

MINUTES OF MEETING
BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Brandy Creek Community Development District was held on Wednesday, October 12, 2011 at 6:15 p.m. at Watson St. Johns Realty, 175 Hampton Point Drive, St. Augustine, Florida 32092.

Present and constituting a quorum were:

Meredith Payne	Chairman
Barbara Little	Supervisor (by phone)
Diane Drinkwater	Supervisor
Charlie Arnold	Supervisor

Also present were:

Jim Oliver	District Manager
Jason Walters	District Counsel (by phone)
Tom Welch	District Engineer
Tracey Michaels	Facility Manager
Brian Moore	Austin Outdoor

FIRST ORDER OF BUSINESS

Roll Call

Mr. Payne called the meeting to order at 6:15 p.m.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the August 17, 2011 Meeting

Mr. Payne stated included in your agenda package is a copy of the minutes of the August 17, 2011 meeting. Are there any additions, corrections or deletions?

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor the Minutes of the August 17, 2011 Meeting were approved.

THIRD ORDER OF BUSINESS

Discussion of Florida Forest Stewardship Program

Ms. Michaels stated I spoke with Greg Dunn today. He has gotten some feedback from the water management district. He says he feels pretty good about it.

They just want a little bit more detail on wording on the report that he gave them. He is still working with them on that.

Mr. Payne stated the discussion around the Florida Forest Stewardship Program relates to us clearing some of the trees in our neighborhood and making sure we are not exposed to fire. The program helps prevent fires.

FOURTH ORDER OF BUSINESS **Update Regarding ADA Compliance**

Mr. Oliver stated Tracey is in the process of securing proposals that she will bring back before the board and these will meet the requirements that were cited in the report.

FIFTH ORDER OF BUSINESS **Update Regarding Phase 2 Amenity Center**

Mr. Arnold stated the construction drawings are about 90% complete. We are meeting with a couple of potential general contractors to go through some value engineering and some soft bidding. We hope to begin site work by the end of the year.

Mr. Payne asked and our scheduled completion is spring of 2012?

Mr. Arnold responded it will be around the beginning of summer when school gets out.

SIXTH ORDER OF BUSINESS **Consideration of ELM Proposal for Schematic Architectural Design and Planning – Johns Creek Amenity Center**

Mr. Welch stated in your agenda package there is a two page proposal from Ervin Lovett Miller. They are the original architects for the phase one amenity center. They have also helped Mr. Arnold with the phase two amenity center. Going through the phase two amenity center project, one of the early stages that they went through was conceptualizing that second phase. One of my recommendations based on previous board meetings and looking at options on spending some remaining capital funds is talk to someone like ELM and get them engaged and have them help refine our ideas. I think they can probably work with the District to come up with better ideas and make sure the overall concept is the same and we maintain the high level that you have now. It is

based on an hourly basis. I know we talked about three different points, whether it be a storage building, a lacrosse/rebound wall or a five foot walkway path around the existing multi-purpose field around the phase one amenity center. The fees they budgeted under schematic design, programming and site planning is \$3,000. The schematic design of architectural is a \$2,400 budget. Any of that effort they would bill on an hourly basis. I did provide a handout. The first paragraph is really where there hourly rates are. Principal time for someone like Steve Lovett would run at \$185 an hour. They also have other personnel and support staff from \$40 to \$163 an hour. There are other terms and agreements in here that Jason may want to step in at some point and maybe there is a consultant agreement. I don't think that the terms of this agreement are so much but it was more the hourly rates that I wanted to get in front of you all. I think that ELM could help come up with the next phase and help plan.

Ms. Drinkwater asked are these numbers based upon their hourly rate of the items that are set forth in the front, so if those change then their estimates will change?

Mr. Welch responded yes. It is possible. I don't see where they said not to exceed. We can put that language in the agreement. It may not be necessary to do graphics and all that stuff, so you may be able to save costs there.

Mr. Payne asked, "Tracey, did we meet with the residents in terms of the beautification concept?"

Ms. Michaels responded yes. We have a list of approximately 10 things and some thing can be combined together from the storage building to a playground shade structure to a track and exercise equipment. One of the residents has come up with a survey that we could either include in the newsletter or the CDD can send out a mailing and get those things narrowed down.

Ms. Drinkwater stated some of the things on the list I wanted to run by Jason to make sure that the use of the money would be applicable to those items, for example an audio system or a shade structure.

Mr. Oliver stated both of those items that you mentioned could be funded with capital funds.

Mr. Payne asked does the track that would be built around the field include repairing the field, as well?

Ms. Michaels responded a lot of residents say they don't want to spend the money on repairing the field.

Mr. Arnold stated we work with Ervin Lovett Miller and they are very familiar with the Johns Creek community. They are very capable of designing what the residents want. It appears to me that you are at the point of really trying to get some final input from the residents or what improvements might need to be added or made to the existing recreational components of Johns Creek. Remember this is a consultant agreement to design what you ask them to design. Right now, what they have done is they have proposed a fee to develop drawings that could be permitted to put in various items but you don't spend it until you give them direction. I don't know that you necessarily have to execute this right now. Quite frankly, I would like to ask them a little bit about this proposal because we are already spending money with them in the phase two project and I want to make sure we are getting proper consideration on these amounts.

Mr. Oliver stated the District does not have an obligation to spend these funds. They can be redeemed and returned to the bondholders and trustee. At some point we will need to declare the project complete and that is why we are looking at this.

Mr. Payne stated at this point we should wait and have Tracey continue to coordinate with the residents.

Ms. Michaels asked would you like to send out a survey with the newsletter?

Mr. Payne responded I think we should proceed in that fashion.

A resident asked what is the time limitation that either the funds are returned or a project can be completed?

Mr. Oliver responded there is not a firm deadline on declaring the project complete.

Mr. Walters stated these funds have been issued some time ago and the project has been substantially complete for a long time, so just in government practice and good business practice, it is really time and it has probably been time for a little while to finalize this project. One of the things that we talked about at a previous meeting was that this District being as stable as it is, being as well maintained as it is, and given the age of the bonds, there may be opportunities in the future to potentially refinance those

bonds and perhaps get a better rate. One of the items that we would need to complete is to have the project completed and the construction fund cleared out.

A resident asked how much money is left in the construction fund?

Mr. Oliver responded \$145,000, with a portion of those funds needed for the mandated ADA improvements.

Mr. Walters stated a few years ago we got a rating from the S&P based on stability and so forth and I think it was an A rating and we haven't been downgraded. If you are refinancing bonds then you are taking into consideration all of the funds in all of the accounts and to have some of the outstanding project funds still there creates a little uncertainty. We need to have an identifiable project that we are earmarking the money for or we need to put it back through.

A resident asked if we put it back through would that reduce our CDD fees?

Mr. Walters responded yes. We did an analysis before. When the project is deemed complete, if there are some funds remaining in that construction account it will flow through and will essentially buy down some of the debt. When we did the initial analysis it resulted in a reduction of assessments. It wasn't substantial in this case because we are not talking about \$1M or \$2M here but there would be some annual savings.

A resident stated that is also something to consider when doing the survey is to say we could use these fees to do a project or to give back the money to reduce CDD fees.

Mr. Oliver stated yes, that should be an option. I did the analysis a few years ago and I think the savings would be about \$15 to \$20 per homeowner annually.

A resident asked have you guys already chosen some projects for this money?

Mr. Payne responded nothing is set in stone at this point and time and that is why we are looking at the residents to come back with their top items. Then the board of supervisors will execute based on your wishes.

A resident asked so we do have a say in how the money is spent?

Mr. Payne responded the board is reaching out to the community to get your input but it is ultimately the board's decision.

A resident asked what does the storage shed you talk about entail?

Ms. Michaels responded we were thinking of a two car garage that would store a lot of the POA's items, as well as maintenance items.

A resident asked where would this facility be put?

Ms. Michaels responded it would be behind the pool pumps. It would be concealed and it would aesthetically match the amenity center.

A resident stated the survey needs to be more descriptive, just like when you described what the storage shed would be for.

Ms. Michaels stated we can do that.

A resident asked is there a way that maybe the board can set a deadline for executing the funds?

Mr. Walters responded the board is going to be the entity that decides what to do with the funds. The board can put whatever timeframes it wishes to. If the surveys go out after this meeting and are returned by the next meeting then the board can be in the position to take action at the next meeting.

Mr. Oliver stated from a budgetary standpoint I would prefer to start the fiscal year 2013 budget process in June, so I would like to use backward timeline from there. Some of these capital improvements might trigger additional operation and maintenance costs and impact the budget planning.

Ms. Drinkwater stated I would also like a target date to have those surveys back, so we can start that process.

Mr. Oliver stated there is no reason why the surveys can't be prepared over the next two weeks and reviewed by the board before they go out and have them out there for a month.

Mr. Payne stated so we will have the survey results back by the December 14th meeting.

A resident stated phase one is just looking horrible. We need a lot of maintenance done to keep it nice.

A resident asked was a new entrance sign out on County Road 2209 suggested?

Ms. Michaels responded yes.

A resident stated I would say that probably 75% of your community comes in through that way.

Ms. Michaels stated it will be set back to the start of District property.

A resident asked what is it a 25 foot easement off of the roadway?

Ms. Michaels responded the lake that is on the amenity side about halfway into that lake is where it would be.

Mr. Brian Moore of Austin Outdoor stated I am here tonight to ask for your permission for time at your next meeting to discuss some post emergent issues that we are having with a particular weed called "dove weed." The Department of Agriculture is taking off some chemicals that are no longer available to the landscape community to suppress this weed.

Mr. Payne stated okay.

Ms. Michaels stated we have had some serious issues with that weed this year. Once we are able to get rid of the dove weed, then it leaves bare spots in the Bermuda grass.

Mr. Moore stated we had some mild control on it but this year with the absence of chemicals control is almost ineffective.

Ms. Drinkwater asked could you tell us what is going on with the Bermuda grass?

Mr. Moore responded we had a worm and mole cricket outbreak back in late July or mid August. At the time we had a little bit of trouble getting in our insecticide. We were a little late, so we struggled getting some control measures down for mole crickets. We are not doing very well with the Bermuda. I think we need to discuss this a little further. Instead of treating this weed post, we want to pre treat it. Unfortunately in the contract there is no statement on that type of control.

A resident asked what is going to come of the areas along West American Eagle Drive back in the preserve area? I have heard that people are going to come in and thin it out and burn it and maybe put some trails back there.

Ms. Michaels responded right now the undergrowth has taken over. Johns Creek was built on a pine tree farm. What is going to happen if we don't do anything is that preserve will kill itself out. There are way too many trees in order for it to grow, so thinning out the trees will assist the remaining pine trees with growth and reseeded.

The control burn is to burn all the evasive and to get new growth in. It is also to control wildfires. Right now, you have a lot of underbrush close to your house.

A resident asked so we are not talking about putting trails through there?

Ms. Michaels responded it had been mentioned as an option. That is a board decision. It was just put into the program. It is strictly nature walks.

Ms. Drinkwater stated this is not an easy decision. It has been quite lengthy to this point to even get St. Johns River Water Management District to even look at this. The board hasn't made any decisions on that piece of it at all. The first part of it was to present it to St. Johns River Water Management District to see if they would even look at that.

A resident stated I think you are promoting kids doing things they shouldn't be back there. I am concerned about that.

Mr. Payne stated that is noted.

A resident asked is there any timeline on when the thinning is going to start?

Ms. Michaels responded it is in the St. Johns River Water Management District's hands.

A resident stated I don't think the residents have been involved in the process up to this point. Once you get the water management district to agree on something then I think you need to get the residents involved. We, that live on those preserves, have a vested interest in that.

SEVENTH ORDER OF BUSINESS

Consideration of Maintenance and Equipment Proposals

A. Painting Fence and Gates

Ms. Michaels stated I have two proposals to painting the fence and gate around the amenity center. I could not get anymore than the two proposals. I don't know much about the first company. The second company, Estatic Refinishing, LLC, was recommended to me by Duval Fencing, so that is who I would recommend to go with.

Mr. Arnold asked what is the warranty?

Ms. Michaels responded I did not discuss that with them. I am almost positive it is a year, but I can find that out for sure.

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor the Proposal from Estatic Refinishing, LLC for \$1,275 to Paint Fence & Gate Around Amenity Center was approved, subject to review of warranty.

B. Lake Maintenance

Ms. Michaels stated we currently have Lake Doctors for lake maintenance services. The proposal that stands out to me the most is the one from Charles Aquatics. I had a very educational experience with him on Friday. He spent about an hour and a half here. He did give us an A+ on the quality of water that Lake Doctor is doing. There were some other issues that the Lake Doctors were lacking in. In the proposal from Charles Aquatics, he said he would stock the phase two ponds for free, which have currently not been stocked yet. Lake Doctors we are currently at \$707 and Charles Aquatics is quoting us at \$695 a month.

Mr. Arnold asked so Charles Aquatics actually includes the grass carp stocking?

Ms. Michaels responded just for the initial phase two ponds.

Mr. Arnold stated it may be nice to add to the agreement what it would cost for restocking.

Ms. Michaels stated Charles Aquatics also included a quarterly fountain maintenance, which we have never really had. They would go out there and clean the lenses and inspect the fountain and make sure there is no debris blocking the filters or anything. There is a cost to any additional maintenance that would be required, like changing light bulbs.

Ms. Drinkwater asked did you speak to him about one of the problems that we had with Lake Doctors about not knowing when they were ever onsite?

Ms. Michaels responded yes and every since I spoke to them they have been checking in with me.

Mr. Payne asked so it is \$500 per quarter?

Ms. Michaels responded it is \$125 per quarter.

Mr. Oliver asked how frequently does the fountain go down?

Ms. Michaels responded it hasn't. Last year I changed the lights on it.

Mr. Payne stated I see we have another proposal from Aquatic Management and they are \$695. What were your impressions with them?

Ms. Michaels responded they were okay. I think we will get a better quality of service and more attention to detail from Charles Aquatics.

A resident asked is the pond coming in the main entrance our property?

Ms. Michaels responded no.

A resident asked who is that maintained by?

Ms. Michaels responded whoever owns the office complex.

Mr. Oliver asked on item 2G, where it says grass carp stocking included, does it say somewhere in this agreement that he is only talking about the phase two lakes?

Ms. Drinkwater responded I didn't see it.

Ms. Michaels stated I think he also said we didn't have any carp in the lake with the fountain and he was going to put some in there, as well.

Mr. Walters stated this is just the proposal, so whatever the board wants included in the agreement we can work on that.

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor the Proposal from Charles Aquatics for Lake Maintenance Services was approved providing the price included stocking of grass carp in ponds as needed.

C. Janitorial

Ms. Michaels stated Gary had asked at the last meeting that I look further into JaniKing. I met with him again today to go over this quote again. I checked their references. According to their references, they like the quality of work they are giving. I am recommending them. I haven't been happy with Environmental Control.

On MOTION by Mr. Arnold seconded Ms. Little with all in favor the Proposal from JaniKing for Janitorial Services was approved.

D. Landscape Maintenance

Ms. Michaels stated these are proposals from Austin Outdoor. I met with Diane on some improvements of the community. The first one is requesting to remove all the

cord grass in the parking lot at the amenity center. It is right in the middle. It has become overgrown and it is hard to maintain. By removing that grass, we would then have a good visual on the parking lot, too. There are also two holly trees that we have talked about removing and put jasmine in their place. They are dying. We can get the jasmine added to the proposal. There should not be much jasmine to be added. There is not much jasmine that would be required to add. We can either put pine straw in place of the core grass or we could re-sod it. We have two proposals to do it either way.

Ms. Drinkwater stated I agree that it would give a better visual for the parking lot to remove the grass. The two holly trees don't really have a lot of room to grow in those areas. Cord grass is Florida friendly; however, pine straw or jasmine should suffice. The only thing I talked to her about is once that cord grass is gone, it is possible that people will start walking over that island in order to get to their vehicle. We might need to look at that to see if adjustments need to be made.

Ms. Michaels stated I would lean towards recommending the sod.

Mr. Moore stated I would recommend doing a little bit of both. I would remove the cord grass and the trees and then pine straw it. I don't care what kind of grass you put down because most grasses here in Florida have zero tolerance to foot traffic.

Ms. Drinkwater stated that is also what I was thinking.

Mr. Payne asked so we are saying to go with option one and then monitor it?

Ms. Michaels responded yes.

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor the Proposal from Austin Outdoor Option One for \$480.89 was approved.

Ms. Michaels stated the next proposal I have is from Austin to enhance the flagpole area. We have bad drainage in there, so we need to put a couple of drain boxes in there. Then we would remove the jasmine and put annuals around the flagpole.

Mr. Payne stated yes. The flagpole area needs a little bit of aesthetics.

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor the Proposal from Austin Outdoor for Flagpole Improvements totaling \$940.76 was approved.

Ms. Michaels stated the last proposal from Austin is to enhance the main entrance up near McDonald's in the median. We would have them take out the cord grass and expand the bed a little bit.

A resident stated I have pictures of it. That was one of my main complaints. It just looks really over grown.

A resident stated the second island is really overgrown. If anyone wants to turn right there, you can't see.

Mr. Payne asked does this address the second island?

Ms. Michaels responded no. This includes the first section only.

Mr. Payne stated take a look at the second one, as well.

A resident asked could we replant the core grass we are taking out along the preserve edge?

Ms. Michaels responded yes.

A resident stated I was noticing that Stonehurst and some of the other places have this really pretty green and red plant. I think it would really approve the entrance look here. It looks really great from the road. I don't want us to blend in but I would like us to be just as nice.

Ms. Drinkwater asked is it a Coleus?

A resident responded yes.

On MOTION by Ms. Little seconded by Mr. Arnold with all in favor the Proposal from Austin Outdoor for Main Entrance Median Enhancement totaling \$939.72 was approved.

E. Buffer Clearing

Ms. Michaels stated I would like to table this item for now. This was clearing the buffer areas. There is an area between Owl Hollow and West Johns Creek and then between Thorn Hollow and Spring Meadows that their buffer areas are becoming very overgrown.

F. Windscreen

Ms. Michaels stated we are in need of a new windscreen at the tennis court. Unfortunately, it is our biggest one with the logo. It is torn, so we are in need of replacing it. I have three quotes. I am very familiar with BSN Sports. I have worked with them in the past. Their company has been around for years. The windscreen has been up since inception.

Mr. Payne stated it always seem to be flapping.

Ms. Michaels stated a lot of the rivets are broken, so there is no place to attach it.

A resident stated if you can find a company that will put the wind cuts in it, you would get 10 years out of it versus five years.

Ms. Michaels stated I will look into that.

On MOTION by Mr. Arnold seconded by Ms. Drinkwater with all in favor to Purchase a New Windscreen with Wind Cuts at a not to exceed amount of \$2,000 was approved.

G. Elliptical

Ms. Michaels stated our elliptical machine has finally bit the dust. It is beyond repair. I have gotten some quotes on them.

On MOTION by Mr. Arnold seconded by Ms. Little with all in favor the Proposal from Wilkens Fitness to Purchase an Elliptical Machine Totaling \$2,725 was approved.

NINTH ORDER OF BUSINESS Staff Reports

D. Facilities Manager – Amenity Center and Operations Update

Ms. Michaels stated I have another incident with Laurie Fasenello last Wednesday. She has been suspended from the amenity center. She showed up at the amenity center carrying her dog and with one of her friends. I informed her that she was not allowed on the property and she rebutted back saying that she didn't sign anything. I told her she didn't have to. I told her she needed to leave. She proceeded to carry her dog to the water fountain. She said it needed water and I said to take it home. She took it to the water fountain and I opened the gate and told her to leave. She again started

with the profanity, so I called the sheriff's office. The sheriff's office went to her house and gave her a warning and said if she set another foot on the property that she would be arrested.

Mr. Payne asked and when is her suspension up?

Ms. Michaels responded she got the letter July 13th.

Ms. Little stated I think it was only for 90 days.

Mr. Payne asked so do we need to take any more action on our part?

Mr. Walters responded I don't think so. If it rises to the level, where they issue a trespass warrant then they are generally for two years. The issue we have now is if the date is tomorrow and her suspension is up tomorrow then she is permitted back in the facility. Are we comfortable with that, given the recent event?

Ms. Michaels responded I think 90 days was too lenient. I agree with extending it.

Ms. Drinkwater stated I would also agree to extending it. This time if the officer goes out there then we want him to serve her a trespass and that will take it out of our hands.

Mr. Payne asked was she aware that she was under suspension?

Ms. Michaels responded yes. There was another incident, where she was walking on the sidewalk with her dog and the dog came just onto the parking lot side and she sent her friend over there to get it because she knew she wasn't allowed over there. She just said she didn't sign anything.

A resident asked what happened?

Mr. Payne asked, "Jason, are we at liberty to discuss it at this meeting?"

Mr. Walters stated yes. We are at liberty to discuss it. I am guessing there are a few things that Tracey won't want to repeat. In the last letter we sent her we did put in there that this was the official suspension letter and if you violate the terms of the suspension then you will be subject to trespass from District amenities and further suspension by the board. Clearly, we reserve the right to impose a further suspension if there was another violation.

Ms. Michaels stated what happened is she came up on a Monday afternoon and she proceeded to be in the pool, when the pool was closed. I informed her that the pool

was closed and to please get out. She went from there into the fitness room in her bathing suit. I again, told her she had to leave. I told her she could go home and get changed and come back. From there it escalated. She became very profane and vulgar.

Mr. Payne stated so the board took action on that with consultation from our lawyer. We also had St. Johns County Sheriff's Office present during the deliberation.

Mr. Walters stated we are certainly going to need some board action. The last time we went through a formal notice and had a special meeting held just to deal with this issue. If we are looking at another lengthy suspension then I think that is probably the proper course to go again.

Mr. Arnold asked how long will the suspension be for?

Mr. Payne asked another 90 days?

Ms. Little responded I agree.

Ms. Michaels stated I would say at least 90 days, if not more.

Mr. Arnold asked 180 days?

A resident responded she flaunted the first suspension.

Mr. Arnold stated so twice as much as the first suspension should get her attention.

Ms. Michaels stated she really doesn't have any respect for anything up there.

Mr. Payne stated the board will recommend 180 days then.

Mr. Walters stated we will include in the correspondence to her that until this issue is resolved by the board that she is prohibited at the facility.

<p>On MOTION by Ms. Drinkwater seconded by Ms. Little with all in favor Authorize Staff to Proceed with Notice of Violation to Consider Additional Suspension & Special Meeting to be held on November 9, 2011 at 6:00 at Watson St. Johns Realty, 175 Hampton Point Drive, St. Augustine, Florida 32092 was approved.</p>
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EIGHTH ORDER OF BUSINESS Other Business

A resident asked is there any future plans for a traffic light to be put at McDonald's?

Mr. Welch responded not that I am aware of but both of those roads are County owned and County maintained, so it would be up to the County to fund that.

A resident stated it is really dangerous getting in and out of there.

Mr. Welch stated you can always contact the County.

A resident stated I heard that 2209 is going to be extended and it will eventually come into the second phase of Johns Creek. Does anyone have any kind of update or time table on that?

Mr. Arnold responded the County Commissioner would be who to contact for that.

A resident stated I have a friend that is a real estate lawyer and she works with the County quite a bit and I think she said in five or six years.

A resident asked is there any update about whoever is doing the Sherman Williams down there about getting those tree moved?

Ms. Michaels responded I have been playing phone tag with them to try and get them out. I am going to send them an email tomorrow and say that I would like them removed by next week and if not, then I will have Austin do it and charge them for it.

Ms. Drinkwater stated yes. I am tired of looking at those also.

A resident stated, "Charlie, I wish you would get on the builders back in phase two because the truck traffic is coming through Johns Creek now. It is not only delivery trucks but I have also seen a cement mixer and heavy equipment."

Mr. Arnold stated I appreciate the heads up. It was brought to my attention last week that there was an increase in traffic in phase one. I think two things contributed to that. The construction road with the recent rains got full of potholes and last week we filled those in. It was so bad that window trucks were breaking windows. The second thing is we have a new builder in phase two and we will continue to stay on top of that.

A resident stated there was a lot of trash down Johns Creek and Owl Hollow.

Ms. Michaels stated I got a lot of it earlier in the week. There was some that was further back in but I didn't have my boots on, so I didn't go back there.

Mr. Payne asked what is the reason for that trash?

Ms. Michaels responded I think it because of the wind lately and also some people think that it is a trash can.

A resident stated I have a lot of overgrown weeds that are still coming over our fences that are on your property.

Mr. Arnold stated I apologize. I notice when they did the right-of-way work they didn't do that. I will bring the contractor back to do another right-of-way mowing within the next couple of weeks. He is going to run down the fence line with the mower.

A resident stated there is a section where the grass is high when you come in and you get to West American Eagle Drive and the house that is on the right hand corner who owns the section. Who owns that?

Ms. Michaels responded that is common area. That is another section of buffer area.

A resident stated I notice that no one has really ever done anything with it. It would be easy to have the landscape maintenance people just go in and weed wack it.

Ms. Michaels stated I will get with them and see.

A resident stated the lake behind our house in phase two hasn't been mowed lately.

Ms. Michaels stated it is every four weeks. They are scheduled to mow again next week. With the rain it has gotten out of control.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Walters stated last time we discussed about the possibility of refinancing. I have reached out to our current investment bankers and they are running the numbers to see where we may fall. I am hoping to get them to potentially provide a presentation to the board in the next couple of meetings about what those possibilities may be. One of the legislative things that is affecting cities, counties and Districts is some of the gun regulation laws. I don't know whether we have anything in our policies regarding no firearms at the amenity center but in any event, the law has made it clear this year that only the State can regulate firearms. What that means for us is that we can't have a policy saying no guns at the amenity center and we couldn't remove someone if they were properly carrying a firearm at the amenity center. It is illegal to bring even a properly permitted concealed weapon to a District board meeting. It went into effect on October 1st of this year.

B. Engineer

1. Requisition Summary – Consideration of Requisitions No. 215 and No. 216

Mr. Welch stated included in your agenda package is a requisition summary, which includes requisition number 215 and 216. Both of the requisitions are payable to Hopping Green & Sams out of the 2003 bond fund account. The first one is for \$380 and the second one is for \$360. The supporting documentation is in the back but essentially this is for Jason’s time to help get the wetland permit finalized.

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor Requisition Summary Consisting of Requisition Nos. 215 & 216 were approved.

Mr. Welch stated the contractor has essentially finished the construction work. I am waiting on the as-builts to make sure everything was built according to plan. I will do my certification and then we will be done with that. I checked it out tonight and the wetland was dry.

2. Consideration of 2011/2012 General Consulting Engineering

Mr. Welch stated included in your agenda package is an invoice for 2011/2012 for general consulting engineering. This is a budget number of \$5,000 for me to attend meetings and things of that nature. This also includes my reduced hourly rate.

On MOTION by Mr. Arnold seconded by Ms. Drinkwater with all in favor the 2011/2012 General Consulting Engineering was approved.

C. Manager

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor’s Requests and Audience Comments

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Financial Reports

A. Financial Summary Report

Mr. Oliver stated included in your agenda package is the financial summary report.

B. Balance Sheet & Income Statement

Mr. Oliver stated included in your agenda package is the balance sheet and income statement.

C. Approval of Check Register

Mr. Oliver stated included in your agenda package is a check register. The total is \$37,853.77.

Mr. Payne asked why is Roto Rooter coming to us so often?

Ms. Michaels responded certain plumbing related fixtures are starting to wear out, such as the toilets. Then a valve for the water fountain was broken off.

On MOTION by Ms. Drinkwater seconded by Ms. Little with all in favor the Check Register was approved.

D. Treasury Report

Mr. Oliver stated included in your agenda package is a treasury report.

E. Assessment Receipt Schedule

Mr. Oliver stated included in your agenda package is an assessment receipt schedule. We are 100.18%.

TWELFTH ORDER OF BUSINESS

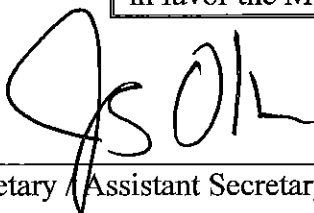
**Next Meeting – November 9, 2011
at Watson St. Johns Realty**

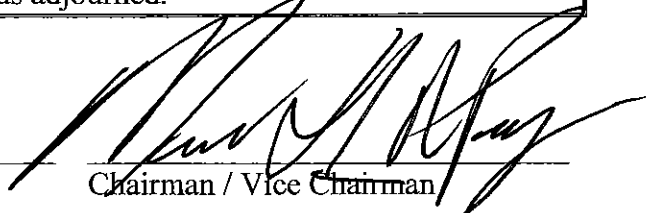
Mr. Oliver stated the next scheduled meeting is on November 9, 2011 at 6:00 p.m. at this location.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Drinkwater seconded by Mr. Arnold with all in favor the Meeting was adjourned.


Secretary / Assistant Secretary


Chairman / Vice Chairman