

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, January 13, 2009 at 6:00 p.m. at the Julington Creek Plantation Club Multi-Purpose Room, 350 Plantation Club Parkway, St. Johns, Florida.

Present and constituting a quorum were:

Susan S. Beaugrand	Chairperson
Kathleen P. Minnis	Vice Chairman
April Spears	Supervisor
Brian Pincket	Supervisor
Del Dosch	Supervisor

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Matt Maggiore	District Engineer
Mike Lucas	Basham & Lucas Design Group
Stacie Hernandez	Julington Creek CDD
Jerry Hill	Julington Creek CDD
Shelly Timbol	Julington Creek CDD

FIRST ORDER OF BUSINESS

Roll Call

Ms. Beaugrand called the meeting to order.

Ms. Beaugrand stated our congratulations go to Wes who made full partner at Hopping Green.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the December 9, 2008 Meeting

Ms. Beaugrand stated the next item is approval of the minutes of the December 9, 2008 meeting. Are there any corrections or deletions to the minutes?

There not being any,

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the minutes of the December 9, 2008 meeting were approved as submitted.

THIRD ORDER OF BUSINESS

Consideration of Playmore Recreational Products and Services Proposal/Change Order for ADA Ramp System

Ms. Beaugrand stated the next item is consideration of recreation products change order for a ramp system.

Ms. Hernandez stated I would like to provide the community with some ADA compliant playground by adding the ramp system. Also the two separate areas are used by children of all ages and I noticed the smaller children are having difficulty running from one area to the next due to the height of the borders. You will notice the space in between the two sections is full of playground material as well so I would like to combine the two areas and add the ramp system.

Mr. Pincket asked what does the ramp system accomplish?

Ms. Hernandez responded wheelchair access.

Mr. Pincket asked wheelchair access to the area or to the actual playground equipment?

Ms. Hernandez responded to the actual playground equipment.

Mr. Pincket stated so this is for a child in a wheelchair. Is this a ramp to roll up to a certain point on the playground equipment?

Mr. Lucas stated the borders stick up about 6" above all the mulch. The two individual playgrounds for each age group is surrounded by a border and that is to keep the mulch inside the playground. What I believe Stacie is requesting is to change out one of the borders for one that will be a ramp so that a child in a wheelchair can be pushed up next to the playground equipment. The playground equipment has platforms that promote children with disabilities to be able to get out on and that is what this ADA ramp will provide. It will enable you to push a child up there in a wheelchair so that they can play on the playground. Right now you have two individual age groups, two individual playgrounds that are wrapped in a border and she wants to basically combine and make it one playground because you are having kids running back and forth and since the border sticks up about 6" I guess they are tripping over that so she is going to one big playground area.

Mr. Pincket stated that part I understood. I just want to make sure that I understand the ramp for the wheelchair is so that a child who is in a wheelchair can access the playground.

Ms. Hernandez stated so that they can go up over the ramp into the playground area.

Ms. Minnis stated just a general comment, I think that is a good idea especially being a public facility and people moving in and out. Are we ADA compliant throughout for everything else?

Mr. Lucas responded yes.

Ms. Minnis asked who does that check or who does that sign-off and why would they not have said something sooner?

Ms. Hernandez responded it is my understanding that we do not have to be ADA compliant out there on that particular playground.

Mr. Pincket asked do we have to be now?

Ms. Hernandez responded no but I would like to be.

Mr. Pincket stated so this isn't required by law.

Ms. Hernandez responded correct.

Ms. Beaugrand stated it also helps younger children who are a little shorter to be able to able to get up to the equipment as well as the handicap access.

Ms. Hernandez stated it was our thought that we would see two different age groups is why we got two but that is not happening, they are going back and forth. You can tell where they are crossing over because of all the material in between the areas and it is a pretty good height.

Ms. Minnis asked do we have the money?

Ms. Beaugrand stated we have the money.

Ms. Minnis stated so we have the money my opinion is to service people it would be more prudent to do it now than wait and have someone file a complaint that it is not.

Mr. Pincket asked have we had a request for this?

Ms. Hernandez responded when we first opened, yes, not the ADA compliant but about the borders being high.

Mr. Pincket stated in terms of the ramp I want to make sure why we are doing this.

Ms. Hernandez stated so that the wheelchair can get into the playground area. They cannot cross the borders.

Mr. Lucas stated the borders stick up about 6" above the mulch. I think this is going to replace one of those border pieces with a ramp.

Mr. Dosch asked do we have to post any kind of signs that it is ADA accessible?

Ms. Hernandez responded no. I could but we don't have to.

On MOTION by Ms. Minnis seconded by Ms. Spears with all in favor the ADA ramp system was approved.

FOURTH ORDER OF BUSINESS

**Consideration of Dicky Smith & Co., Inc.
Proposal for Director's Office Sound
Attenuation**

Ms. Beaugrand stated the next item on the agenda is consideration of Dicky Smith & Co., Inc.'s proposal for a director's office sound attenuation. We talked about this last month.

Mr. Lucas stated we talked about this last month and in the original construction documents we put sound attenuation blankets in the wall and hoped that would help.

Ms. Beaugrand stated just to remind the board members this is in Kim's office upstairs next to the aerobics room.

Mr. Lucas stated she is adjacent to all the aerobics and sound is coming through the walls and over the ceiling so one of the options is to try to add some sound attenuation in the ceiling it would help too but we feel that we need to on the surface of the existing drywall add 5/8" thick sound attenuation board that should significantly reduce the sound that is going into her office. This won't affect any of the doorjamb or window jamb it would simply be put on the existing surface.

Ms. Beaugrand stated you had mentioned there is enough relief between the wall and the door jamb to be able to put that board.

Mr. Lucas stated the relief is 3/4" and this board is either 1/2" or 5/8" so there will be relief on all the windows and all the doors.

Mr. Pincket stated it will go on the inside of the room.

Mr. Lucas responded yes.

Ms. Minnis asked how long will it take to do this?

Mr. Lucas responded probably a couple of days.

Ms. Minnis asked how long will it take to fix that?

Mr. Lucas responded I don't know.

Mr. Pincket asked does Dicky Smith have experience with this board? Has he used it before? Does he have an opinion about whether or not this is going to work?

Mr. Lucas responded I don't know all the materials they have used. In doing the research typically you put sound batting in the walls that we originally did. This would be the next step.

Mr. Pincket stated I'm just looking for an opinion that it is actually going to work before we do it.

Mr. Lucas stated it will cut down the noise. I can't guarantee that it will be soundproof but it should cut down the noise considerably.

Ms. Beaugrand stated part of the problem is that the sound system is on that wall next to Kim's office. There are two speakers on that wall next to that office.

Mr. Pincket stated blasting sound away from the office.

Ms. Beaugrand stated yes but there is bass and that bass reverberates through the walls. You don't hear it that much out in the fitness center I noticed that but there is a lot of bass and the music is pretty loud when you are in that room.

Mr. Pincket stated I don't doubt that it is needed.

Ms. Beaugrand stated we have the money. We went over the money last month. We have the money and we knew we were going to have some minor issues like this and the playground and some other things that I mentioned to Stacie such as there is really no lighting out in the playground at night. We missed that and that needs to be done. I have seen kids and parents out there and they can't see. Things like that are going to come up we have the money for those kinds of things.

Mr. Dosch asked did you indicate that you are putting the batting insulation in too or did you say we are not.

Mr. Lucas stated I don't think we are. We are putting the sound board.

Ms. Beaugrand stated it says on no. 5 sound attenuating batting insulation is added to the ceiling space above the director's office.

Mr. Lucas stated okay, whatever that says they will be doing.

Mr. Pincket stated so no. 5 the batting insulation will be in addition to on the ceiling itself the sound board.

Mr. Lucas stated the batting insulation will be up in the ceiling space above the drywall. The sound board will be on the surface of the gyp board.

Mr. Pincket stated of the ceiling itself.

Mr. Lucas responded yes.

Ms. Minnis asked would this work in this room too?

Ms. Hernandez stated we are going to address that as soon as we get done with this one.

<p>On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor the purchase of the sound insulation for the athletic director's office in accordance with the December 17, 2008 letter was approved.</p>
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Ms. Hernandez stated what you don't have in front of you is a proposal to furnish and install rubberized flooring on the second floor in the free weight area. I am handing that out now. We had talked about that in the past and I finally got the proposal. Also with this proposal I would like to install R-30 insulation and add a layer of acoustical ceiling tiles in the first floor ceiling directly below the workout area. In addition to the rubberized flooring I would like to address the ceiling as well to make sure we cover all of our bases.

Ms. Minnis asked will this cover both rooms, all of the meeting rooms or just this room?

Ms. Hernandez responded just this area.

Mr. Pincket stated because the free weights are just above this area.

Ms. Beaugrand stated that is attic space above over there. Remember the top floor is a smaller footprint than the ground floor.

Ms. Minnis stated I was just wondering. When we went out the other night there was another meeting so it is directly in this area.

Ms. Beaugrand stated you only hear this in the next room.

Ms. Hernandez stated no.

Ms. Beaugrand stated we have the money for things like this now and later on we won't. What do the acoustical ceiling tiles do?

Mr. Lucas responded this is acoustical ceiling tile as opposed to hard surface it is supposed to help absorb some of the sound. That is why you put acoustical ceiling in gymnasiums and stuff like that because a hard surface will cause the sound to bounce off whereas acoustical and soft surfaces absorb sound.

Mr. Pincket stated if you put those tiles above these we don't get the benefit of the acoustical tiles?

Ms. Beaugrand stated you already have acoustical tiles in here so that is why I'm curious. I just don't understand where the acoustical tiles are going. If we are talking about this room the majority of the room has acoustical tiles except where the lighting is.

Ms. Hernandez stated additional tiles on the other side.

Ms. Beaugrand stated so they will be laying on top of these tiles as additional insulation.

Mr. Lucas stated an additional layer to try to absorb some of the sound.

Ms. Beaugrand asked I guess this Acoustic Engineering has recommended that as additional sound barrier?

Ms. Minnis asked from the design do you see any issue with adding on top of here?

Mr. Lucas responded there are no issues. You have steel bar joists up there. You can hang whatever you need to help it out.

Ms. Minnis stated it would be the better mat and the tiles and they think it will reduce the noise.

Ms. Hernandez responded yes.

Ms. Minnis asked what is the size of the mat now?

Ms. Hernandez responded 1/4" and it is similar to vinyl.

Ms. Beaugrand stated it will be totally different.

Mr. Pincket stated this rubber mat will significantly reduce that sound.

Ms. Beaugrand stated this was brought up before the building opened. I assume if we get it done and find out it didn't work we call Acoustic Engineering back.

Mr. Pincket stated this doesn't say they are tearing up the existing floor. Are they going to remove what is there?

Ms. Hernandez responded they will be removing it but not at our cost.

Ms. Beaugrand stated it is the design company's cost.

Ms. Minnis moved to approve the proposal for Acoustic Engineering to improve the soundproofing of this room.
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Ms. Beaugrand stated for the benefit of the audience it is \$6,500 in round numbers.

Mr. Pincket seconded the motion in accordance with the January 12, 2009 letter that was presented to us at the meeting by Acoustic Engineering.

Ms. Beaugrand asked Kathy do you want to accept that amendment?

Ms. Minnis responded yes.

On voice vote with all in favor the motion passed.

FIFTH ORDER OF BUSINESS

Approval of Pay Requests

A. Pay Request 295 Payable to England Thims & Miller, Inc. in the Amount of \$1,035.45

Ms. Beaugrand stated the next item is the pay requests. The first pay request 295 is to England Thims & Miller. This is for parking lot administration. There shouldn't be anymore from this because this is covering November.

Mr. Maggiore stated there will be one more. There are still the punchlist items.

Ms. Beaugrand stated that's right it is for the park as well as the parking lot.

B. Pay Request 296 Payable to Julington Creek Plantation CDD in the Amount of \$6,813.10

Mr. Beaugrand stated the next one is pay request 296 a couple of security components for the skate park and some miscellaneous art things that had not gotten delivered.

Ms. Hernandez stated it was lost but they found it.

Ms. Beaugrand asked who lost it?

Ms. Hernandez responded the shipping company.

Ms. Beaugrand stated we have to pay additional installation.

Ms. Hernandez stated we never were charged originally.

C. Pay Request 297 Payable to Julington Creek Plantation CDD in the Amount of \$1,759.99

Ms. Beaugrand stated behind C is pay request 297 reimbursement to the district for various items for the recreation center.

D. Pay Request 298 Payable to Hopping Green & Sams in the Amount of \$380.35

Ms. Beaugrand stated pay request 298 to Hoppling Green & Sams relating to consulting regarding the last D.R. Horton contribution.

E. Pay Request 299 Payable to Basham & Lucas Design Group in the Amount of \$160.00

Ms. Beaugrand stated the next one is pay request 299 Basham & Lucas for meeting attendance.

F. Pay Request 300 Payable to Julington Creek Plantation CDD in the Amount of \$191.45

Ms. Beaugrand stated behind the next one is pay request 300 also reimbursement to JCP for several décor items.

G. Pay Request 301 Payable to Sunstate Nursery & Landscaping, Inc. in the Amount of \$2,426.56

Ms. Beaugrand stated pay request 301 is Sunstate this is the proposed change order that we approved last month relevant to the sod out front. This is an approval of the actual change order.

Ms. Minnis asked was that installed and in place?

Mr. Hill responded yes.

H. Pay Request 302 Payable to Julington Creek Plantation CDD in the Amount of \$3,260.79

Ms. Beaugrand stated pay request 302 is a reimbursement back to the district for various items, security and some fitness center items. I do have a question and it is a minor item to Sam's item it looks like it is ongoing kind of food items that I would expect to be out of the normal budget and not the capital expenditures.

Mr. Oliver stated that is showing the entire invoice but it is just a tablecloth for \$65.

Ms. Minnis stated this is a minor thing too, I can see what you are saying the way this lists but the last thing wasn't all 2XF&C110LD how do you know that wasn't an item that should have been included?

Ms. Timbol stated that was the GL code for the upfront costs.

Ms. Beaugrand stated that is not what it is. It is a description of an item on the invoice and it is hard to tell what it is. I think when they go through these pay requests they look at what is applicable and clearly staff didn't believe that was applicable to come out of capital expenditures that it would come out of the ongoing budget for the operation of the facility.

Mr. Haber stated it is probably safer to be conservative on items out of the bond funds. Probably for \$14 a decision was made not to include it. I have no idea what it is by that description.

Ms. Timbol stated the people who actually make these purchases let us know what is an ongoing cost for the O&M and what would be a one time cost for the capital. The tablecloth is the only thing on that invoice that fell in that category.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor pay requests 295 through 302 were approved.

SIXTH ORDER OF BUSINESS

Discussion of Landscape Maintenance RFP

Ms. Beaugrand stated the next item is discussion of the landscape maintenance RFP.

Mr. Haber stated at the last meeting the board gave staff the authority to choose the dates in order to be able to come back at the meeting in February for a recommendation from the committee. I think we have already advertised the notice.

Mr. Hill stated we advertised it, the packets were available for pick up on January 5, they are due back January 30, at 3:00 p.m. There is a prebid meeting tomorrow morning at 9:00 a.m. and then the committee meets February 4th at 6:00 p.m.

Ms. Minnis stated Jerry associated to the costs of it, how many people picked up and paid the fee?

Mr. Hill responded so far six.

Ms. Beaugrand asked were they similar names?

Mr. Hill responded three I believe were repeats and three were new.

Ms. Minnis stated we noticed the meeting where Jerry, Stacie and I are on the committee and Brian is going to be in attendance. Who is going to be on the phone?

Mr. Oliver stated I will be here in attendance.

Ms. Minnis asked is it going to be recorded?

Mr. Oliver responded yes.

Ms. Minnis asked will it be transcribed by the time of the next meeting?

Mr. Oliver responded we can rush that.

Ms. Minnis asked will there be an attorney on the phone?

Mr. Haber stated there will certainly be one on the phone. I would ask Jerry upon his receipt of those proposals to send them to me and if in my review I identify significant issues it may be worth having an attorney present. Definitely one will be on the phone at a minimum. I think one of the issues faced at previous review committee meetings was that over the phone we weren't able to hear everything. Given the previous procurement resulting in a protest it may be worth it to have someone here to see what is going on and make sure we are able to make sure the review process meets all requirements I will make sure of that.

Ms. Minnis asked Stacie and Jerry are we having that meeting in this building?

Ms. Hernandez responded yes.

Ms. Minnis stated not in the building we were in because that was an issue where the speaker phone was in relation to where we sat. We had to go over there and repeat things. For the people in the audience we put out a bid and Jerry and Stacie and I were on the committee and we had protests come back so all the bids were thrown out and we are starting over. This is for the landscaping along Race Track Road and S.R. 13.

Ms. Beaugrand stated and for the other CDD properties, this facility as well as the other pool and office building and park.

Ms. Minnis stated the RFP that he showed me was a significant improvement and there should be no issues with their proposals. It was very detailed and spelled everything out. I don't think we should have the same misunderstandings.

SEVENTH ORDER OF BUSINESS

Discussion of the Aquatic Complex Improvement Costs

Ms. Beaugrand stated the next item is discussion of the aquatic complex improvements.

Mr. Hill stated we have added to the list and we met with Mike and Stewart last week. We gave Stewart the list and he said he would be happy to look at a lot of these improvements because I called trying to get some electricians to give us a bid on upgrading the lighting and one of them told me that based on the scope of the work there would probably have to be an

electrical engineer involved so Stewart said he would be happy to review the list and come back with what their thoughts were and also give us some pricing on that.

Ms. Beaugrand asked do you have a preliminary list to give us an idea of what kind of improvements we are talking about?

Mr. Hill stated I do.

Ms. Minnis asked is Stewart from Dicky Smith?

Ms. Beaugrand responded yes, Stewart Maxwell who is the construction superintendent.

Ms. Minnis stated so you talked to two different people. You talked to people outside and Dicky Smith was the original pool builder so that is why going back to Dicky who has the experience behind the original pool.

Ms. Beaugrand stated the stuff we originally had, trellises and a lot of maintenance stuff in the pool area and the volley ball court the joints and the deck issues, marciting for the pool we had already discussed that at previous meetings and then the additional stuff you are talking about is upgrading the lighting on the pool decks.

Mr. Hill stated the deck lighting, the lighting inside the competition pool.

Ms. Beaugrand stated it is very dim. Would that bring it up to code for nighttime swimming?

Ms. Hernandez responded yes.

Ms. Beaugrand stated adding shade structures similar to what we have here.

Mr. Hill stated yes very similar to this and then we want to put one in around the competition pool and probably at least one by the family pool.

Ms. Beaugrand asked on the fountain upgrade is that the fountain that is upfront in the parking lot?

Mr. Hill responded right. The glass blocks are like the pool 12 or 13 years old so it needs some work. We can upgrade it and Stewart is going to look at that.

Ms. Minnis asked does the waterfall/rock fountain work properly?

Mr. Hill responded it has been working fine.

Ms. Minnis stated one of them and this is in the past and I don't think we have had the same problems but one of them the motor had to be replaced.

Ms. Hernandez stated all of the motors have been replaced at least once.

Ms. Beaugrand stated you also added new chain link fencing around the back. Are we having failures in the fencing that is there?

Mr. Hill responded it is only a four foot high fence and the deer jump over the fence set off the beams, the kids can jump over the fence a lot easier.

Ms. Beaugrand stated so this is to take it to an eight foot fence.

Mr. Hill responded yes. The entry planter is the big brick planter with the benches around it in the front. We replant flowers and stuff in there every year and it is hard to keep it growing because we repair the benches constantly so the thought was to upgrade it and maybe put a fountain there instead of the planter because it is hard to keep stuff growing up under there.

Ms. Beaugrand stated let's think about the least expensive operationally since we have the fountain in the drive right there.

Mr. Hill stated tile the bathrooms. There is no tile in there, it is cinder block around the showers and acrylic type deck that is around the pool so the thought was to put the tile around the showers and maybe even tile the bathroom floors. The way the floors are there are little grooves in the finish and we have to pressure wash them all the time because the dirt and water, it gets dirty quicker. Some of these things were brought up at meetings. Originally there was a weather vane on top of the cupola and we are thinking about replacing that. Further down the benches, the benches around the entry of the pool depending on what we do there we need new benches and at the playground the benches around the lake they are rusting.

Ms. Beaugrand asked is the miscellaneous just kind of a contingency number?

Mr. Hill responded I put in 10% contingency below that in case we left something off.

Ms. Beaugrand stated at this point in time you are going to get preliminary pricing on it and then we can prioritize.

Mr. Hill stated the thought was that we couldn't do anything until August. If you go to the last sheet is addressing similar type issues at the basketball and volleyball court.

Ms. Minnis asked Dicky Smith is looking at all of this or just the pool?

Mr. Hill responded they are looking at all of it. At first I had for budget purposes gotten quotes on remarketing the pool and doing some of the work around the pool, then it got bigger and bigger so that is when we talked to Dicky.

Ms. Beaugrand stated other items we have the lighting for the basketball and volleyball area which has been deficient from day one, replacing the backboards, looking at the court

surface as well as adding shade structures there, new benches for that area and fence or shrubs on the pond side of the court.

Mr. Hill stated right because whenever they are playing the ball always goes down into the water.

Ms. Beaugrand stated I know Maryann mentioned airnasium that was one of the original things the ad hoc committee had talked about that we killed from the budget. Jogging trail around the pond out there or the pond here?

Mr. Hill responded over here. One thing Mike brought up is we have an area over there that we talked about doing something there.

Ms. Beaugrand stated at the next meeting we think we will be able to have some numbers back from Dicky.

Mr. Hill responded I hope so.

Mr. Lucas stated it was my understanding that we, you, myself and Stewart were going to sort of walk around to each zone to really hone in exactly what you wanted to have done because some things Dicky is going to need input on as far as what to price. We were going to on that proposal I put in front of you was just an hourly rate for us to help in any way that we can just an hourly rate if something needed to be drawn or needed to be prepared or information needed to be gathered that we would help Dicky in that manner so that he could properly price things.

Ms. Beaugrand stated okay, so that is the next aspect that happens and then after that we get the pricing from Dicky. So that is going to be over the next 60 days then probably.

Mr. Lucas stated right.

Ms. Beaugrand asked are there any other questions?

Mr. Lucas stated there may be pool equipment too. We may need to look at some of your existing pool equipment. I don't know if you are having problems.

Ms. Minnis stated after the pool was built and then the swim team looked at how could the pool be improved to be used at night. Who determined that the lighting was it the county that said that the lighting was inadequate?

Ms. Beaugrand stated the lighting inside the pool.

Ms. Hernandez stated it was the radius.

Ms. Beaugrand stated it is not bright enough per code. Whatever the right word is.

Mr. Lucas stated the candle, you have to have a certain foot candle in the middle of the pool in order to be able to use it for night swim.

Ms. Minnis asked then it has nothing to do with the decorative lighting on the deck, it is within the pool itself.

Ms. Beaugrand responded right. They have to be able to see the bottom of the pool. Then we also looked into the heating but there were deck issues there so if we are pulling up the deck then that becomes an issue.

Ms. Minnis stated the lights by the basketball are still the same decorative lights. You could possibly replace basketball and nothing over at the pool is what I'm getting at.

Ms. Beaugrand responded yes. We can pick and choose. If we get through here and find something is ridiculously expensive for the benefit we can cut it out. This is kind of a wish list. We have the money now so if we are going to make these kinds of improvements now is the time to do it before we refund the money back to the bonds.

Mr. Lucas stated we are going to try to break it down per zone, the basketball courts, tennis courts, someone mentioned your pavilion is inadequate so we were going to try to look at making a revision, corrections, modifications if we can. Someone said possibly a slide in your existing pool. We are going to try to compile a list and price and we need some direction if you want us to pursue some type of price for all of these things, create a master wish list and then you can pick and choose.

Ms. Beaugrand stated right. Without the prices there is no way for us to make a decision.

Mr. Lucas stated that is why we were going to walk around with Jerry to zoom in on each area that something might be wanted.

Ms. Beaugrand stated perfect. I think that is exactly what needs to be done.

Mr. Dosch asked did we include anything on the existing CDD building?

Ms. Beaugrand stated that is coming up next.

Basham & Lucas Proposal

Ms. Beaugrand asked why don't we go ahead and discuss the proposal for what you have been discussing, the administrative building and add that to the agenda under the aquatic complex?

Mr. Lucas stated we have been asked to look at your existing CDD building. First we were going to try to make a few minor modifications to make it work for the admin area and possibly day camp and once I started talking to Stacie you had purchased the building so it makes more sense instead of trying to piecemeal it to try to go in and make it work for you now with the future involved. What we are proposing is basically going in and gutting the interior walls, dividing it into possibly three zones, an administrative area that would serve as Stacie and Shelly and in the future admin area, a day camp area for approximately 75 children and a third zone would be fed off the existing carts over there some type of area, maybe some offices for an aquatics director or conference area trying to make that building work for you because it is very chopped up right now and to try to make things work just doesn't make sense. You can easily do that but you own the building so it only makes sense to develop a program that meets your needs and would functionally work better for you. What I have proposed in the proposal is the first phase I contacted the original architect, Alfredo, and he doesn't personally have any of the drawings so hopefully the county will have them so we will get the drawings from the county and sit down and come up with a program for you meeting with Stacie, Jerry and Shelly to make sure that meets your needs, present it to the board and if that meets everybody's needs then we will go ahead and produce construction drawings for it.

Ms. Beaugrand stated that will be with the same exact footprint of the building, no modification of the exterior.

Mr. Lucas stated we talked about possibly you have covered areas that could make indoor spaces but right now I think we are just going to limit it to the exterior walls. We are not going to pop outside at all we are just going to basically go in, gut the interior walls, create three zones. One thing Stacie said she wanted is two separate bathroom areas, one for the day camp for the kids and one for the admin area so that is what we will be doing.

Ms. Minnis stated in this spot I was talking to Shelly the other day and we were walking around in the back office where Shelly and yours is and it is kind of a awkward area. Currently you have all the offices over here to the right and the day camp to the left. That center area is there any thought to continue to have a meeting room there or would meetings all be here?

Ms. Hernandez stated if we look into the future and we will probably gain more personnel we will have to have some kind of small meeting space just for staff. There will be a small conference room as well as a kitchen and break room just like we have here. Yes, there

will be a small conference room that will make better sense of where we place it. Right now that center space is very awkward.

Mr. Lucas stated to answer your question we were going to try to better utilize that space, within the administrative office I think we were going to allow for four offices, three existing, one future, a conference area for 6 to 8 people, a small break area, a storage room and make that more for the administrative area and try to utilize that center area better. One of the problems now is if we have a function going on in the admin area they have to go through the center area so we were talking about either flipping the admin on the other side or creating a door so that they could come in and they wouldn't disturb if you had a function going on in that center area. We are trying to utilize that space according to your needs and functions. We will work with Stacie and Shelly and Jerry on that and any other input or any other things that you want to see.

Ms. Minnis stated it is the acoustics of that room and that is why I was asking if the thought was to improve this and to have people meet here then that makes sense.

Ms. Hernandez stated that whole interior space I imagine is going to disappear because if we go from 33 to 35 kids in camp to 50 to 75 plus the bathrooms that is going to move over this direction and we will create a space in there for play and once camp is over then we can go into different programming for youth and maybe after school participants.

Ms. Beaugrand stated what is in this proposal is for Basham & Lucas to come up with the concept, the conceptual floor plan for the office building itself. That cost is \$4,200. The second part of it is their hourly rate not to exceed \$3,200 which is the review, investigation and recommendations relating to site improvements, at the old swim complex.

Mr. Lucas stated we will fold in this one here.

Ms. Beaugrand stated both of them, so that is part of this review he is talking about with Jerry and Stacie. Then the third part of it is if we get to the point of wanting to make the interior modifications to that building would be to create the construction documents for that at a cost of \$12,500. Then the next part, part 4 is not to exceed \$7,500 which is providing the necessary construction documents, specs and written narrative. I guess to get permitting?

Mr. Lucas responded for anything, like if we did the airnasium, drawings would have to be created and lighting for the pool, we have engineering involved.

Ms. Beaugrand stated so you would have to coordinate all of that.

Mr. Lucas stated some of those things require construction drawings that would have to be submitted. Your shade structures all those have to be permitted. Dicky can price those so it can give you an idea of what those things are ahead of time but then we will have to create drawings for them.

Ms. Beaugrand stated the last part, part 5 is the construction administration similar to what we have with this building and the park for both ETM and Basham & Lucas. That has a not to exceed of \$6,800 but it is based on their standard hourly rates.

Mr. Lucas stated everything is based on hourly rates because we don't know how much you want us involved or how much investigative work we are doing.

Ms. Minnis stated we would just be approving this proposal, we are not necessarily going to go through all of it based on each step. On the hourly rate not to exceed \$3,200, getting anything out of the county can take a week. On the drawings what if they don't have the drawings where would that fit into here? If the original person doesn't have them, you use up some of the hours going to the county and the county says they can't find them, now we don't have the original drawings and that is what this is all based on.

Mr. Lucas responded if we proceed with gutting the building it is not as critical as having as-builts because if you gut a building we basically have the footprint of the building so it is not as critical. The county should have the drawings though.

Ms. Beaugrand stated you would be taking it out to the exterior walls and redesigning the interior.

Mr. Lucas stated if by some chance the county doesn't have the drawings and you decide you don't want to gut it you want to try to piecemeal what you have then we would probably have to prepare drawings.

Ms. Minnis stated then you would come back with another proposal.

Mr. Lucas stated we would have to revise that based on measuring and doing as-builts. Even if the county doesn't have it, England Thims & Miller probably has that footprint so we can get a fair idea of what the footprint is and go from there.

Mr. Maggiore stated I may have a set of drawings.

Ms. Beaugrand stated let's check that out before we check the county out.

Mr. Lucas stated we did look at the existing building to see if you had those and you don't have any of them there, you have the rec building and everything else but unfortunately, you don't have the Davis Pond building.

Ms. Beaugrand stated it is because we didn't own it originally.

Mr. Pincket stated the costs we are approving now if we approve this is the plans to draw out perspective interior space and also the site blocks of all the properties.

Ms. Beaugrand stated that is all we are really approving.

Mr. Dosch asked up to a conceptual phase?

Ms. Beaugrand responded yes. That other stuff will come if we end up moving past that point.

Mr. Pincket asked is there some reason we didn't get this prior to the meeting?

Mr. Lucas stated my mistake.

Ms. Beaugrand asked are you comfortable with that? Does someone want to make a motion?

Mr. Pincket asked before we do that in terms of coming up with the interior space are you going to talk to Stacie about what she feels her needs are?

Mr. Lucas responded Stacie, Shelly, Jerry.

Ms. Minnis stated I think we knew this when we got that building that it didn't meet the needs.

Mr. Pincket stated I agree, we own it let's use it the right way.

<p>On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the January 13, 2009 proposal from Basham & Lucas for architectural services for Julington Creek administrative office and swim park improvements was approved.</p>
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Ms. Beaugrand stated let's talk about the proposed change orders.

Mr. Lucas stated PCO 58 is simply a time extension so that if Dicky does anything for you he can do it under the previous contract and it can be done as change orders. I'm not sure what his completion date would have been but it would probably be close to expiring. If you decide over the next 85 days to do any of these things he can do them as part of the original contract. This is no cost it is nothing but time.

Ms. Minnis stated if we didn't approve this would there be a benefit or detriment?

Ms. Beaugrand stated we would have to enter into a new contract so we will have legal fees to get a contract reviewed and all of that.

PCO 59

Mr. Lucas stated PCO 59 Stacie asked us to provide an additional GFI outlet in the downstairs woman's washroom.

Ms. Hernandez stated to have two instead of one.

Ms. Beaugrand stated that is a total of \$526.

PCO 60

Mr. Lucas stated the final one we met with Stewart and the electrical engineer because Stacie wasn't happy with the way the lights in the evening when she exited the facility were circuited so we are going to recircuit and add a few more timers to make things more to her liking as far as we will isolate the roadway all the way down so that will be on its own light. We will isolate a few fixtures on the pool deck so that instead of them all being all on some will be turned off and you will have a few lights on for security reasons. The same at the skate park I believe we are going to leave one light on at the skate park for security. We were going to put the basketball court on in its own timer and the skate park on its own timer instead of them all being on one timer.

Ms. Minnis asked Stacie when you leave does it light?

Ms. Hernandez stated you either have everything off or everything on. I would like to save money by turning some of the lights off but it is so dark out here so it is either all or nothing and I would like to have the ability to have some flexibility in our lighting so that we can save money.

Ms. Beaugrand stated that total change order is \$6,265.

On MOTION by Mr. Pincket seconded by Mr. Dosch with all in favor proposed change orders 58, 59 and 60 were approved.
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EIGHTH ORDER OF BUSINESS

Discussion of Preliminary Opinion of Costs

Ms. Beaugrand stated I am going to skip the preliminary opinion of costs because that is the same one that was in there and was not updated since September.

Ms. Timbol stated because this was on the fiscal year 2008 budget I have added the additions to the September numbers. The total will be different.

Ms. Beaugrand stated it has gone up just under \$10,000. Are you still comfortable with this with everything else you have to fill in from a capital improvement expenditure standpoint?

Ms. Hernandez responded yes.

NINTH ORDER OF BUSINESS

Discussion of Cost to Complete Schedule

Ms. Beaugrand stated we didn't do this, this month.

Mr. Oliver stated there are no significant changes to the report, however, we are working with bond counsel right now because there may be some of those funds that must be used toward the construction cost of this new facility and through the holidays it was very difficult to be in contact. I think Wes finally made contact and there is \$1.5 million that bond counsel thinks may need to be contributed toward construction of this facility which would make it not eligible for use for the improvements to the Davis Pond facility or the existing facility. We are working through that with him right now. Also there are some reimbursement issues.

Ms. Beaugrand stated that is relating back to the form that I prepared for last month with the money we have left over between our funds and the bond funds and what we can use to spend here and the scope of the project versus what we can use at the old aquatics complex. You are clarifying that and it should come back next month on the agenda.

Mr. Oliver responded yes.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber stated I have one issue I want to report on and I think it is more of a district staff report than just district counsel report. There is federal legislation that was enacted which requires all public pools and all of this district's pools fall within the definition of a public pool to install new drain covers and there is more specificity in the statute by December 19, 2008. The purpose of the statute was because there are essentially drain covers that are resulting in people being suctioned and caught onto the drains and drowning and these new drain covers

instead of being flat I saw one at an earlier meeting I went to today and they are kind of uneven so if you go against it you don't get stuck to it the same way you would get stuck to a flat one is my understanding of it. The December 19th date has obviously come and gone, it is my understanding and both Stacie and Jim have additional information they can give you today that they learned. Every public pool in the country is now struggling to get these drain covers and from what I have heard they are worth their weight in gold because there are so many pools currently out of compliance. With that said my firm has taken the interpretation and it is a conservative interpretation but we think it is correct that although it is unlikely and I will let Stacie and Jim address that issue, while it is unlikely an injury will occur if an entrapment injury and that is what it is called when you get suctioned onto the drain if an entrapment injury were to occur at any of the district's pools and the district were not in compliance with the statute then it would likely be negligence per se because the district knew that the statute was there, it wasn't complying with the statute and there really would be no case to defend the liability against the district and we think there is a strong likelihood that our insurer would make a claim that because you knew that you were not in compliance that they would not cover us. I will say that we haven't looked at every district's policy and I haven't looked at this district's policy to confirm that but I think that is likely the case that an insurer would at least try to make an argument and there may be a specific exception to coverage if the district knowingly violates a federal or Florida statute. It has been our recommendation and I actually at Heritage Landing this morning had a meeting there and Heritage Landing's pool is closed until they come into compliance. They have two pools, one of their pools they were able to comply and another one of their pools isn't compliant and our recommendation was that it stay closed until they bring it into compliance. Stacie and Jim have been leading up to this meeting working to try to bring the pools into compliance. I don't know what any expectation or estimates they have as to when that will occur and I leave that to them.

Ms. Beaugrand stated before we get there I think you need to make sure the board understands when we learned this was an issue. It wasn't something that we knew about when we were spec'ing the pool for example.

Mr. Haber stated I think the statute was around but I was not aware of it at the time the pool was being spec'ed and I don't know when that was but it is a statute that was recently

brought to our attention and that we are now trying to work to make sure all of our districts come into compliance.

Mr. Oliver stated consumer and safety and product commission led this webinar today and they are the lead agency in this and they admitted there is a failure for them to get the word out to states, counties and cities and other public agencies about this problem. Although the legislation did set a December 19th deadline the problem is all the inspecting agencies were not on the same page, manufacturers had not been able to keep up with the demand for these grates and also the grates have to be custom made because there are so many different sizes that are involved right now. The pool company for this particular district, Rick Arsenault, is on the forefront of getting the work done. He participated in the webinar today also and has been aggressively trying to get these drain grates but to this point has not been able to do it. Again, it is a manufacturing issue. The pool manufacturer themselves are not the ones that prepare the grates there are specialized companies doing that. On the webinar today the lead agency was asking that the manufacturers that were participating to please fill the needs of the southern states as well as the pools that are open in the north during the winter, the heated pools so that those demands could be met before the pools up north. He also talked about some of the penalties, some of the compliance measures that will be taken and also talked about which pools were the most risky, which were less risky. Just in a quick overview he mentioned that the biggest risk and we are talking about children were for the single drain wading pools, shallow pools, and spas while there was less risk with deep pools which would be the pool we have open right now for lap swimming. He said although if you took sort of a risk management approach it may mitigate some kind of fines and penalties if you were found in violation. It would not exempt you from prosecution if there were some type of negligence per se. He brought up that if we took all the measures short of installing the drains and there was an accident regardless of the risk management we had and other mitigating factors we still could be found negligent.

Ms. Beaugrand asked what measure would that include?

Mr. Oliver responded some of the measures they brought up and this was attorney for one of the pool manufacturers was that we could install secondary protection system so the drains would shut off automatically and that may already be in this particular pool, educate the swimmers with postings within the building, on the website, at the pool, make sure there are lifeguards, keep people away from the drains, obviously order the compliant covers which has

already happened and then schedule a diver for rapid installation once they arrive and Rick Arsenault has already done that. After the webinar Stacie also had a conversation with Rick Arsenault and he is doing several of the pools for the districts in this area and he is one of the most reputable pool companies and is doing a good job with that. We ran into the same situation on Thursday at Eagle Landing and it was their decision to use risk management as a way to keep the pool open. I'm not saying that is a recommendation but I'm saying some districts are keeping it open, managing it closely, trying to find the right balance between the safety and use by the residents.

Ms. Hernandez stated right now the drains we are talking about in the lap pool are at the deep end. That is one positive thing for us. We are always supervised, we can certainly do more education and our pumps do not suck water out of the pool, it is on a gravity system so we don't have that problem that a lot of older pools have.

Mr. Pincket asked does the law still require that the grate be replaced even though we don't have that type of pump system?

Mr. Haber responded yes.

Ms. Hernandez stated we could require caps, we could require there is no jewelry, we can have guards at the drain area at the deep end. We can require no baggy shorts of any kind, the typical jammers you see out there. We could ask that there is actually no diving, although there is no diving, the exception is that the swim team can dive during practice with coaches so we could implement a program in which we exclude diving. The statistics for the last ten years there have only been two accidents due to entrapment, one is too many, I understand that but in the last ten years pools have had two accidents.

Mr. Pincket asked do we know if those were at pools that had our pump system or the old system?

Ms. Hernandez responded I do not know. There are so many different pumps out there.

Ms. Beaugrand stated all of the drains here have the gravity at this facility.

Ms. Hernandez responded correct.

Ms. Beaugrand asked what about the other?

Ms. Hernandez responded I do not know.

Ms. Beaugrand stated that is not going to be open for a while anyway. Do we have an idea of what the timing is as far as getting the drain caps?

Ms. Hernandez responded I do not know that. They are on order.

Mr. Pincket stated we have done everything we can to order them, we just have to wait at this point.

Ms. Hernandez stated we are waiting, pretty much every pool in the country is waiting.

Ms. Minnis asked do you have documentation that it was ordered or is it word of mouth with Rick?

Ms. Hernandez responded it is word of mouth with Rick. That is his livelihood, that is what he does for a living.

Ms. Beaugrand stated we can get documentation and I think you should have that.

Ms. Hernandez stated I take that back he gave me an agreement in which he did say they were ordered because we had to do that for the state. We called the state to see what we could do. They suggested that we get an agreement with our certified pool operator stating that they have been ordered and once they get in they will be replaced. I have that documented, it is up at the front desk. As soon as they come in he will replace them.

Mr. Pincket stated so you have documents showing that they have been ordered.

Ms. Hernandez stated I would have to take a look at them.

Ms. Beaugrand stated we need to verify that and make sure that if you don't have the documentation, Rick needs to give you the documentation above and beyond the agreement showing confirmation with the manufacturer that it has been ordered for our pools specifically.

Ms. Minnis asked is this something Hopping Green & Sams should look at, the documentation that says that we have it? Are you satisfied with Jim?

Mr. Haber responded from our perspective until the grate is in the pool we feel that you are at risk. I'm happy to take a look at the letter or agreement that Rick sent and make sure that there isn't any wiggle room in there as it relates to whether it has been ordered or not.

Mr. Dosch asked did we order them for both the clubhouse complex and the aquatic center?

Ms. Hernandez responded yes.

Mr. Pincket stated I would like to know when the law became in effect.

Mr. Haber responded I think it was this past year. I think there was a year so December 18, 2007 it became into effect.

Mr. Pincket asked will you confirm that?

Mr. Haber responded yes.

Mr. Pincket stated I think we also need to call our insurance carrier. I would like to have a conversation with them if they are willing to assume those risks and cover those risks with the drains we have right now I want something in writing confirming they will continue to cover us with those exact same risks even though this law has been passed requiring that they be changed out.

Mr. Haber responded sure.

Mr. Pincket stated and that is assuming we keep them open.

Ms. Beaugrand stated as far as the liability on the district we have a limitation, sovereign immunity we still have that.

Mr. Haber stated sovereign immunity will still apply.

Ms. Beaugrand asked at what level?

Mr. Haber responded at the same level that is statutory, at \$100,000 although one way to get around sovereign immunity is a claims bill filed and the fact that we know. I don't think it is all that common that the legislature goes above and beyond what the sovereign immunity limits are but I can see someone trying to make a claim.

Ms. Beaugrand asked so that would have to be passed by the legislature for somebody to do that?

Mr. Haber responded yes.

Mr. Pincket asked would a claims bill typically put the risk back on us or is that simply the legislature agreeing to cover the judgment that may be entered against us?

Mr. Haber responded I think it grants the plaintiff in a suit to make a larger claim against the district. It wouldn't be covered by anybody.

Mr. Pincket stated again the pool that is open right now, both pools, we do not have the kind of drain that has any kind of sucking in it.

Ms. Hernandez responded correct.

Mr. Pincket stated so if you went down and put your hand on it, sat on it, there would be no pull, nothing holding you down.

Ms. Hernandez responded correct. I will do that first thing in the morning.

Ms. Beaugrand asked will you put a swim cap on before you do that?

Ms. Hernandez responded I never swim without it.

Mr. Pincket stated and make sure other people are around.

Mr. Dosch stated I think your risk of negligence because even if gravity is draining these pools, the weight of that water will keep an individual against that drain.

Ms. Hernandez stated I don't know, I will check it out first thing tomorrow.

Ms. Beaugrand asked what are the board's thoughts? The decision we have to make tonight is whether we keep the pool open or not. We have the one pool open, that is it.

Ms. Minnis stated this sounds to me like the law that we are going to peanut oil gas tomorrow but we don't have any manufacturers. I think that Stacie and Jim have done everything they can and the fact that we don't have an old pool, I don't think we need to shut it down. I'm comfortable with them changing the rules that there is no jewelry, no baggy shorts until these caps come in.

Mr. Pincket asked is the competition pool the only pool that is open right now?

Ms. Hernandez responded right.

Mr. Pincket stated I agree, with the fact that we have the gravity type system, the fact that there will be additional diligence in watching anybody who is in that pool, whenever that pool is open someone has to be standing there.

Ms. Beaugrand stated all of those things that you said, everything that you threw out there is something we need to do, posting out here, posting it at the pool, posting it on the website, limiting at risk issues like baggy shorts, jewelry, whatever, posting the additional guards, all of those things.

Mr. Pincket stated I'm comfortable leaving it open.

Mr. Dosch stated I support Brian and Kathy. You do have better swimmers at the competition pool, I don't know if that would negate them being in the drain but you are taking precautions.

Ms. Spears asked do we know if somebody were to get stuck the lifeguards would then have the ability to get them unstuck?

Ms. Hernandez responded yes, they do. I swim at 5:30 a.m. so I will go down first thing in the morning and do that myself.

Mr. Pincket stated and you are going to make sure someone is here when you do it.

Ms. Hernandez stated yes.

Ms. Beaugrand asked you will email us, right?

Ms. Hernandez responded I will.

Ms. Beaugrand stated I think we ought to have a motion evidencing this decision.

Mr. Pincket asked do we need a motion?

Mr. Haber responded I think so.

Ms. Minnis asked is the motion to leave the closure of the pool at Stacie's discretion and inspection tomorrow? What is the motion?

Mr. Haber stated my understanding from your discussion was that Stacie was just checking it kind of for your information and that having the pool remain open wasn't based on the outcome of Stacie's inspection but obviously, that is up to you.

Ms. Minnis stated I would think that we should agree that if Stacie and the staff collectively think the pool should be closed for any reason we have acted and that we keep it open until they deem it should be closed.

Ms. Hernandez stated that is pretty much what we do anyway. It is closed at our discretion if it becomes unsafe, electrical shortages, or anything that happens, chlorine levels.

Ms. Minnis stated but I'm saying let's keep it open as of tonight. If you find at 5:30 a.m. tomorrow and you are not comfortable without something else, then you can close it.

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the pool will remain open based on the factors that Stacie has outlined until there is a reason to close it.
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B. Engineer

Mr. Maggiore stated last month you approved the contract with Custom Pumping Controls to maintain the sewer lift stations. Subsequent to that meeting Wes did draft that contract and Susan entered into that with Custom Pump. Yesterday Jerry and I met with a representative onsite and showed him the two lift stations. They posted their 24 our contact number on there, they maintain the locks on the lift station, Jerry does have the keys to that if he needs them. Basically they will come out once a month do an inspection of it and testing of the system and any time during the month if there is a problem and the light flashes on the top of those, anyone can call, staff and residents can call custom Pump will come out and assess the situation. That puts you in compliance with the DEP permits.

Ms. Beaugrand stated great, so everything else is completed now with the parking lot and the park improvements.

Mr. Maggiore stated everything is completed, the only thing we are waiting on is one set of as-builts from Dicky and I should have those tomorrow and at that point we will go to the county and DEP for final signoff.

Ms. Beaugrand stated once they do the final signoff will the bathrooms be functional?

Mr. Maggiore responded they will. The bathrooms are functional now, they have been functional for a while it has just been a technicality with the DEP permit. You really are not supposed to open the facility until DEP signs off.

Ms. Beaugrand stated that is why we still have the porta potties out there.

Mr. Maggiore stated correct.

Ms. Beaugrand stated once that happens we will get rid of those.

Mr. Maggiore stated I left you a copy of the eagle management plan we discussed last month. That is just for your reference.

Ms. Minnis asked is it the county that enforces it or the Fish & Wildlife?

Mr. Maggiore responded I don't know.

Ms. Minnis stated on my way here driving on Davis Pond I looked to the right and I could see a set of car tracks going straight in up to the eagle management. Then I came back and turned around and then I saw barricades north of those tracks as if a construction truck had been there and it is up against the eagle management. There are also "no trespassing" signs that you can't go beyond a certain point. I was just wondering who enforces this since the JEA has been in there, other people have gone in there. We don't know who really enforces it.

Mr. Maggiore responded I do not.

Ms. Minnis stated I will ask Lucy.

C. Recreation Facility Manager

Ms. Hernandez stated I wanted to clarify the gas invoice that was questioned by Brian at our last CDD meeting. So much happens within a month that trying to recall an old bill sometimes is difficult. Thank you for allowing me to go over my notes and make sure that I have the facts correct. When we first opened we were on a call in schedule, we weren't really sure how long it would take to actually get a service so we went to a weekly schedule. Then on

October 27 Sawyer Gas delivered, however, we were the last fill that day and only received what they had left on the truck so they came back the next morning, October 28, and filled it which is why you saw back to back invoices. Now we are on a weekly schedule.

In the month of December the Loggerheads competed in two different swim meets. Times continue to drop for all the Loggerhead swimmers and improvements are continually being made. The senior training group had double practices through Christmas break and surprisingly the attendance was steady. They had their first swim team activity outside of the pool on December 19th when the tag team went ice skating at the St. Augustine Amphitheatre and no injuries but a lot of sore bottoms, a lot of good laughs that day.

We had our first 18 and over masters meeting on January 5th and had a great turn out of over 31 adults. Swim times for masters is Monday, Wednesday, Friday morning from 5:30 a.m. to 6:30 a.m., Monday and Wednesday at noon and Tuesday and Thursday evening from 7:00 p.m. to 8:00 p.m. and our oldest master was 80 years old.

Mark Corley and I met with both recreational swim teams this past Saturday and all are on board for the teams who have all their practices at the aquatic complex with one week each at the new facility. Also on Saturday Mark had a parent meeting with over 100 families. We had a great turnout of 93. The meeting was to recap the fall and preview the spring and summer training schedule which we hope encourages retention.

Fitness department, we added several classes, kids fitness yoga class, mother/daughter zumba and weight training 101 for boys 11 to 15. The biggest loser challenges have started with a great turnout of 51 participants. This is a 6 week challenge and all participants and staff seem very excited, everybody is talking about it. A complimentary adult and teen fitness core orientation is provided six times every week and we also have a good resident turnout for that as well. This past Saturday was our first fitness expo, both residents and vendors were pleased with the variety of vendors and resident turnout. We had anywhere from 300 to 400 move through the event in these two rooms that were set up very nice, they did a great job and Kim and Paula and their staff did a good job.

In the tennis department we have programs for any level player and have grown steadily each month. Our grand opening tennis was big hit with over 50 in attendance. We have been approved for four junior tournaments this year, only three more this fiscal year. Several of our country club women's teams are at or near the top of their respective city leagues. We will have

our first two men's leagues starting this spring. We had substantial growth in clinic participation and court reservations since January 1st and probably court reservations is up by 30% or more this month.

Also I would like to take this opportunity to thank Dan Pascalero he is our court maintenance staff and he has done an outstanding job on those courts, very, very well done. We are very pleased.

Youth programs, the American Red Cross lifeguarding course is supposed to be offered at the end of February and this is new lifeguards and lifeguards that need to be recertified.

Teens night out February 28th is casino night and during this event we will be offering teens their own bingo and movie night. The program will be held in the game room from 6:30 pm. to 10:00 p.m.

At the sportsplex the basketball courts are busy daily and most of the people you see on the courts are middle school children playing pickup games. The program staff is looking into offering both new to basketball programs along with skating 101 and exhibition. You will be seeing that coming this spring.

I hope you are pleased with the way the website looks. Please pass the word and talk it up and make sure everyone knows what's going on over there. It is as easy as saying, check the website, because it is all on there if you don't know what's going on that particular day or week.

Email blasts, we sent out two blasts, one December 12th we sent out over 3,000 and 53.6% opened within about 2 days so that is great. January 5th we sent another one to a little over 3,000 and we had 52.3% open up within a couple of days.

The number of cards issued to date has been 13,347.

Ms. Minnis stated the website is a big improvement, with the phone system you can get directly to the person whereas before you were listening to all the menus but now that everything is there I got straight to Stacie.

D. Manager

There not being any, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

Ms. Minnis stated Don Beaty called me and he reminded me of going back to the clerk of the court, this was five years of my life and I'm not going to let this go, the clerk of the court withheld \$175,000 from the settlement and they were to retain it for 6 years in case any of the residents filed a lawsuit regarding the same impact fees. \$175,000 that was due to us has not been released.

Mr. Oliver stated I don't recall the amount but a couple of months ago we did receive a check.

Ms. Minnis stated there was an amount and that is the question. Was that the amount? That's why I'm back to the accounting.

Mr. Haber stated I think that may have been that. I went back and reviewed the agreement. I know that lump sum was the lump sum that was held back. I would have to look but I think that may be the lump sum that was recently released to us. I will confirm it.

Ms. Minnis stated he had the 6 years and I was going back to the settlement agreement because technically it was 2003 that it settled so I wouldn't have thought that that would come back until 2009 but I said that is a coincidence we just got a sum that is similar to the amount that they are keeping but the letter did not state, it just said here is this money, it didn't state this was withheld. It didn't give us a reason, it sounded like it was just one of the quarterly payments.

Mr. Haber stated it specified that it was a lump sum due back to us pursuant to the terms of the agreement. Unless there was more than one lump sum that was held back to be paid back to us and I will look, if I had to guess it was probably that.

Ms. Minnis stated my point here is that they may think this is all over.

Mr. Haber stated no, that is why after we got that lump sum my letter specifically said notwithstanding the fact that you gave us this lump sum please provide us with the amounts, (1) please confirm that you are still going to make payments (2) please confirm what developable property is still out that we are going to receive payments on and (3) what is an estimate of those payments. That letter went.

Ms. Minnis stated okay.

Ms. Beaugrand stated it wasn't in the December meeting because I have that one, I think it was November so someone can go back and confirm and make sure.

Mr. Oliver stated we did check the agreement when those funds came in.

Ms. Minnis stated it was just a coincidence that he called and said I remember this. I said were you at the meeting, did you read the minutes and he said no.

The other thing was I want to consider running for the POA board so I am putting it out. There is not an election right now but in the next election. If I do what are the ramifications to this board for any notices if two of us are on the board? What I wanted to do was bring it back for discussion next month. I just wanted to bring it up now and it is based on several things that have occurred that if you want to see change you have to work for it.

Mr. Haber stated I will look at it. I think in large part I have done this research because it will be quite similar to the same laws that would apply if more than one of you attended the meeting. I think if more than one of you were going to have conversations at a POA meeting that would be issues that would come before this board for decision then that is a meeting that probably conservatively should be noticed because it could be a violation of the sunshine law. I will revisit it but it shouldn't take me long because I think that is going to be my answer, that board members if you have more than one board member present or serving on the board you are going to have to take the obligation and responsibility if it hasn't been noticed to say wait, we can't discuss this right now because it is too close to district business. Alternatively, I think you are going to have to notice every meeting so that you have that freedom to discuss any issue that may come before the board. I think that is going to be the answer but let me look back at the research that I did.

Ms. Minnis stated my question to Jim is do you know of any other district that has this with the people on the board sitting on the POA?

Mr. Oliver stated I think I have heard of it but I can't give you a specific answer right now.

Ms. Minnis stated I would like to bring this back as a subject at this point in the next meeting.

Mr. Oliver stated we will put it on the February agenda.

Mr. Pincket stated there may be developer controlled boards where you have common membership, POA and CDD.

Mr. Haber stated yes, that happens frequently.

Ms. Spears stated I have a question for Stacie. With the recreational swim leagues was there discussion about the times that the pool would be available for the different people?

Ms. Hernandez stated the times we originally talked about in the last summer meeting that were approved at the public hearing they accepted that it wasn't an issue. They were going to work it out amongst themselves in terms of who gets in first and who is going to share but there wasn't an issue with the times available to them.

Ms. Spears stated okay, I just had a couple of people ask me questions about the scheduling of that so I wanted to make sure.

Ms. Hernandez stated it is up to them to schedule it amongst themselves.

TWELFTH ORDER OF BUSINESS

Audience Comments

Ms. Williams stated I have been coming forward with a wonderful opportunity for the CDD. There are two great events going on, as you heard Stacie talk about one which is casino night which is February 28th which is open to the community. The new high school is also having its annual fundraising event the same night, February 28th, which is open to the community. They are hoping that the casino night can be rescheduled for another night so that there is not a conflict of interest. There are already emails going around about people who would like to attend one event and the two are going on and I see that the casino night has a minimum participation of 80 people to be able to have the event so they probably have an out clause with the company that they could reschedule it. I think it would be wonderful if we could send out a notice saying, we are a community we want to support the high school we are going to reschedule our event for another night, and we hope all of you can help us. I know people who are coming to our event want to come to the casino night.

Ms. Beaugrand asked what are the contractual terms?

Ms. Hernandez responded I don't have it in front of me. I don't know.

Mr. Pincket stated you must be taking reservations or some kind of interest sheet.

Ms. Hernandez stated we do have reservations for both the casino night and the teen program as well.

Mr. Pincket asked how many do we have so far for the casino night?

Ms. Hernandez responded seven.

Ms. Beaugrand stated if there is a contractual way to get out, the first year for the high school I would think that we would want to try not to conflict if we aren't going to lose any money by doing that and if we only have 7 reservations so far.

Mr. Pincket stated the vendor probably would be agreeable to rescheduling.

Ms. Beaugrand stated if you could look into that I think that makes sense.

Ms. Vansotor asked are you still going to have teen night if you didn't have casino night because that would really help our event because ours is adult only.

Ms. Hernandez stated I would have to think about it. I don't know how many kids are actually signed up for the teen night.

Ms. Beaugrand asked is it the same night?

Ms. Hernandez stated it is the same night with the thought that those that had that were 11 and 12 they didn't want to leave them home alone, while they are over here they can be taken care of over there as well. The last child watch is going to be open that night so we have all the staff ready to go that night to take care of kids.

Ms. Beaugrand asked are you saying that it would help to have the teen night here?

Ms. Vansotor stated I think it would help because we are trying to reach the adults and there is a silent auction set up with a lot of businesses who have donated products, services, a lot of items that we have already gathered. I know there have been a couple of requests for childcare which we haven't made any kind of accommodations for that. It would be really nice to have teen night here.

Ms. Beaugrand asked what are the hours of the event?

Ms. Williams stated it begins at 7:00 p.m. and your teen night was going to be at the same time.

Ms. Beaugrand asked how late were the teen night and babysitting going to be available?

Ms. Hernandez stated I think until 10:00 p.m.

Ms. Beaugrand stated that is not going to help you realistically whether we have it or not because your parents aren't going to want to get back here by 10:00 p.m.

Ms. Bravo stated I wanted to update the board on JCP Cares. We started the organization in 2007 at the end of each year or beginning of the following year I like to keep you abreast of what is going on so that you are aware of what is happening in the community. We began meeting in June 2007 had six neighborhoods represented. Now we have representatives from 33 neighborhoods as well as three members from outside the Plantation, an attorney, an accountant, and a professional photographer as well. Today we now have more than 50 members. Our mission statement, united in the community through helping others in need has allowed us to

partner with several of the schools and local churches as well as have several businesses such as Nanak's Landscaping, Williams Nursery, Enterprise Rental Car, Belks Department Store, VyStar Credit Union and several others to partner with us on various initiatives. JCP Cares has also received its 501C3 status from the IRS as a tax exempt charitable organization. We are a grass roots organization, as such no one takes any compensation for any of their work, everything is done on a volunteer basis. Because of this fact we have been able to generate almost \$20 of charitable giving for every dollar that we spend. As of the end of 2008 JCP Cares has generated more than \$70,000 in charitable contributions as well as has donated more than 1,000 community service hours. We accomplished five charity initiatives last year totaling more than \$50,000 in charitable giving. We selected the Emergency Services and Homeless Coalition, St. Augustine Wild Reserve, the Guardian Ad Litem program and Council on Aging at Trout Creek as our four quarterly initiatives for last year and have finished the year with our expanded food and trade program. We had 14 trees throughout the county and had 19 different St. Johns charities give us their wish list for the tags on the trees. Santa came to the CDD building one Saturday visited with several JCP children while their parents were encouraged to take tags from the tree. The other trees were in local area businesses and churches. Fruit Cove Middle School again collected for the items needed for the various homeless charities. We also sponsored a party for the children living in Habitat for Humanity homes so that each child would receive a gift for Christmas. Even with our current economic situation the giving tree program was up 50% over 2007. In 2009 we will again do one charity initiative per quarter and then wrap up the year with a giving tree program again. Our projects this year will be first quarter animals and environment, St. Johns County Animal Control, their animal shelter program, second quarter children the St. Gerard Campus, third quarter senior and medical Good Samaritan Health Clinic, fourth quarter homeless and abuse Celebration Lutheran Food Bank. Our goal is to have each project potentially have three parts to it, a fundraiser, a drive for collection of items and a hands on piece to utilize all the community service hours our students need. We feel we are needed now more than ever with our economic times being what they are and we have found that our community understands that as well. We were extremely pleased with the generosity we found in 2008 and we are looking forward to being able to make an even larger difference in 2009. For ongoing information we encourage everybody to visit our website at jcpcares.org.

Ms. Beaugrand stated you have done a great job and you have gotten some really good publicity as well.

Ms. Bravo stated fortunately the papers really like us, they always like good news.

Ms. Stuart asked when the tournaments start up again in the complexes how are we going to work parking so that residents can find parking?

Ms. Beaugrand asked do you mean the swim meets?

Ms. Stuart responded the swim meets or tennis tournaments.

Ms. Hernandez stated prior to each event we will have information on the website and hopefully hand out fliers and try to educate the people inside the building. Our swim meets I do not have a schedule so as soon as we have a schedule of all the meets we will post that as well.

Ms. Stuart stated my problem is using the facilities when there are tournaments and residents have a hard time finding a parking space.

Ms. Hernandez asked do you want them to park away from here?

Ms. Stuart stated I'm just asking have you thought about making some accommodation to make parking easier such as satellite parking when they have tournaments or something like that.

Ms. Hernandez responded satellite parking would mean using the county soccer fields.

Ms. Beaugrand stated we are only talking about two swim meets at this location, the rest of them are at the old pool. That is only two events.

Ms. Hernandez stated I think we need to do the first and have security here to monitor the parking and let's see what happens. We will identify everything and make sure everyone knows what's going on, have security here. We can ask people to carpool, that is not very successful. We could ask homeowners to park at the soccer fields and walk over.

Ms. Stuart stated that is what I dislike asking the homeowners to park at the soccer fields.

Ms. Beaugrand stated the swim teams are the homeowners as well.

Ms. Stuart stated there are a lot of extra people who come in when there are swim meets.

Ms. Hernandez stated they are going to give me a hard time too if they have small children and they have to walk.

Ms. Beaugrand stated it is a no win situation.

Ms. Stuart stated it probably is but I wish you would consider something like that.

Ms. Beaugrand stated if you have ideas bring us ideas.

Ms. Stuart stated I have a second question. When we redo the admin building if you do that there are a couple POA meetings that are held there. Is there going to be any accommodation made to do those meetings in this building for the same rates.

Ms. Hernandez stated we are going to hold the meetings at the recreation office. We will have a small meeting space.

Ms. Beaugrand stated while it is under construction I think.

Ms. Stuart stated you are talking about a conference room to fit six to eight people which is a really tiny meeting. Most of our meetings are larger.

Ms. Hernandez stated I can address that with Mike and see what the space is, making it larger.

Ms. Minnis asked based on that question, what is the cost to rent the room?

Ms. Hernandez stated this room here is \$175 for two hours.

Mr. Pincket asked are you talking about during construction or after the construction?

Ms. Stuart responded I'm talking about even after construction.

Mr. Pincket asked isn't one of the aspects of the building going to be to service the children's program and isn't there going to be the capability of having some large open space?

Ms. Hernandez responded you are right.

Ms. Minnis stated the other issue is that meetings are at 4:00 p.m. which is during work time which has been the issue of having it in the other room.

Ms. Stuart stated not all the meetings, the POA meeting is going to be at 5:00 p.m.

Ms. Minnis asked will it interfere with any of the children's programs to have anything over there?

Ms. Hernandez responded it depends on what Mike comes back with the drawings and then we will move things around just like we did with this building here. Let's take a look at what he has and as we are walking through we always generate more ideas and different thoughts and that is a suggestion on a larger meeting space.

Ms. Minnis stated I'm just going to throw this out for Wes, based on this conversation I know what a lot of people are probably thinking well, gee the CDD members are also POA members but that is not really true we have that subset of people that aren't in the CDD that are members of the POA. If someone were to say why would we charge the same group, does that make a difference?

Mr. Haber asked why would you charge the same group for this?

Mr. Pincket asked can we make a distinction and not charge the POA to meet here and charge other similar organizations, charitable or not to meet here?

Ms. Stuart stated we have been through this with the admin building a couple of years ago and set up the classes and the POA was included with a non profit that had a special rate.

Mr. Haber stated I think the board can make a special rate. I don't know what you mean when you say other similar situated entities.

Mr. Pincket stated charitable organizations.

Mr. Haber stated I think the board can make that break. I think a non profit is distinguishable from the POA notwithstanding the fact that the POA may also include neighborhoods that are not included within the CDD. I think the fact that they are so similarly aligned and that they are so many members of the POA that are members of the CDD I think that is distinguishable in and of itself from any other charitable organization that may ask for a break. That said, this board can make a determination if it wants to give a break to the POA or another similarly situated group. I think the POA in and of itself is unique given its membership.

Ms. Minnis asked did we pass a resolution about the use of the other building based on a charitable status?

Ms. Beaugrand responded yes.

Ms. Minnis asked should we pull that resolution back out and review it?

Mr. Haber responded it is probably a good idea because the resolution isn't ringing a bell with me and I would like to review the resolution with the language and see what it says.

Ms. Beaugrand stated put that on the agenda next month.

Mr. Hutchinson asked are you charging the POA right now?

Ms. Beaugrand responded not for meetings at the other building.

Mr. Hutchinson stated I wouldn't think you would here.

Ms. Beaugrand stated we aren't, that is why we are going to review the agreement and bring it up to date.

Ms. Bravo asked would it be potentially possible for the organizations that are meeting in the other building during construction to meet here without a fee or do we have to move the meetings completely offsite? We will need to know that for our own bylaws to make notice for our meetings to move location. Secondly, Shelly and I had visited and thrown ideas out with the

camp rooms, those rooms are not used much in the evening so if JCP Cares or the POA could meet in that room they wouldn't need a second room. One of the other factions that I think would appreciate having some space and they are not a nonprofit but they would be residents is that I know a lot of the seniors like to play cards or things like that but they don't play during the summer, they don't play during the holidays and they wouldn't be there at the same time the kids would be there for kids camp so if that room could potentially thought of as a multi-purpose room the seniors I know gave a lot of flack to this facility can have a place they can play cards, it is not at Crispers or somebody's house I think it would create a lot of goodwill.

Ms. Hernandez stated the game room is not being used much during the day.

Ms. Bravo stated the only problem with that is if they play cards with 20 people in a group, 18 out of 20 may be residents and 2 may not.

Ms. Hernandez stated they can have guests.

Ms. Bravo stated they are under the understanding that they can't have other people here who don't belong to the CDD.

Ms. Minnis stated I have already listened to this from my mother-in-law who is a senior that lives in here and I contacted Paul about this the other day and he started this discussion so as we work with that that is what we are looking into.

Ms. Bravo stated from what I hear I think it would go very well. I think they would really appreciate having someplace that is not in someone's home and not having to be at a restaurant where you are obligated to buy their food. They are playing at times that are opposing to when we are using a camp room because they don't play in the evenings and they don't play during the holidays or summer. Just something to take into consideration.

Ms. Hernandez asked why wouldn't they want to come here?

Ms. Bravo responded they would but their understanding is unless everybody is a member of the CDD they can't.

Ms. Beaugrand stated let's start a seniors card game and educate people as to the guest policy again because clearly they are not educating.

Ms. Hernandez stated I don't know who you are talking to and I don't know where they are getting their information. They can call me. You can come here and bring guests. People bring guests all the time. We can move the stuff in the teen room. If it is a program that I do then you don't have to rent it. If it is a group coming in to do a program or to have a birthday

party you may have to rent the room. I'm not sure what you are asking. If you are asking me to have a program for the seniors I would be happy to.

Ms. Bravo stated I think they already have one but I don't know that they wouldn't be inclusive of others who wanted to join but I think the group is already formed but I don't think they are exclusive. In other words if you wanted to have a program I think you already have 28 people to join.

Ms. Beaugrand asked can we get this conversation wrapped up?

Mr. Dosch asked during the construction of the building another option is the library isn't it for meetings?

Ms. Beaugrand responded yes. I have one question it relates to when we have the 5k and it goes back to the parking issue. What are we doing there?

Ms. Hernandez responded we are meeting with Doug Alred who is First Play Sports and once we get the permits he will come out and we are going to design the beginning, middle, where the tents are going to go, where registration is held, the kind of security for the event it is our own personal security as well as county security and they are going to design a traffic pattern and we will discuss it and we are going to hope that it works. We are going to ask people to park at the county soccer fields and you know people probably park on the side of the road because that is what people do in 5k, we have to be prepared for that. We will do as much as we can prior to and we have to wait and see and after the event we will probably sit back down again and say what worked what didn't work how can we make it better next year.

Ms. Beaugrand stated okay.

Ms. Buttz stated I'm trying to see if we have support again for the Creekside High School. I wasn't quite sure.

Ms. Beaugrand stated we are going to look into changing it. We are going to look at our contract and see if we can change it without taking a penalty. Stacie is going to look into that.

Ms. Williams stated a couple of people from the committee came here and tried to post information about the event and we were told we couldn't post anything here. I'm just trying to learn what can and cannot be posted.

Ms. Hernandez responded we get hundreds of requests on a weekly basis to post non profit things, people who have their home businesses and we learned many years ago that it is better to post just what we have here because we don't know who is legitimate and who is not,

who is making the decisions on my mom wants us to post this or my uncle wants to post that and I know it is coming from the school but we get hundreds of requests on a weekly basis. We decided that we don't want to compete with anybody either, we need to generate over \$1 million revenue here so we just keep it to the people we know and the fliers that we are comfortable with. Everybody who works here has a background check, drug test, we are screened thoroughly. I don't know the people on the fliers, I don't know who wrote it, I don't necessarily know everything and you are probably the exception but I literally get hundreds of requests for fliers on all different kinds of non profit groups, for profit groups and decided to not take anything at the front desk so we are not inundated. We have eleven different departments that are trying to put out fliers about what is going on. It is the clutter factor too.

A resident asked would you consider this event an exception?

Ms. Hernandez responded okay.

Ms. Beaugrand stated I don't have a problem with it.

Mr. Pincket stated I don't have a problem with it.

THIRTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of November 30, 2008 and Statement of Revenues and Expenditures for the Period Ending November 30, 2008

Ms. Beaugrand stated I think it is important to look starting at the third page which is the recreation facility budget and just take note of where we are above budget where we are below budget both in the revenues and the expenditures and then look at the bottom line on page 4 under the actual column through 11/30 and you will note that we have excess revenues of \$158,654. While the inflows and outflows are not exactly matching what we have budgeted the bottom line is a positive bottom line which I think is fantastic for the first full month of operation. We still have a long way to go but it certainly is a lot better than seeing a negative number. You look at the total revenues we are under our prorated budget but you have to compare those against the expenses relating directly to what we are actually doing. Some things don't happen this time of year will happen later on in the year. We are making money on the swim team, things like that. There are things that are definitely above what our prorated budget is, swim team, tennis, interest income in spite of the bad interest rates.

B. Treasury Report – November 30, 2008

C. Assessment Receipts Report

D. Check Register Summary

1. General Fund 12/1/08 – 12/31/08

Ms. Beaugrand stated behind tab 1 you will see the check register for the general fund.

Ms. Minnis stated I had a general comment and it was based on a previous discussion and it may not have been this month but the month before. I thought you were going to try to break up the receipts to the checks somehow.

Mr. Oliver stated you usually see separate registers and now we just show the two check registers, the general fund and recreation fund. Also based on Shelly’s recommendation the invoices are numbered.

Ms. Minnis stated okay, that’s what it was.

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the general fund items 1636 through 1654 were approved.

2. Recreation Fund 12/1/08 – 12/31/08

Ms. Beaugrand stated behind tab 2 we have the recreation fund register.

On MOTION by Mr. Pincket seconded by Mr. Dosch with all in favor the recreation check register, items 3473 through 3576 were approved.

FOURTEENTH ORDER OF BUSINESS

**Next Scheduled Meeting – February 10, 2009
at 6:00 p.m. at the Julington Creek
Plantation Club Multi-Purpose Room, 350
Plantation Club Parkway**

Ms. Beaugrand stated the next meeting is February 10, 2008 at 6:00 p.m. in this room.

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the meeting adjourned at 8:08 p.m.

Secretary Assistant Secretary

Chairperson/Vice Chairperson