

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 on Tuesday, September 8, 2009 at 6:00 p.m. at Julington Creek Plantation Club, 350 Plantation Club Parkway, St. Johns, Florida 32259.

Present and constituting a quorum were:

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

Also present were:

James Oliver	District Manager
Wes Haber	District Counsel
Matt Maggione	District Engineer
Stacie Hernandez	Julington Creek Plantation CDD
Jerry Hill	Julington Creek Plantation CDD
Kim Harless	Julington Creek Plantation CDD
Stacey Passen	Julington Creek Plantation CDD
Jeri Jo Fox	Julington Creek Plantation CDD
Ashley McVeagh	Julington Creek Plantation CDD
Brandi Benton	Julington Creek Plantation CDD
Shelly Timbol	Julington Creek Plantation CDD
Mike Lucas	Basham Lucas
Stewart Maxwell	Dicky Smith Company
D.J. Smith	Dicky Smith Company

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Approval of Minutes of the August 11, 2009 Meeting**

Ms. Beaugrand stated included in your agenda package is a copy of the minutes of the August 11, 2009 meeting. Are there any additions, corrections or deletions?



On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor Pay Request Nos. 325, 326 & 327 were approved.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer – Amendment No. 14 to Work Authorization No. 1, 2009-2010 General Consulting Engineering Services**

Mr. Maggiore stated included in your agenda package is an amendment number 14 to work authorization number one for \$20,000. Those rates you see before you are the same rates we have had in the past.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor Amendment No. 14 to Work Authorization No. 1 was approved.

**C. Recreation Facility Manager**

Ms. Hernandez stated I would like to thank Jim, Susan and Wes for the preparations needed for the annual CDD budget meeting. It is always very helpful when we go into these meetings well prepared. Jim addressing the assessments and carry forward of unspent funds and then revenue to generate it by programs. It is helpful to those in attendance and those that go online to read the minutes we get feedback from and we have had comments on how well prepared you guys are. The CDD staff will continue and evaluate and adjust programs as needed. We do have a few staff reports and I would like to start with Kim Harless our Fitness Director.

Ms. Harless stated the game room has now been turned into a new studio. August 31<sup>st</sup> we started doing some programs in there. This is a great opportunity for our facility to provide more residents, adults, teens and children ages seven to 12 to participate in group fitness classes and programs. By having this room we have the potential to satisfy more residents with a room that wasn't being utilized as it was. To be conservative we are going to take the approach slowly adding classes as the demand for the programs grow. The new fitness room

will also be utilized for personal training and other nutritional programs. Currently, we are offering senior fitness, kids fitness/yoga, core plus more, a new team conditioning and then in the future we hope to add cycling and a flexibility class. We also have another exciting program that we brought to our group fitness and it is Les Mills body pump. This is a new hot course and it is a non-impact weight base class. It is similar to some other programs out there; however, this works every major muscle group. It uses just a barbell with weights and it is step. It strengthens and conditions and it produces fast results. It has motivating music and qualified instructors. One of the reasons we brought this to JCP is because we are trying to enable our group fitness program to stay comparable to other fitness facilities in the area. Our goal is to keep our community exercising in our neighborhood and participate in our fitness programs by offering them the same quality programs as other similar recreation centers. We have had a really good turn out. So far the average number of participants, with our body pump class is 20 per class.

Ms. Minnis stated when you use the shortcut I have seen half eaten sandwiches, cokes, kids that are unsupervised. I have been watching the transforming of the furniture moving out with all the other activities. The equipment that has been moved in there can it be moved back if that room is needed for something?

Ms. Harless responded yes.

Ms. Minnis asked is the goal to make it permanently as fitness or a multi-purpose?

Ms. Harless responded we would like to have it be a true fitness studio. We want to be able to offer more classes there. We are limited as it is right now. We are limited due to the carpet. We are hoping to bring mirrors into that room. We cannot do any high impact type of exercises in there, so we are limited.

Ms. Minnis asked have you had any negative feedback about closing the room?

Ms. Hernandez responded I haven't had any personally.

Mr. Pincket stated all I'm hearing is that there are not enough classes for the exercise and fitness and it is in high demand.

Ms. Beaugrand stated it will be great to have two classes at one time. I don't do yoga but there are a ton of people that do like it, so it will give us options. I was here yesterday and Kevin, Stacie and I were talking and what we really need to do is replace the carpet that is in there and put in an exercise floor that is similar to what we have in the fitness room now

because it has shock absorbency and the durability. We are going to be limited to what we can put in there until we do something to the floor in there.

Ms. Harless stated I spoke to a rep today from the company that installed the aerobics floor we currently have upstairs. They couldn't get a rep out here in a day to give me exact numbers but based on the square footage of the game room, which is 965 square feet the cost for install and what they recommended is called teri-flex flooring instead of the maple wood floor, which is what we have upstairs. The cost is a lot different but down the road maintenance on wood flooring is much more substantial. It requires a yearly maintenance of about \$1,500 for that size. Every ten years you have to do major resurfacing including sanding, tacking, etc. The teri-flex flooring is very similar but you can still have the same sock absorbent properties as the wood floors. It doesn't require sanding, buffing and refinishing. The cost is \$9,500 and if we would go with the maple flooring it is a few thousand more but then we are looking at that maintenance that I discussed.

Ms. Minnis asked how long has teri-flex floor been available?

Ms. Harless responded I wasn't able to find out that information yet. She did mention they had done several in the Jacksonville area. The rep that specializes in that is out sick today.

Ms. Minnis stated the reason I'm asking is because when we remodeled our house, there were several counter top options available like granite, but no one had much experience with some of these products.

Ms. Harless stated I'm sure just like with our wood floor we would have a warranty with that. This particular flooring has a nine millimeter thickness and a 41% shock absorbency, so that is really good.

Ms. Minnis asked when they send the rep out can they bring the information on how long it is going to last?

Ms. Harless responded yes. I have already spoken with her and she is going to bring all that. The other thing to think about is to get that flooring they are offering a discount on the seven millimeter and it is 29% shock absorbency and that is the same price as the nine millimeter. They said they would hold that price until December.

Ms. Beaugrand stated ask her for references of other places that have had the teri-flex put in. What is the material that it is made out of?

Ms. Harless asked I haven't seen it yet.

Ms. Beaugrand stated the only other thing we were talking about is there is only one wall where you could put mirrors at, so that would be another \$500 or \$600.

Ms. Minnis asked wouldn't you have the cost for moving the t.v.?

Ms. Harless responded what we were talking about also was potentially moving the t.v. over to the Davis Pond Building for camp. The other thing we were talking, which I think is important because of budget issues is year to date the fitness classes are about \$20,000 to the good and that is with a pretty significant ramp up period, so going forward potentially trying to double that and the initial investment is \$10,000 to \$15,000.

Ms. Minnis asked do you have numbers of the people you have to turn away?

Ms. Harless responded we tally all of our classes but sometimes it is word of mouth and they may never come up to the fitness door once they found out.

Ms. Beaugrand stated you may want to have the front desk track as they can because it would be interesting to know.

Ms. Harless stated we did have to turn five away on Saturday for the body pump.

Ms. Minnis stated anytime you could track it would be a benefit.

Ms. Jerri Jo Fox stated what I experienced is that if people know there is limited space in the class then they won't even come. Its not they get turned away it's just that they know its going to be full, so they don't come.

Mr. Hill stated in regards to the public resolution for Race Track Road the issue came up on who is going between the sidewalk and the fence. We had a meeting on the 28<sup>th</sup> with Nanak's and the POA agreed that they would take care of between the sidewalk and the fence from Lowe's all the way east to Butterfly Branch. We are taking care of the section on the north side and there a few spots east of Butterfly Branch.

Ms. Beaugrand asked what about that one place at Suntrust Branch?

Mr. Hill responded Cornerstone is cutting that. There is also a section on State Road 13 near the stop sign coming off the exit and Nanak's does that a little bit beyond that.

Ms. Beaugrand asked from the entrance to where the gas station is?

Mr. Hill responded correct.

Mr. Pincket asked did you say that the first piece of property was from Lowe's to Race Track Road all the way past the middle school?

Mr. Hill responded right.

Mr. Pincket asked so we are talking about three and a half miles?

Ms. Beaugrand responded about.

Mr. Pincket asked is that from the sidewalk to the street?

Mr. Hill responded no. It is from the sidewalk to the fence. In some areas it is only a few inches. At the meeting Dell said he was going to do a write up on who was doing what, so that everyone would be on the same page.

Mr. Haber asked to the extent that is a substantive change from the scope of work that Cornerstone was originally providing was there any discussion of a change in price either?

Mr. Hill responded no. They said there wasn't going to be a cost increase.

Mr. Haber stated I think it may make sense if it's now their responsibility then I can do a quick amendment to the agreement.

Mr. Hill stated what they are doing right now is what they have been doing all along. The dispute is between Lowe's down to Butterfly Branch that section between the sidewalk and the fence.

Mr. Haber asked so that part wasn't included in the scope that was out for RFP?

Mr. Hill responded no.

Mr. Haber stated so I think it makes sense to do a quick amendment to the agreement.

Mr. Hill stated Nanak's is doing it.

Mr. Haber asked what is Cornerstone doing?

Mr. Hill responded they are doing from the street to the sidewalk. There was another issue about the sprinklers going on by the elementary school and that was a broken valve. Cornerstone went out and fixed it. I have a quick update on the air conditioning. I spoke with Stewart this morning and Thigpen, the air conditioning contractor came out and they put in a new thermostat. It has been working fine ever since they did that. The engineer also came out and looked at everything and presented his proposal for permanent solution to Dicky Smith and Stewart said they were waiting for a contractor to come back to them.

Ms. Beaugrand stated we need to figure out what the issue is because there is an errors and omissions issue on the engineer's card. Stewart and D.J. have done a ton of work on it and it's financially not their responsibility and they need to be compensated for it somehow.

Mr. Lucas stated both Stewart and I have talked to the electrical engineer about that and we have had to make sure that everything is functional.

Ms. Minnis asked who was the company that you were talking with?

Mr. Lucas responded Ossi & Myler were the electrical engineers who did the design work.

Ms. Beaugrand stated Thigpen is now the air conditioning contractor. The original a/c contractor is no longer in business, so they are doing our maintenance work.

Mr. Pincket asked was the problem the design issue or product issue?

Mr. Smith responded I was in the other facility but he will be here in about 10 minutes. He got caught up in traffic.

Ms. Beaugrand stated one of my conversations with Stewart was there were some issues with the equipment that were under warranty that were not working properly to begin with and how all the equipment interacts from a design standpoint. It is still not correct. They have done a quick fix for the fitness room, which was the big issue because it was 75 to 80 degrees in there, so they rigged it to make that part of the building fine but it negatively impacts other parts of the building. It is still not correct but it is being compensated for. The engineer is trying to come up with his redesign fix and give it to Thigpen to look at and then they have to figure out what the money issue is. Somehow Dicky Smith & Company needs to be compensated for their time. Stewart and DJ have bird-dogged this to the max to get this thing done. Dicky Smith has done a magnificent job.

Mr. Pincket asked how has Cornerstone been doing?

Mr. Hill responded they have done a pretty good job. They follow the schedule for picking up trash but they have been a little light on weeds. I toured the area with them today and there are just a few minor things.

Mr. Pincket asked is he receptive when you call him?

Mr. Hill responded I meet with the guy twice a week. I actually have scheduled meetings with him on Monday's and Friday's. On Monday's he tells me everything they are doing for the week and then on Friday we go over everything. They come here early on Tuesday's and Wednesday's and today I went with him because I wanted to go over the area on Race Track Road and he was very receptive.

Ms. Passen stated I wanted to share with you some of the numbers and the results from some of the events that have recently taken place at the recreation center. Last time we spoke we talked about the luau and we had about 200 people and about \$160 in profit. We just completed the dive in movie night, which was originally scheduled for August 14<sup>th</sup> but we got rained and as a result it was a blessing because a few more people jumped on board, so by August 21<sup>st</sup> we were able to keep the screen up and we had 192 people total. It was on a 19 foot high definition screen out by the pool side, so they were able to be in the water. We had six staff members but once the movie started we cut them down to two staff members. We ended up with a profit line of \$238.88. We have had a lot of requests to keep doing this, so we were thinking that once the pool closes we could go to Davis Park and do some camp out movie nights. Rat pack night was a huge night here on August 29<sup>th</sup>. We had the band Class Act here, which is a band that plays at the Ritz Carlton. They do a lot of music from the 50's. We had about 200 residents, including 21 children that had there own rat pack night in the old game room. We had a great food spread, as well. We had nine staff members handling that particular event. We made over \$2,000 on that particular event and that was after everything; staff, food, show, etc. After everything was said and done we have \$2,072.43. There were a lot great comments that night and a lot of happy emails that next Monday. Happy hour has continued to be very popular. Last weekend was a little short in attendance but I think it had something to do with it being Labor Day weekend. We made a profit line of \$260.52. We average between \$250 and \$600 depending on the particular weekend but I'm trying to bring in a lot of local talent that gives a lot of variety of music. We are starting new next week Monday night football, which will be poolside with the same high definition television. Everyone seems to be looking forward to that, so we are trying to get the word out and getting people to come out. It is going to be \$5 admittance and that is going to include two beverages, which includes beer, wine or soda. The next big community event is "Jamaican me crazy." As the name suggests it's going to be Jamaican. We are going to have Jamaican music, steel drums, reggae, a Jamaican grill with all kinds of Jamaican foods, games and prizes for the kids. I'm looking for 100 people to come to make us break even. It is going to be one of those ones where it is easy to break even, so I'm looking forward to a good profit line on that one. Then for October with a tentative date of October 23<sup>rd</sup> we are going to do an Octoberfest, which will be more of an adult theme probably because we are looking for beer samplers to come in. For

fall with a tentative date of November 22<sup>nd</sup>, we are working on a Fall Festival. In December we talked about piggy backing with JCP Cares and doing some kind of community involvement as far as giving for the Christmas holidays. Right now, everything seems to be moving forward. Profitability wise things are staying stable and going up. The community seems to be happy with the events. I going to work with fitness for a Health and Fitness Expo coming up in January. These are the type of events that I really want to focus on because those are the type of events that do not cost us anything to put it on. It is really just revenue from the vendors that come out and talk about their services.

Ms. McVeagh stated this is a packet of three aerators. The first one is an aerator built by JCA. As you can see it is just a pump with PVC pipe that goes into the pool water and then the other PVC pipe has the water filter out of it and into the pool. The JCA built theirs about two years ago. They had their maintenance staff build it. This is something we can easily do by purchasing a stay right pump. As you can see the only other things that are needed is a PVC pipe, a power switch and an extension cord. The JCA spent \$300 to build theirs but they also had a pump lying around that they didn't need, so Brandi and I are estimating that if we build them to look similar to this it will probably cost between \$800 and \$1,500. The next one is the one that Bolles uses. This one has a little more to it. Their pump is a larger size. We probably only need a three horsepower one. As you can see their PVC pipe runs along the whole pool side. Brandi and I went there and it will definitely give us more coverage in the pool but it is going to be awkward pipes that come up and run over and it has this big white box and they stay there all year long.

Ms. Minnis asked is this the same one you saw?

Ms. Beaugrand responded yes.

Ms. McVeagh stated they couldn't give us a quote on how much it cost to build it because it was built years ago and they didn't have any record of it. The next one is the water cannon that the Piranhas had researched. After doing two months of research on this, I think that Brandi and I found that this was one of the only portable aerators that you can purchase. If we were to purchase it before October they were going to give us \$1,000 off because it is the end of their season and they wanted to get rid of them, so it would cost \$5,000. Every place we went to they all said there is about a five degree drop when they run it. They are all very happy

with theirs. Bolles even said that if they were to do it again they would probably make it like JCA's and make it more powerful.

Ms. Minnis stated the concern I have on building one is the liability and permitting. We are talking about electricity from the pool. I know the person that was here said he built the one at JCA. Do you have any input from a permitting point of view on doing something like this or do you have any concerns from a legal perspective?

Mr. Haber responded I think from a liability perspective if I had to guess there is probably more research and development dollars going into the one that is manufactured by the company and there are probably warranties.

Ms. McVeagh stated there is only a six month warranty on the one you purchase, so if they were to purchase it now the warranty period would be almost over by the time you start using it.

Ms. Benton stated the ones that Ashley and I saw at Eagle Harbor and Eagle Landing the bottom piece that actually goes down into the pool that separates that looks like pvc pipe it was also chipping, as well. Even though they had a cannon it was stuck down into the pool water to shoot the water back their piece was actually coming across. We like the cannon but that was another one of our concerns that we had.

Mr. Haber stated the perspective I am looking at is if the electronics get in the water and cause an electrocution. A six month warranty or any type warranty on the product is nice but going through liability issues with respect to the operation of the pump if you purchase one from a company that builds a pump and it now malfunctions then you kind of have someone to point your fingers at to say there was a defect in your design, which resulted in a potential injury that may be cause as a result of that defect versus if the District builds it. I do think that is one benefit of buying it from an outside source is you now have someone else who build it and presumably they are selling a product that they feel is appropriate for the use we are going to put it and as long as the District puts it in that use then we could point our fingers.

Ms. Minnis stated the reason I'm asking this is when Susan was not at the first meeting when it was discussed and she came in the second meeting and she asked if they looked at the one at Bolles because she had seen it. The concern I have looking at this picture is these are sitting with electrical coming off of it.

Ms. Beaugrand stated Bolles will run their aerator but you don't have any exposed electrical with the one there. They do run theirs during the day when people are swimming.

Mr. Lucas stated I'm assuming you discussed the aeration system because we are tearing up the deck.

Ms. Beaugrand asked what is the cost of in ground?

Ms. McVeagh responded \$20,000.

Ms. Beaugrand stated maybe we should put it in the ground because then there is no aesthetic issue at all. It is a monitoring issue. It is also a budget issue. We probably have the \$20,000 to spend on it but we still have other things that we haven't done, as well. We would have to take into consideration the other things we have on our list. We don't have to make a decision on this tonight.

Ms. Minnis stated one of the things when this was brought up was that the swim team would help pay for this.

Ms. McVeagh stated that is why I wish Jack Jones was here.

Ms. Beaugrand stated we can certainly get them to help pay for it. One of the things I like about the Living Water aerators is it has the two fountains coming out.

Ms. McVeagh stated Kyle can do that.

Ms. Beaugrand asked is the horsepower with the one that was built at JCA similar to the Living Waters one?

Ms. McVeagh responded we didn't ask what their horsepower was. The Living Waters one you would have to order the three horsepower one because the one and a half would only be good for 70,000 gallons of water. The three horsepower one is good for up to 150,000 gallons and I think ours is 120,000. I don't know what JCA's is but if we were to purchase our own to build it we could purchase a three horsepower pump. What do you want to do?

Ms. Beaugrand responded there are pros and cons for both of them but the liability issue is probably the overwhelming aspect.

Mr. Haber stated the way I look at it is if we are using the one that we bought from the company that makes it and their suggested way to use it and something goes wrong then I think we have someone to point our fingers at. I just think there is a level of protection from buying it from a company.

Ms. Beaugrand stated the other thing I want to see with that one is I know they have a six month warranty from purchase date but we need them to modify that to have it warranted from when we start using it because we aren't going to be using it until April or May. Six months from October is useless to us. I would like to have a year warranty.

Mr. Haber stated maybe you can say six months from delivery.

Ms. Beaugrand stated if we can do that and then have some discussions with the two swim teams.

Ms. Minnis asked is he the one that spoke at the first meeting?

Ms. Beaugrand responded no. He was here at the last meeting.

Ms. Hernandez stated I would like to hand out our current fee structure. On the left hand side you will see our current fees that were approved before we opened and on the right hand side you will either see no changes or what we have proposed to change or additions to our current fee structure, so if you could take the month of September to review the information and if you have any questions or concerns you can call staff or myself.

Mr. Haber stated just so the board knows that anytime we change the fee structure there is a public hearing requirement, so they wouldn't be able to go into effect immediately.

Ms. Minnis asked if we have questions we can email you?

Ms. Hernandez responded sure that would be great.

**D. Manager**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Discussion of Facilities Improvements**

Ms. Beaugrand stated let's return to discussion of facilities improvements.

Mr. Lucas stated Stewart handed out change order number 19, which consists of two PCO's that were approved last month when I wasn't here. PCO number 73 is for \$3,286 for drainage for a storage building and \$135,000 for the playground at Plantation Park for a total of \$138,286.

Ms. Beaugrand stated the \$135,000 for the playground at the older swim facility that we approved the plans on but we never approved the budget to spend the money to get it done.

Mr. Pincket asked this is for playground equipment at the park?

Ms. Beaugrand responded yes at Plantation Park. The \$3,286 was for the drainage at the new storage facility. The drainage kind of flowed out in that circular area behind the pool going out towards that drain, so they needed to put in some directional flow drainage.

On MOTION by Ms. Minnis seconded by Ms. Spears with all in favor Change Order No. 19 totaling \$138,286 was approved.

Mr. Lucas asked is the storage building complete?

Mr. Maxwell responded yes.

Ms. Beaugrand stated it looks good.

Mr. Lucas stated right now they have started the demolition of the pool deck at the aquatics complex.

Ms. Minnis stated I personally have only seen cars over there and it doesn't look like any of you? I haven't seen any trucks or anything in there. When you bring in trucks, do we have any concern about the road weight and cracking the parking lot?

Mr. Smith responded no. We have a dumpster staged in the back.

Ms. Minnis stated the reason I ask is because a common complaint when you move in on a street and its new is the continued construction and noise and then the residents go to the county and say fix the road.

Mr. Smith stated they are regulated by DOT.

Ms. Minnis asked so this is not a concern at all?

Mr. Smith responded no. We should have all of the concrete out of the facility by the end of the week. We start setting grades next week.

Mr. Lucas stated the problem is we are going to have to have four new poles similar to these poles up here and two poles on each end of the pool. Right now you have 10 foot poles and we are considering going up to 16 foot poles to hopefully decrease the number of poles.

Ms. Minnis asked if you are raising the poles do we have to raise the lights?

Mr. Lucas responded we are going from 10 foot poles to possibly 16 foot poles, which means we can possibly eliminate every other pole.

Ms. Beaugrand stated so each pole with have a greater amount of wattage coming out of it.

Mr. Lucas responded and greater coverage since they will be up higher. If we do change out all the light fixtures over there as far as light poles right now they are green, so do you have a problem if we changed those to black or do you want to stay with the green ones?

Ms. Beaugrand asked we are changing out everything?

Mr. Lucas responded that is what we are trying to do. If we are able to change everything like we hope the budget will allow is it okay to go with the black?

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

Mr. Lucas stated the plans for the Davis Pond building for renovation to be completed I gave them to Dicky Smith. They priced it up and it came in at \$279,000, so we are under the threshold for bidding it out.

Mr. Haber stated for my purpose the reason for getting a bid was to determine the level of formality the District would need to go through with awarding the work. At the previous meeting I mentioned the change orders that were done were sufficiently related to the existing contract that we had. At that point I wasn't concerned about amounts, etc. That was just going to be a change order to an already existing contract for similar work. What seems to be an individually existing project that was not as related I think it is a separate project that the District needs to look at and say how are we going to award the work for this project. Because it is below the threshold, which you are correct is \$288,000 you do not need to follow the formal process. By that I mean you do not need to give protest rights, which tends to delay the awarding of a contract that you saw with your landscape maintenance contract. It offers you the flexibility to follow the process you want to follow. I think there is some benefit for a government to see the price and that is generally what my firm recommends in these types of circumstances. That is not to say that you cannot if you wanted to take the proposal that Dicky provided and award it to them. You could go as informal as to ask Mike to get a number of proposals from different contractors around time. The more formal is putting an advertisement in the newspaper and in that advertisement we would specifically say this is not an award with protest rights; however, we are seeking proposals for this work. The board has that flexibility to determine how it wants to award the contract. The biggest difference being not just making a change order to the already existing contract.

Mr. Lucas asked since it came below this number are we totally free to do whatever we want in terms of putting it out for bid and getting bids back and then choose whoever we want to choose?

Mr. Haber responded you have to act as what is best for the District, so in doing that in house you can reasonably say it is in the best interest of the District to go with whomever.

Mr. Lucas asked so they have no right to challenge it under any circumstances, even if our decision was unreasonable?

Mr. Haber responded I think the protest in that circumstance would be a resident or someone saying that was unreasonable because now I'm paying more assessments for that.

Ms. Beaugrand asked what was the time from start to finish again on that building?

Mr. Maxwell responded it was going to be completed in the timeframe of our current contract. I think you guys wanted it done in March.

Ms. Beaugrand asked just to give me an idea of start to finish 90 days or 120 days?

Mr. Maxwell responded 120 days. We still have to get permits yet.

Ms. Minnis asked based on what you said and based on the fact that we have a timeline of March and permitting, so in this case can we say we would like to give it to Mike to give to several people keep it locally?

Mr. Haber responded yes.

Ms. Minnis stated that is my personal preference to keep it locally, so they could come to a meeting if they need to.

Ms. Beaugrand stated I don't think we have a choice but to get those.

Mr. Haber stated I think we need to get a minimum of three.

Ms. Beaugrand stated I would like to see those bids back next month, so we can make a decision because if we don't make a decision next month it is not going to be done. I would like to get three additional bids and have it done by the next meeting.

Mr. Haber stated I don't know if Dicky Smith put a limit on how long your bid is good for and also, because it is being competitively bid I think Dicky would also be welcome to resubmit a bid.

Ms. Beaugrand stated that is your choice.

Mr. Pincket asked, "Mike, do you want all the contractors submitting proposals to be here?"

Mr. Lucas responded I prefer them here, so if we have any questions. I think if they are serious about it then they will be here.

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor Authorization for Mike Lucas to get 3 Bids for Renovation to Davis Pond Building was approved.

Mr. Lucas stated we had proposed to extend the sidewalk around the back to the porch of the Davis Pond building to give it an exterior access off the porch. When I met with the code official he strongly recommended I do not that at this time and that you do that on your own.

Ms. Beaugrand asked it's not an access issue to the building though?

Mr. Lucas responded I was creating an access off the back porch.

Ms. Beaugrand asked have you heard anything from the county about the sidewalks on Durbin Creek Boulevard?

Mr. Lucas responded I can try to call somebody.

Ms. Minnis stated there was an announcement in the paper that takes it through September 30<sup>th</sup> to get that.

**SIXTH ORDER OF BUSINESS**

**Supervisors' Requests**

Ms. Minnis stated I have a question about the tennis fees. Also, do we pay Mike Anderson by the hour?

Ms. Timbol responded we pay him per call.

Ms. Minnis asked is that to return my call?

Ms. Timbol responded to my knowledge we have never paid Mike for a phone call. When he comes out and does work for us that is when he bills us.

Ms. Minnis stated the reason I am asking is because I'm still going through email problems with him.

Ms. Timbol stated his hourly rate is \$84. To my knowledge, I haven't gotten billed for phone calls, so I can call him tomorrow and I can find out what the charge would be.

Ms. Minnis stated my concern was if we are playing telephone tag I don't want him racking up and charging us for every time he has to call me.

Ms. Timbol stated I don't know if this will help any of your concerns but Mike is extremely honest and I have never had a feeling ever that he has not been anything but on the up and up with us with billing. He has even come out and done some work for us and he hasn't charged us.

Mr. Pincket stated I don't think it would be dishonest if he was charging us but I think it is if he is charging us.

Ms. Timbol stated I must have misunderstood. I thought you were asking if he was charging for attempted calls back and forth.

Ms. Minnis stated I was concerned about that. I assume when he talks to me on the phone that he is going to charge for it.

Ms. Timbol stated I will have to ask him if he would consider that his work time.

## **SEVENTH ORDER OF BUSINESS**

### **Audience Comments**

Ms. Stewart stated Whispering Pines is the next neighborhood over from the amenity center and throughout the summer and since the amenity center has opened there have been complaints on noise. What seems to be occurring is that the dumpsters are being emptied at about 5:30 a.m. and it is disturbing a few residents on the street. Another complaint I have heard from one of the residents is since the ground started being cleared and worked, in heavy rainstorms flooding is a problem into her backyard and the nearest thing they are able to pinpoint it to is a change in the drainage of her wetlands and from the work here on the higher ground.

Ms. Beaugrand stated the only wetlands that were disturbed were where the road crossing is.

Ms. Stewart stated it appears to be drainage coming off the impervious surfaces.

Ms. Minnis stated I was here between Saturday to Monday and that is when I saw the garbage truck and I was thinking that is when they come.

Ms. Timbol stated I was with you when you said something about it and it was Thursday evening or Friday morning.

Ms. Beaugrand asked I wonder if it could be at the school because where I live I hear the dumpsters being done at Food Lion?

Ms. Stewart responded no. This is new coming from there.

Ms. Minnis stated but I don't think it is 5:30 a.m.

Ms. Stewart stated it is just a heads up, so maybe someone can work it out with them that they will come during better hours.

Ms. Beaugrand stated I don't think we have control over when the sanitation company dumps the garbage. It's the county, right?

Mr. Hill responded no. It is Seaboard Waste.

Ms. Hernandez stated we will contact them tomorrow and find out what their schedule is. They are on a schedule and I don't know if we can get that changed but if it is at 5:30 a.m. then we will get it changed.

Ms. Page asked we get 12 passes per person and I was wondering if there was anyway to rework that and think about making one pass up to three adults? My father and mother in law came to visit and my father-in-law didn't even swim. He was just watching the kids in the pool and that was like four passes gone in that one hour and a half timeframe. Then they had to pay \$10 and we were only going to be there for an hour. I understand that the \$10 is for the whole thing but I don't think a lot of people are going to be using those things. I didn't know if there is anyway you can just pay to use the pool for \$3 or something like that.

Ms. Minnis asked I'm looking at this and you are saying each person had to pay \$10 and the aquatic complex per daily visit is \$5.

Ms. Page responded that is for a child of 12 and under.

Ms. Beaugrand stated at the old aquatic facility it is \$5 for an adult and \$3 for children. At the recreational center it is \$10 for someone 13 and over for the whole day.

Ms. Minnis stated maybe you should buy additional passes.

Ms. Page asked but isn't that if you are having family in for a week?

Ms. Beaugrand responded correct and it's about half price.

Ms. Page stated I have family that lives four hours away and they come in for a weekend every now and then, so for me to pay that high fee for them to have access for a week that is different.

Ms. Minnis asked would they be able to use it for any seven days or is it seven consecutive days?

Ms. Beaugrand responded we are not changing the fee but what we are going to change for next year is that you have one year for it to expire, so if you did buy a package of seven visits it is only like \$5 for that visit but you can have it for the entire year from your date of purchase.

Ms. Page asked what about when they came to town and then wanted to use the pool the next morning, could you give them 24 hour access or something?

Ms. Hernandez responded but then staff would have to keep track of when they were here.

Ms. Beaugrand stated the fees are not changing. The expiration date is changing.

Ms. Page stated being a stay at home mom I love the pool during the summer because it opens 10:30 a.m. but when school starts it doesn't open up until 12. Is there anyway to keep opening the pool at 10:30 a.m. when schools in session or is there anything that can be done with swimming at your own risk to save on the expense of lifeguards?

Ms. Beaugrand responded there are too many babies that don't know how to swim and there are too many moms that don't have three arms. We have seen so many accidents and so many saves and jumps over the summer that I would be scared to death to open that pool with that risk.

Ms. Page stated during the week I was out here almost every other day and the amount of people during the weekday timeframe is very little.

Ms. Beaugrand stated we did talk about that when we were putting the budget together. It costs a half a million dollars a year to keep those pools running and when lifeguards go back it gives us an opportunity to save money. We are lifeguards short and that is why the slide doesn't open until later on when the kids get out of school.

Ms. Minnis stated it is not worth the risk to us to open it up for a few. The risk would be to the whole community. If we were to get sued they could sue the District and therefore your assessments would go up.

Ms. Page asked so there is no way of limiting your liability, even if they sign a waiver saying they know they are not swimming with lifeguards?

Mr. Haber responded you can provide waivers and still sue the District. There is still sovereign immunity but there is still liability and the potential for getting sued. You correctly identified that there are some Districts that have swim at your own risk and there are some that are not but it's the board's choice and this board chose to have lifeguards.

Ms. Benton stated I live in OakLeaf and my pools are only right now on weekends and Labor Day. I just heard they went with a different group called Star Fish and they are a really bad company. They ended up letting everyone go. I wish I lived out here compared to where I live now.

Ms. Beaugrand stated this is something that we have discussed in pretty significant detail and for us it is primarily a safety issue and a budget issue.

Ms. Page asked I noticed that there is a build up at the zero entry side, so is there any kind of pressure washing that can be done?

Ms. Benton responded there actually can't be pressure washing done in that area. We do have our lifeguards that go by and they put a substance down that is very safe for children. The guy that came out that showed us the chemical that we use his boss actually did swallow it just to show us that's how safe it was. We do notice it and we know it is out there and we scrub everyday. On Saturday all the lifeguards were in the pool using towels all the way around the pool.

Ms. Glinka stated my children are 10 and 12 and they have been swimming since the start of the team a year ago and we were trying to do some fundraisers. Mark has sent us a letter about raising money and getting a score board but he said we were in a \$95,000 deficit. I'm trying to figure out what was brought in by the team and what were the expenses of the team because that seems like a lot to be off for one year.

Ms. Hernandez stated that is right on target. We are doing extremely well. If you go online or come into my office I can show you what the expenditures are for salaries, etc.

Ms. Glinka asked that is an expected deficit?

Ms. Hernandez responded exactly. That doesn't even cover the cost of pool maintenance.

Ms. Glinka asked so would we assume over time that we will make that back?

Ms. Hernandez responded I'm hoping. Jennifer is the one that handles the budget right now.

Ms. Glinka asked are we doing something way off?

Ms. Hernandez responded no. We are doing everything right. There is one really large budget and I try to give Ashley and Brandi that pertains to lifeguarding and you have the pool cleaning on your budget and then everything that just pertains to the swim team; however, I did put the heating cost in the swim team budget because they are the ones that will predominantly use it in the winter time. There is probably around \$58,000 a year just in the heating cost. We have raised a little over \$125,000 in revenue. If you think about \$58,000 in the pool heating and you have salaries. You have Mark and Jennifer, who work here fulltime.

Ms. Glinka asked I guess my question was is that kind of an expected thing or are we really doing something wrong?

Ms. Hernandez responded no. The swim team is doing everything right. They are generating a lot of revenue for the community. They are helping us stay afloat but it does take a lot and we do want the leader board but we have to raise for that.

Ms. Beaugrand stated if you looked at what the money is that is coming in from the swim team activities versus the direct expenses of the swim team expenses it is not going to be at a \$95,000 deficit. What you guys get charged is expenditures related to the pool, like the lifeguards, the maintenance, the electricity, the gas, etc.

Ms. Glinka stated we have had some issues with the showering after practice. It is extremely inadequate for a swim team of 30 children getting out of the pool and there are four stalls. I was wondering if there would ever be consideration to put other showers in?

Ms. Beaugrand responded number one we don't have the room. We use every square inch of this facility for something and two it is a cost issue.

Ms. Behrmann asked can you post the fee changes on the website?

Mr. Haber responded you can. My wording would be to put a disclaimer probably larger than the fees saying these are proposed fees, subject to a public hearing and you could even put the date just so it's known that these are not the new adopted fees but these are the fees that the District will be considering.

Ms. Hernandez stated they are not huge increases if that is your concern. The biggest change would be in the multi-purpose banquet room. Right now we don't have a charge for someone renting it for two hours and same thing with putting both the rooms together. The

park pavilion we are going to have an upgrade there. We have been charging \$10 an hour for at least 10 years. I propose \$15 per hour.

Ms. Behrmann stated I come by the facility late at night and there is not a single light on at all. There used to be lights but there is not a single light on. Saturday night and Monday night I came home about 12:30 a.m. and there were no lights.

Mr. Hill stated the lights are out right now because of the construction.

Ms. Behrmann stated there is none in the parking lot, as well.

Mr. Hill stated the parking lot lights go off about midnight. It is on a timer and we decided to have it go off then. It can be changed.

**EIGHTH ORDER OF BUSINESS**

**Financial Reports:**

**A. Balance Sheet as of July 31, 2009 and Statement of Revenues & Expenditures for the Period Ending July 31, 2009**

**B. Treasury Report – July 31, 2009**

**C. Assessment Receipts Schedule**

**D. Check Register Summaries**

**1. General Fund**

Ms. Beaugrand stated included in your agenda package is a check run summary for the general fund.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor the General Fund Check Register Including Check Nos. 1714 through 1723 were approved.

**2. Recreation Fund**

Ms. Beaugrand stated included in your agenda package is a check run summary for the recreation fund.

Ms. Minnis stated in the minutes on page seven the cell phone reimbursement says its \$30. What is the cell phone policy?

Ms. Beaugrand responded for managers its \$30 a month.

Ms. Minnis asked so we reimburse them to use their phone?

Ms. Beaugrand responded yes.

Ms. Minnis stated I don't have an issue with that.

On MOTION by Mr. Pincket seconded by Ms. Minnis with all in favor the Recreation Fund Check Register Including Check Nos. 4328 through 4503 were approved.

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – October 13, 2009 at 6:00 p.m. @ Julington Creek Plantation Club, 350 Plantation Club Parkway, St. Johns, Florida**

Mr. Beaugrand stated our next meeting is October 13, 2009 at 6:00 p.m. at the Plantation Club.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Minnis seconded by Mr. Pincket with all in favor the Meeting was adjourned.

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Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson/Vice Chairperson