand stated it is just across Parcel 50, along the front of our property along Durbin Creek Boulevard on either side of the entrance to the recreation center so it is a sidewalk to nowhere.

Ms. Minnis stated then they have all of those houses with driveways but no sidewalks.

Ms. Beaugrand stated we wouldn't even hit one of the driveways.

Mr. Lucas stated this is just something to think about. We threw out a lot of options hoping that maybe the county if you went this way they might say you don't have to do this but I have no idea until we go back to the county and ask them.

Ms. Beaugrand stated we can plead health, safety and welfare. If we decided to do the sidewalk I think it is ridiculous to do the part on the eastern side of the site. We need to get a better feel for what the real cost is and then also an idea if we were to do an enhanced crosswalk

an alternative or in addition to the cost of putting up the flashing light. Stewart said he hadn't done one of those but we can find out the cost.

Mr. Lucas stated I would have to contract with my civil engineer to design the sidewalk all the way down.

Ms. Beaugrand asked do we have to give you the whole design process in order to get an estimate of cost versus just the lineal foot cost?

Mr. Lucas responded he is going to have to talk to the county and go out there. Right now you have a ballpark you have a minimum. You have 2,600 lineal feet and for a five foot sidewalk it is \$60,000.

Ms. Beaugrand stated yes but that also affects the stormwater drainage. That cost is really minimum. It could more than double.

Mr. Lucas stated that is why I have to get my civil engineer involved in designing and looking to see what the county is going to require. I haven't even talked to him about it. If it is something you would want to pursue I would have to contact him and get a proposal.

Ms. Beaugrand stated at the very least it doesn't cost us anything to get a proposal from him to determine how much it would cost for him to pursue that. I think we probably ought to at least do that.

Mr. Pincket asked what are we asking him to do?

Ms. Beaugrand responded to do a proposal of how much it would cost for him to take a look at giving us a cost on the sidewalk. Then we can bring that back before the full board to discuss it in more detail.

Ms. Minnis stated I have a question about all of this. We have gone from all of these proposed change orders which we have not voted on any to things we are investigating.

Ms. Beaugrand stated we are going to go back to the change orders once Mike talks to Stewart to clarify the pavers to make sure we have the correct number.

Ms. Minnis asked can we do them one at a time?

Ms. Beaugrand responded we can but we are still going to have to go back on the proposed change order no. 3. I think the last thing he had was the sidewalk. We have other things on the agenda we can go on to and then go back to that.

Mr. Lucas stated I will call about the pavers.

**FOURTH ORDER OF BUSINESS**

**Approval of Pay Requests**

**A. No. 187 Payable to Hopping Green & Sams in the Amount of \$916.04**

Ms. Beaugrand stated we have 187 for Hoping Green & Sams for \$916.04 for various items relating to the recreation center, construction contract, landscape RFP and the like.

**B. No. 188 Payable to Basham & Lucas in the Amount of \$7,930.11**

Ms. Beaugrand stated 188 is Basham & Lucas for \$7,930.11 relating to shop drawing review as well as construction administration, meeting attendance, graphic boards.

**C. No. 189 Payable to Basham & Lucas in the Amount of \$2,650.00**

Ms. Beaugrand stated 189 is Basham & Lucas for \$2,650.00 for construction administration and meeting attendance.

**D. No. 190 Payable to Art Bookbinders of America in the Amount of \$1,595.00**

Ms. Beaugrand stated 190 is to Art Bookbinders for \$1,595 which is the books from the bond closing.

**E. No. 191 Payable to O.R. Dicky Smith & Company, Inc. in the Amount of \$628,483**

Ms. Beaugrand stated 191 is the pay request from Dicky Smith for \$628,483. If you look at the first page you will see how they reconcile. You have the original contract amount, added the change orders, what they have completed to date less the retainage of \$105,064 that gives you the total earned to date less what they have been previously paid and it gives you the current payment due of \$628,483. It is signed by the contractor and Mike will sign this. The detail shows exactly what they are requesting payment for the majority of which was to bring in fill, placement of fill and compaction on the site.

Ms. Minnis stated based on the rain will this change? Will we have additional cost to the site work?

Mr. Lucas stated each month you have a certain amount of days that you consider normal rain days. They can't say it rained yesterday so I am entitled to an extra day. If you have a month where you have three weeks of nothing but rain that is above and beyond the normal then

they are able to come back and give you a change order for extra days. There is a figure out there that averages out what is normal as far as the normal amount of rain days they are allowed for each month.

Mr. Pincket stated they might ask for extra days and not extra money.

Mr. Lucas responded they could, it just depends but here they don't ask for anything.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor the pay requests 187 through 191 were approved.

Ms. Beaugrand stated one thing we forgot to mention was in the interim we received all of the permits.

Mr. Lucas stated we do have all of our permits.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There not being any, the next item followed.

**B. Engineer**

There not being any, the next item followed.

**C. Recreation Facility Manager**

Ms. Hernandez stated here is the revised rules and regulations for all current and future facilities and amenities. Just review this information over the next month so that we may set this for the next meeting. Jonathan, I will send you a copy for legal review. This document will be handed out to all homeowners at the time they register for the permanent access cards in January.

As for Charlie Stuart's suggestion I have contacted Elaine Galant from Solid Rock Engineering in regards to getting an updated map for our light box along with a smaller version for reproduction purposes. I did, however, receive a call today stating that I need to go through May Management and get their permission so I did leave a detailed message for Mr. Kelly at May in regards to this matter and hopefully, there won't be any problems.

Ms. Minnis asked what is this for?

Ms. Hernandez responded a detailed map of Julington Creek, one for the light box and another one to copy.

Ms. Beaugrand asked why do we need May Management's approval?

Ms. Hernandez responded I don't know. I did call Solid Rock today to get the answer to that and the lady I was supposed to contact was out of the office. I don't know the answer to that. I did call May Management to try to get in touch of Rich so I could find out from him but he was out.

Ms. Minnis stated you went and tried to obtain it and could not and were referred back to May Management.

Ms. Hernandez stated it is my understanding that May Management with the POA are getting new maps for the community. I was made aware of that through Del and Charlie so I did contact them so that I could maybe get some maps for us as well. We will just wait to hear back and I will let you know.

Ms. Hernandez stated I spoke with our resident eagle expert several weeks ago and she informed me that JEA has disturbed the eagles therefore she is keeping a close eye on their nest and will keep us posted on what is going on.

Ms. Beaugrand asked we have to comply but a Duval County agency doesn't have to comply with the eagle?

Ms. Hernandez responded correct.

Ms. Beaugrand asked have they put a stop to JEA's work out there?

Ms. Hernandez responded not that I am aware of.

Mr. Maggiore stated I think they finished it.

Ms. Beaugrand stated I still see equipment back there.

Ms. Minnis stated besides they damaged the property and they encroached beyond the "no trespassing" sign.

Mr. Pincket asked where is JEA?

Ms. Beaugrand responded all along Davis Pond on this side there is a power easement that goes along this side on the edge of the Preserve that goes all the way down to where the library is and they have cleared probably a 10 foot to 20 foot swath back behind the fence under the power lines so they don't have to cut back the trees as often.

Ms. Minnis stated they sent out a night crew to do it when the sprinklers were on and they were in the dark and they ripped up most of the ground, they left trees, it is a mess and they went into where the eagle was.

Ms. Beaugrand stated it is within the zone. There is part of it that is in the zone.

Ms. Minnis stated they went beyond the “no trespassing” sign.

Ms. Beaugrand stated there is probably an easement there. They probably have an easement for a greater width than just where the power lines are.

Ms. Hernandez stated she is going to keep a close eye on the eagle nest and keep us posted as to what is going on.

Ms. Beaugrand asked are they still in the tree?

Ms. Hernandez responded they flew away, they came back August 20<sup>th</sup> but she hasn't seen them lately.

Ms. Beaugrand stated they didn't start that early, they were working there in September.

Ms. Hernandez stated they have abnormal behavior right now.

On October 1, Shelly and I attended the first meeting for Citizens for a Better CDD. In attendance were David and Becky Taus and Del Dosch. Shelly and I were there to answer any questions that the group may have and Mr. Taus had a list of questions and concerns all of which have been addressed at previous CDD meetings. Overall, I believe we were very helpful to Mr. Taus and we agreed to meet once a month. The bottom line is it means more communication between the CDD and the POA. There were two concerns that I did not address fully. One concerned the assessment number so I asked Jim to give Mr. Taus a call to answer any detailed questions. Secondly, David questioned the need for ETM's service so I will ask Matt at this time to clarify for the record what services ETM currently provides to the CDD.

Mr. Maggiore stated we obviously serve at the pleasure of the board and at this point we prepare pay requests for invoices that are drawn against the two bond issues and provide assistance at meetings. At this point it is kind of a limited participation.

Ms. Beaugrand stated when we had the RFPs you were involved in the RFPs as well.

Mr. Maggiore stated that is true, we provided some limited assistance on the RFPs for the recreation center.

Ms. Minnis stated ETM picked this up when Severn Trent didn't do the service. They picked up a lot of what Severn Trent didn't do and it just hasn't been transferred.

Mr. Maggiore stated in the past we did maintain the tax roll which changed this year to GMS. GMS traditionally handles that for most of the CDDs that we work on with GMS. For some reason ETM had done that.

Ms. Minnis stated because Severn Trent didn't do it and than ETM got it and it got turned over to you as the ETM people turned over.

Mr. Maggiore stated ETM does not traditionally maintain tax rolls for CDDs.

Ms. Minnis asked haven't you been involved with the park improvement and the design and parking?

Mr. Maggiore responded we did the design for the parking lot addition and the park improvements across the street the restrooms. Historically I worked on the Durbin Creek Boulevard project and the round about and prior to my tenure Rob Mizell worked with you on Race Track and S.R. 13. Some of the larger infrastructure projects we were more involved with in the earlier years of the CDD.

Ms. Beaugrand asked do you typically do the pay requests for the other districts that you work with?

Mr. Maggiore responded yes.

Ms. Beaugrand stated I just want to clarify that that is a normal function for ETM to do for the districts.

Mr. Maggiore stated Jonathan may want to speak to that, I think the engineer is required to do that.

Mr. Oliver stated through the bond covenants.

Ms. Beaugrand stated that is important to note.

Mr. Pincket asked is our agreement with ETM to pay as you go agreement?

Ms. Beaugrand responded yes.

Ms. Minnis stated we had this discussion when we extended the next year to keep ETM on. There was discussion about this building project and their history and what they have done in construction why we want to continue using them throughout this year and through this project. That is documented in a previous meeting.

Mr. Pincket asked if it is a pay as you go agreement and we need engineering services then why are we talking about this?

Ms. Minnis stated because David Taus is asking the question.

Ms. Beaugrand stated I find it interesting that other than maybe annual public hearings and last month's meeting Dave typically does not come to the meetings. He was here last month, the very next day or day after is when the article came out in the Creepline and he didn't bother to mention anything during our meeting that he was raising this issue which I think was a little bit sheepish in my own personal opinion and he is not here tonight. It is interesting that he wants to be the watchdog which I have no problem with anyone being a watchdog, Charlie and Katey are our watchdogs right now, Maryann has been our watchdog. We want people to come and that is awesome but it struck me as being a bit odd that it came about the way it came about and then here we are and obviously he is not here at this point.

Ms. Minnis stated I have a question about this meeting since we are paying your salaries and you are attending a meeting that is to be the relationship between the CDD and the POA, does that mean since I didn't know about this other than the article and who was going to attend does that mean the board can give you questions to ask back to them in a formal manner?

Ms. Hernandez responded it is a very relaxed open informal meeting.

Ms. Stuart stated as far as I know that has never been an official organization of the board. That is a separate entity from the board of directors.

Ms. Beaugrand stated it is not directly associated with the POA.

Ms. Stuart stated David happens to be on the board and is on that committee but it has never been formally presented to the board as an official committee of the board.

Mr. Pincket stated at the outset you attended a meeting of this group, Citizens for a Better CDD and did you say the only people at the meeting were David and Del?

Ms. Hernandez stated David and his wife and Del.

Ms. Minnis asked was it a publicly noticed meeting?

Ms. Hernandez responded it was in the Creepline.

Ms. Beaugrand stated it doesn't have to be a publicly noticed meeting.

Ms. Minnis stated I was just asking if it was.

Ms. Hernandez stated if you have a copy of the last issue of the Creepline it is there.

Ms. Minnis asked what time was the meeting?

Ms. Hernandez responded 6:00 p.m. at the library. We suggested that if he continues he should have his meetings here.

Ms. Stuart stated I just wanted to comment that the POA had a social last week and I happened to have a conversation with Mrs. Taus and she was talking about that meeting and was very factful of it taking place but she also had some other comments and I mentioned to her that I had been going to CDD meetings for quite awhile and that nothing was a surprise to me about the assessment or anything else the CDD has done and the CDD meetings are open to her and have been but we never see her here. She didn't have a response. It is a separate order and they were even discussing how it wasn't given very much publicity. They were disappointed in the turnout on the part of residents.

Ms. Minnis asked is this scheduled monthly do you know?

Ms. Hernandez responded I don't know.

Ms. Beaugrand stated I think that was an organizational meeting if I am not mistaken.

Ms. Hernandez responded right. David said he would get back to me when they were going to have another meeting.

Mr. Pincket stated I am all in favor of better communication with the POA. I don't personally need this other organization to do that but I don't mind and I don't care. Our books are open people can go to GMS and see everything we are doing. That's fine. For the record I am in favor of open communication with the POA and POA members. We are all the same residents and the same neighborhoods and we ought to be working together.

Ms. Hernandez stated that is exactly why Shelly and I went to the meeting. I called the traffic manager of St. Johns County in regard to the overflow parking around Mills Field and the soccer fields at Plantation Park. He stated that it is legal for people to park on the swale areas as long as they are not in the roadway. We cannot post "no parking" signs. He suggested that I call the school in regards to their parking. I have a call into the maintenance coordinator for Fruit Cove Middle and hopefully I will talk to him sometime this week.

At the last CDD meeting Laura Callahan handed out proposed hours of operation for your review. Please keep in mind that as we get closer to opening the recreation center registration and program development needs language for hours of operation and pool hours. Ms. Callahan is in training this week so Ashley will do her presentation.

Ms. Beaugrand asked can we put this on our agenda for next month?

Ms. Hernandez responded yes.

Ms. Minnis stated under recreation make it an agenda item.

Ms. Beaugrand stated that is a good idea and we have specific things or under manager's report review of rules and regulations and then review of pool hours. That will remind us.

Ms. Minnis stated we get this a week before and if we see these are the things then there is no excuse not to look at those either if you have specific things under recreation, little bullets.

Ms. Hernandez stated in the rules and regulations there are the hours in here as well. These pieces of paper give you an idea of the lane usage which is an overall idea of what might happen on a daily basis. That is what this is for. The actual hours of operation are in here subject to change as we get a little bit closer. These rules and regulations will be handed out in January when owners come in to get their permanent access cards. I need you to go over these and make any changes so that I can make sure I can get this to print by January.

Ms. Beaugrand stated if we can outline that on the agenda for October and I will make a note of it too.

Ms. Hernandez stated as you may recall in the summer of 2006 the CDD decided to operate our current aquatic complex in-house. This decision was based on the information I presented to the board showing that in the YMCA operating the aquatic complex it would cost \$324,449 and in my proposed budget if the CDD managed the complex it would cost \$418,200. However, we then would be able to keep all the revenue. My projected revenue was estimated at \$118,720 leaving the operating cost at \$299,480 that would be less than the YMCA's \$324,449 so it would be a savings for the CDD of \$25,000. As of today operating our current facility in-house saved the CDD \$81,000. This is much better than expected. We did good in human resources, we saved money on salaries and only given it to the YMCA to get it back, we generated more revenue in camp as well as aquatic fitness classes. We really did good this year.

Ms. McVeigh stated Laura gave me a few things to report for the end of the year for the aquatic department. There were 125 swim lessons taught this season generating \$36,381 revenue for swim lessons. She had a very successful year in aqua fitness, she started the new class deep water aerobics as well as offered the same shallow water aerobics we have been having and that brought in \$3,067.50 in revenue. We hosted 35 parties under our pool pavilion which brought in \$1,750. This year end of the year pool usage number was 69,000. After speaking to Jim the pool consultant he commented that all pools in the area this year have seen lower numbers than in past years. This year we only had to close the pool five times for biohazard accidents. We hosted 12 home swim meets, we had 9 in water rescues in the aquatic complex and I don't know

if any of you read but two of our managers made rescues outside the aquatic complex. We also had two visits from the health department this year and both visits ended with excellent reports.

Ms. Timbol stated in recent months there has been some question on the usage of this building and possibly the necessity of keeping this building for the CDD and I thought it would be wise to put together a list of what it has been used for and that might be valuable for the board to hear. I will break it down to the usages that are organized programs by the CDD starting with holiday camp program from December 18<sup>th</sup> to the 29<sup>th</sup> of 2006. Summer camp program was here from May 21 to August 17, 2007. Fitness classes are here currently on Thursday and Saturday mornings. Flu shots we had those here October 14 and October 18, 2006. Babysitter training courses, two of those May 5, and August 11. We currently have senior breakfast every Friday morning here now that the pool is closed. We had a dance for the seniors in the community on May 11. The CDD special usages of course the board of supervisor's meetings once a month. We also had CPR classes here for certification of the CDD employees and CDD staff orientations for employees.

On to community usages of this building and this is by CDD residents. The first one we had was a political campaign for Tom Manuel we had two of those July 31 and October 24, 2006. JCP POA meeting was held here September 6<sup>th</sup>. Cross Creek Church had a meeting here September 6<sup>th</sup>. There was a ladies bible study that met here from September through December 2006. Monthly swim team meetings met here starting November and running through March. There was another church group meeting here on February 10. A JCP POA grounds committee has been meeting here beginning last March. They meet once a month. Southern Creek homeowners association has been meeting here once a month and that also began in March. JCP Cares which is a new charity that has been started here in Julington Creek Plantation by Kathy Bravo meet here once a month and that began in July. There was a financial presentation that met here August 30, there was a group called Mad Science that met here September 15<sup>th</sup>, a Church had a meeting here September 16 and the Eastgate homeowners association meets here monthly and that began last month.

I also have a description of what happens in each room in this building and I thought this might be helpful too. Of course the main lobby is used for most of the meetings that were just mentioned. It is also where the fitness classes take place. The porch is where we have our senior breakfast on Friday mornings when the weather turns cooler we will have them in here this year.

At the front desk we have a work station. Right now the fund raising manager works there. What was the small conference room is now the office manager's office. Next to that in the inner room is where the three program directors are going to have their office. The other room is still office to our aquatics director and our programs director. At the end the other office is the office of the general manager.

Outside of this inner conference area there is a file room, a small room used by the fitness director, she has personal training sessions in there and then there is a storage room. On the far left of the building until our new facilities are complete that is where our camp programs are going to be held, both the holiday camps when school is out during Christmas break and also the summer camp for 2008.

#### **D. Manager**

Mr. Oliver stated before you is a letter from Cheryl Strickland, the Clerk of the Circuit Court and the district received its fourth quarter 2007 impact fee distribution in the amount of \$34,529.60.

Also I'm passing out an audit engagement letter from Dufresne & Associates. This would be the third year for them to perform the audit. It is a three year agreement. The audit would be in the amount of \$5,900. We budgeted \$8,000. The price they quoted is the same price they proposed when we selected them two years ago. I ask for a motion to approve the engagement letter.

Ms. Minnis stated it is the same price.

Mr. Oliver responded it is the same price they quoted in their original proposal.

Ms. Minnis stated and we are in our third year.

Mr. Oliver responded that is correct. For the 2008 audit we will have to go through the RFP process.

Mr. Pincket stated asked are the terms of the letter identical to what we used last year?

Mr. Oliver responded yes.

<p>On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the engagement letter with Dufresne &amp; Associates to perform the audit for fiscal year 2007 was approved.</p>
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**Continuation of the Discussion of Recreation Complex**

Ms. Beaugrand stated we can go back to item three.

Mr. Lucas stated I spoke with Stewart and that number did not include the gradient part of that sidewalk because it is what it is. It is a sidewalk, the pool deck is only within the limits of your pool where you have the concrete and your topping and it is not a wash like it would be for pavers whereas that is a straight sidewalk they are topping onto so it winds up being \$2.00 or \$2.50 more a square foot so it is about a \$4,000 add to take it all the way down to the tennis courts because those pavers were intended to be just a sidewalk.

Ms. Beaugrand stated so it wouldn't have been the coolcrete either so that would stay the same so the pavers would be within the confines of the existing pool deck.

Mr. Lucas stated within the confines of the pool deck.

Ms. Beaugrand stated outside the building as well in the back.

Mr. Lucas responded yes the covered area. He said as far as the pond liner that is something we would have to address pretty quick, but he said it could be within the next two to three weeks. If it is something you want to pursue he does have a PCO on his desk and he can make a formal submittal to you.

Ms. Beaugrand asked do you want to take these one at a time? PCO No. 3 which is for the pavers is an add of \$769.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor PCO No. 3 was approved.
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Ms. Beaugrand stated next is PCO no. 4 which is the conduit and lights for a total of \$13,777. That was the conduit as well as the lighting of the palm trees.

Mr. Pincket stated my thoughts on this are the conduits are an easy decision and the lights I am probably in favor of. I don't have a strong opinion but I think if you have ever seen those lit at night it is very nice.

Ms. Minnis stated anybody who is going to be there at night and what they were talking about were all of the palm trees in the pool area. So if there was a function at night and they are going to look out they are all going to be dark.

Mr. Lucas stated you will have your pool deck lights but it won't be as dramatic as it could be.

Ms. Minnis stated I am for adding that.

Ms. Beaugrand stated I look at it as an offset to the \$15,000 we are not going to spend on the fountain for an aesthetically pleasing view.

Mr. Lucas stated if it were put there as it should have been it would have been something you would have wanted to begin with. That was always the intent it was just coordination and the plans were late and the electrical guy didn't get that.

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor PCO no. 4 in the amount of \$13,777 was approved.

Ms. Beaugrand stated PCO no. 5 is for the safe with the drop slot for a total add of \$559.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor PCO no. 5 was approved.

Mr. Lucas stated then we have the pond liner.

Ms. Beaugrand stated I am not prepared to spend \$150,000 on this. If I am going to spend \$150,000 I'm going to spend it on the sidewalk for safety reasons. Aesthetically in my opinion it would be much more pleasing to have a fountain in front of the facility but in good conscientious I could not spend that kind of money on doing pond liners. I could spend it on the sidewalk but if I have to make a choice my own personal choice would not be on the lakes.

Ms. Minnis stated I agree.

Mr. Pincket stated I agree.

Ms. Beaugrand stated that is three and even if the other two board members voted for it, it would still be a majority rule on that.

**SIXTH ORDER OF BUSINESS**

**Supervisor's Requests**

Ms. Minnis stated this question goes out to everyone in the audience. Would you be opposed if this building were used for an election? They have a shortage of polling sites and we may not meet the requirement.

Ms. Timbol stated we do work here and that would be here in our workspace.

Ms. Minnis asked you work in this space.

Ms. Timbol responded in there and homeowners come in if they want to reserve the park, if they have a question, people looking for May Management. This is still a place of business during the day.

Ms. Minnis stated okay that is fine.

**SEVENTH ORDER OF BUSINESS**

**Audience Comments**

Mr. Stuart stated contrary to what David Taus stated at the CDD meeting on the pool complex the POA does use this facility and I would like to ask Shelly to make sure that David gets a copy of her report. If you don't want to give it to him, I will so we don't sell this place.

**EIGHTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet as of August 31, 2007 and Statement of Revenues and Expenditures for the Period Ending August 31, 2007**

**B. Treasury Report – August 31, 2007**

**C. Assessment Receipts Report**

**D. Check Register Summary**

**1. General Fund 9/1/07 – 9/28/07**

Ms. Beaugrand stated the first check register is for the general fund, items 1469 through 1475.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor the general fund check register was approved.
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**2. Recreation Fund 9/1/07 – 9/28/07**

Ms. Beaugrand stated behind Tab 2 is the check register summary for the recreation fund items 2357 through 2400.

Mr. Pincket stated I had a question for Stacie or Shelly on this one and that is to talk about the furniture expenditure of a little over \$10,000. Can you tell me what we bought, why we bought it, were we replacing old stuff that has been around for a long time?

Ms. Hernandez responded all of the above. At the end of each year we assess the furniture that needs to be replaced and then we might make changes adding different types of furniture. We decided this year that underneath the pavilion where people hold parties that we are going to have furniture that might accommodate a party better than the current furniture we have out there.

Mr. Pincket asked such as what?

Ms. Hernandez responded the tables that are more oblong on which they can put presents and cakes and things like that. It would be furniture that we would have to replace anyway just due to the heavy usage we have had. We have done very well. Everything that is cream color in the pool is there from the get go. It is very old.

Ms. Minnis asked do we inventory? Do you know how old each thing is? Do you know which one has been there for 10 years?

Ms. Hernandez responded yes.

Mr. Pincket stated I know we have talked about JEA and what we have been charged over the years and I know Kathy has suggested that we figure this out and get it right. Have you figured all of that out? Are you comfortable that what we are paying JEA is covering property that we own or that we are responsible for?

Ms. Hernandez stated about two months ago I had a meeting with our representative at JEA and we walked the property and located all of our boxes, we associated the numbers that were on there and to be added to the bills. We identified exactly what our bills were and where it was located and he also gave me maps. It is the first time I ever had a map so that is great. Then Shelly followed up by calling the accountants and representatives on the building site to make sure the water was reclaimed where it was supposed to be reclaimed in this building. As far as we know our bills are correct. Everything was correct.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor the recreation fund check register was approved.
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**NINTH ORDER OF BUSINESS**

**Next Scheduled Meeting – November 13,  
2007 at 6:00 p.m. @ Community  
Development District Administrative Offices**

Ms. Beaugrand stated the next meeting is November 13, 2007 here at 6:00 p.m. We probably should continue this to mid month.

Mr. Oliver stated that would be October 23<sup>rd</sup>.

Ms. Timbol stated there is a meeting scheduled here for that night.

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the meeting was continued to October 30, 2007 at 6:00 p.m. in the same location.
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Secretary/Assistant Secretary

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Chairperson/Vice Chairperson