

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, August 15, 2012 at 6:01 p.m. at Watson St. Johns Realty, 175 Hampton Point Drive, St. Augustine, Florida 32092.

Present and constituting a quorum were:

Meredith Payne	Chairman
Gary Williams	Vice Chairman
Barbara Little	Supervisor
Diane Drinkwater	Supervisor
Charlie Arnold	Supervisor

Also present were:

Jim Oliver	District Manager
Jason Walters	District Counsel (by phone)
Peter Ma	District Engineer
Brad Weeber	England-Thims & Miller
Tracey Michaels	Facility Manager
Tom Daddario	Lennar Homes
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Payne called the meeting to order at 6:01 p.m.

Mr. Oliver stated Tracey Michaels will be leaving her position with the District effective September 7th. She has done a great job for us and I appreciate the notice that she has given us. She is going to help with the transition. She will still be in the area and help with whatever plans we have in the months to come.

Mr. Payne stated thank you for your services to the District. I think we came a long way with the activities that you have undertaken.

Ms. Michaels stated thank you for the opportunity.

Mr. Williams stated I appreciate it.

SECOND ORDER OF BUSINESS

Affidavit of Publication

Mr. Oliver stated included in your agenda package is a copy of the affidavit of publication we received from the St. Augustine Record. This meeting and the public hearings we are going to have were noticed twice as required.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the June 13, 2012 Meeting

Mr. Payne stated included in your agenda package is a copy of the minutes of the June 13, 2012 meeting. Are there any additions, corrections or deletions?

Ms. Drinkwater responded on page 10 I am Ms. not Mr. On page 11 the word “whole” should be “hole.” In the next sentence the word “wooden” should be “wooden.”

Mr. Payne stated on page 12 Suzanne’s last name should be “Blalock”

On MOTION by Mr. Williams seconded by Ms. Little with all in favor the Minutes of the June 13, 2012 Meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Update Regarding Refunding of Series 2003 Bonds

Mr. Oliver stated I circulated to you an update I received from MBS Capital Markets, regarding the redemption process. We are still on track to do a redemption in concert with the May 1st optional redemption date. By doing that, we don’t have to pay twice with that refinancing effort. If you look at the charts on page seven and eight, you can see if we do an advance refunding, which is a refunding before the May 1st call date, that would result in a reduction of assessments of \$156 for the phase one landowners, which would be about a 15% reduction. If we wait until May 1st and interest rates remain favorable, you could see assessments drop to \$203, which would almost be a 20% reduction in assessments for that debt service. They have had good success negotiating with banks and bondholders in doing these refinances. MBS is going to start the rating process. It may be that we need to call a special meeting at some point, if we need some type of authorization along the way.

Mr. Payne asked and the balance of the bond remains the same, right?

Mr. Oliver responded there is no change to the expiration date of the bonds. It doesn't extend the length of the bonds.

Mr. Williams stated it is basically just refinancing the bonds at a lower rate. What would happen if this amount is adjusted in May to people's tax rolls? Would that be affected for future years or would they see a benefit immediately?

Mr. Oliver responded they will see a benefit on the rolls for fiscal year 2014.

FIFTH ORDER OF BUSINESS

Discussion of Florida Forest Stewardship Program

Mr. Williams stated I almost have to give up. I have had no response from Greg.

Ms. Michaels stated he called me this evening and expressed his apologies for not being in contact. He has been in the hospital for the past week. He is expected to get that proposal to you at the beginning of next week.

Mr. Williams stated I have reached out to him a couple of times over the last four months to try to get the update. He was waiting for an updated proposal from the water management district to see what their approval was. I guess we will continue to keep it on the agenda.

Mr. Payne asked will you give the audience a brief explanation?

Mr. Williams responded it is really a two part process. Part of it is to better manage the common areas that we have within our neighborhood that are forested. If you live by them, you have seen how overgrown they are. If there is a fire there, we are in trouble. This concept through the forestry management division is to do some thinning of trees and clear the underbrush, so we create a fire break, so it is not as dangerous. There is some benefit to that in that the clearing of the trees would result in some revenue to the District that we could use for other items. The delay has been the St. Johns River Water Management District because those are areas that are wetlands and they have to approve anything that takes place in those. There would be a combination of clearings and controlled burns. If we decide to do it, there needs to be a very aggressive communication process, where we let people know why there is a fire in our woods. The fires are very well supervised. I have seen where this has been done in the past.

Ms. Drinkwater stated the reason for this is not to generate revenue. It is really a safety issue that the board is concerned with and that is why it is being pursued.

SIXTH ORDER OF BUSINESS

Discussion of Lennar Signage Proposal

Mr. Williams stated Tom Daddario from Lennar Homes is here. I did spend several conversations and email communications with Tom with a number of proposals that I have sent out to everyone. Lennar is building in the new addition to Brandy Creek. They want to put up some bigger signs. Basically what they are asking to do is to put four signs that are 2 feet by 4 feet in size. There are a number of designs that they have presented. My recommendation to the board based on comments from residents and through the POA is that we not allow that. I think it creates a negative image in our phase one area. I have concerns about the size. There are signs that are in place that are small. I did provide a significant amount of information to the board.

Mr. Daddario stated the challenge that we have back there is on a weekly basis we have potential buyers in that call us to come out and look at the models and they get lost and they never show up. When we do follow up calls, they tell us they drove around and they couldn't find us. They end up leaving and we end up not getting a sale. The idea is that we would install these signs and direct traffic to increase the rate of sales to generate more revenue. The last time I was here there were a lot of issues that came up that were really tied to the fact that there were a lot of empty home sites back there. Once a community is finished a lot of those issues tend to go away. The quicker we get it done, the better. Along with that, we have also agreed to come in at the end with new directional signs to the amenity center.

Mr. Payne stated I know you redid a little bit of signage on County Road 210 across from Walgreen's. How has sales been in the last two months?

Mr. Daddario responded we did see an increase in traffic and in sales. People are still getting lost though when they get in. It did help. Code enforcement did come and take all of the flags down and now we just have a sign that is pretty non descriptive.

Mr. Payne asked out of 10 people, how many get lost coming back to you?

Mr. Daddario responded about half. 40% of our traffic comes from signage.

Mr. Williams stated a suggestion that came from our POA is the size of the Fieldcrest sign in the back has been expanded again. The District made the sign bigger. It is not 2x4 but it was a suggestion by our POA.

A resident stated as a resident I think there should be a compromise here. We can just get done with these homes we will all be happier. Whether it is two signs or one sign, anything that can help finish our neighborhood and be Johns Creek and not be phase one versus phase two then I am all for it. I think we would just like to get this done.

A resident stated I actually like the idea of the signs. I don't like the size of the signs though. I was wondering if we could have our egret bird on the sign. On the way to the model home we could also show arrows to the park. There are people that live in our neighborhood that don't even know there is a park in the back.

Mr. Williams stated this is the basic design that Lennar suggested. It is 2 feet by 4 feet plus the pole. I did ask Tom if he was willing to add additional signs to that and he didn't want to. He wants to wait until we finish the build out and then replace them with signs that point back to the clubhouse.

Ms. Drinkwater stated I think that we need to do something to assist with sales. I also agree that the sooner that those houses are sold, the sooner you are going to get your amenity center in the back and you are going to have all of the facilities that you want to have as a community. I am not opposed to some signage. I was at first. Based upon what I see, I like what I see. I work with many communities and I do see signage. I don't know what the difference is between this post and what you currently have as far as attachment but I am hoping it is by bolt and not just a straight nail.

Mr. Daddario stated I don't know who did those signs. I don't even know what they are made of. The company we use is probably one of the best sign companies. They are also one of the most expensive. I am willing to pay more because they last so much longer. I have learned over time that if I pay a little more upfront then I don't have to replace it every year. It will be a first class quality sign that keeps in line with the homes we are building and the homes that are back there.

Ms. Michaels stated they were a pvc sleeve.

Mr. Daddario stated I think we decided that because the wood was getting messed up from the weed eater.

Ms. Drinkwater stated I think there is probably a need for signs. The question in my mind is about the number, the size and the location.

Mr. Tim Aldridge stated I want to echo what the ladies are saying and really encourage the board to really consider strongly putting the signs in.

Ms. Sherry Barley stated I have lived here since 2005. I am not good with measurements but how big is this sign?

Mr. Daddario responded let me give you a visual. These roof tiles are 2x2.

Ms. Barley stated I don't think that is a big deal.

Ms. Little asked what is your proposed date of completion?

Mr. Daddario responded right now, we are averaging one to three sales a month. I think with the signage we can probably get two to four a month. An extra sale or two a month is a big deal.

Ms. Little stated I am not opposed. I would like to see it done professionally and maintain an upgraded status.

Mr. Arnold stated I am in favor of the proposed signs and locations that Lennar has submitted. They are consistent with other developments that have active home sales and construction activity. They are very much in tune with the theme of Johns Creek. In other communities you do see builders with their own marketing concept. Lennar has compromised that and gone with a generic look until you get to their model. I feel very confident that they will upgrade their maintenance of the sign program. Because of the shape I don't think it is too big. It needs to be big enough to be seen as you are coming up to it. The lower it is to the ground, the less intrusive it is and that may be something to deal to soften some of the size by keeping it to 24 or 30 inches off the ground versus higher up.

Mr. Daddario stated I am okay with 24 to 30 inches.

Mr. Williams stated so it would either be four feet off the ground or four and a half feet off the ground.

Ms. Karin Williams stated we have had problems with the small signs that we had with the mowers catching them and they fall off. How are we going to manage that?

Mr. Daddario responded if they get broken then I will have to replace it. We will design it, so at least the weed eaters don't mess them up. The other thing we can do, which is a little more expensive, is to build some sort of a plant bed around it. The problem is that then you would have irrigation issues but that way the mowers and weed eaters wouldn't get up to it.

Ms. Williams stated that would be a good compromise.

Ms. Michaels stated we could put pine straw around it to eliminate the irrigation issue.

Ms. Williams asked what other communities down County Road 210 have these big billboard signs leading through their communities?

Mr. Arnold responded if you look at the communities that Johns Creek is competing with, there are signs in the community to guide prospective buyers to the model homes. Nocatee has now allowed builders to use their own marketing signs.

Mr. Daddario stated actually they disallowed that. They created a great sign package though. They went and redesigned the whole thing. The problem with Durbin is there are so many builders that there are 30 different types of signs. At least here they would be consistent.

Ms. Williams asked will it be in the same color and theme as in our sign policy in the community?

Mr. Tom Daddario responded we picked up your color palette. We tried to pick up the logo. I am going to try and mimic what the entrance signs look like.

Ms. Karen Williams stated my recommendation would be to put the beds around the signs and consider half of the size of what you are proposing.

Mr. Payne stated it seems like the size of the sign is a concern. Somehow I haven't been able to digest what is the concern about the size of the sign. "Tom, is there any appetite to reduce the size of the sign from your perspective?"

Mr. Daddario responded we could go a little smaller. Half of it would deter from someone driving and seeing it.

Mr. Payne asked so 18x36?

Mr. Williams responded I will comment on that from Tom's behalf. That won't work with just a sign because that is a square and its an oblong.

Mr. Daddario stated 18 inches is not going to work.

Mr. Arnold stated from my experience anything less than 20x40 is not going to work.

A resident asked and you would like four of those?

Mr. Daddario responded I would like four. I have requested four.

Mr. Payne asked would 20x40 work?

Mr. Daddario responded let me get with my sign guy.

Mr. Williams stated this has been an issue through this community for many years. The POA for the initial building adopted 12x18 maximum size signs. I am not saying that we have to go with the POA size but that was the will of the community.

Mr. Daddario stated four signs would be great but we could live with three.

Mr. Williams asked so one of the sign locations is at the intersection of Johns Creek and Johns Creek?

Mr. Daddario responded right.

Ms. Williams stated my only concern is that fourth location you are talking about, the kids play in that.

Mr. Arnold stated I don't think he would be putting one there. I think he wants to put one by the lift stations, right?

Mr. Daddario responded right.

Mr. Payne asked why do you need two at the entrance?

Mr. Daddario responded the problem is if someone comes in this way, they are not going to see it.

Mr. Williams stated but if you put it on the other side, they will see it from both directions.

Mr. Daddario asked do you mean move it down the road?

Mr. Williams responded yes. That is the only way into the community.

Mr. Payne stated I am hearing a minimum of three signs, which is good. I have not heard if 20x40 would work.

Ms. Drinkwater stated I want to see the final product before it goes out. Color is very important. To me, there is a huge difference between what I am looking at here

and what I am looking at here. There is too much with the red. This is more subtle. It is more conservative. It is a nice look.

Mr. Payne asked so if Tom commits to not having red, are you fine with these?

Ms. Drinkwater responded yes.

Mr. Daddario stated I think what happened was we didn't like the red, so we went back and did the green.

Mr. Williams stated I asked Tom if there was an existing sign that we could look at rather than an artist concept. This is just a comparable that is made by the same company. It wouldn't look like that.

Mr. Daddario stated we are going to have three dimensional letters that are going to stick out. It is going to look very classy. The logo will pop out. It is going to be very expensive and very nice.

Mr. Payne asked and we will get a picture of it before the execution?

Mr. Daddario responded sure.

Ms. Drinkwater stated I agree with some of the items that Gary listed here under number six. I agree with items A, B and C.

Mr. Daddario stated that is fine. I may not know that something is broken within three days to repair.

Ms. Drinkwater stated so you would have it repaired within three days of notification.

Mr. Daddario stated yes.

Ms. Little asked if we were to approve this tonight, you are going to give the authorization to approve the sign but who is going to draw up this agreement?

Mr. Oliver responded we will have Jason do that. I will get with Jason offline.

A resident asked what did we decide about the sign where the children play at?

Mr. Arnold responded I would recommend he submit a location plan subject to your approval, as well. Signs need to go on District property. I would put the sign before the stop sign before you get to the bench area. The amenity center is still scheduled to be completed by February. I would offer that as part of the amenity center completion, we look at either enhancement of the existing sign locations or additional

directional signs. The builder is not going to want to take those signs down in February and replace them with directional signs.

Ms. Drinkwater stated I am okay with that. The other thing that I forgot to include was the agreement. I think it should be subject to renewal. Gary has here six months. I am not opposed to 12 months with a review for renewal.

On MOTION by Ms. Drinkwater seconded by Ms. Little with Mr. Williams voting nay & Mr. Arnold & Mr. Payne voting aye to Allow Lennar 3 Signs 24x48 inches with no red color & landscaping around them was approved, subject to Chair final approval of location & final product with items A, B & C included.

Mr. Oliver stated Jason Walters will draw up an agreement, which will be similar to a sign policy that we had with Lennar a couple of years. The Chairman will see the final sketches of the signs and then once he is satisfied and it meets all of the other conditions, he can execute that agreement. Lennar will execute the agreement and then the signs will go in.

Mr. Payne stated I would also like a physical walk through of where the signs are going to be located.

SEVENTH ORDER OF BUSINESS

Public Hearing Adopting the Budget for Fiscal Year 2013

A. Consideration of Resolution 2012-03, Relating to Annual Appropriations and Adopting Budget for Fiscal Year 2013

Mr. Oliver stated we are going to have the public hearing for the adoption of the budget and also approval of the assessment roll. I will talk briefly about the budget. Then I will open it up for comment from the board and then we will open the public hearing and take comments from the public. We will close the public hearing and then you will have the chance to consider the two resolutions for adoption. Florida Statutes require that all forms of government go through a prescribed budget process. Every governmental entity has to approve a proposed budget by June 15th of the fiscal year. We did that. Then over the next 60 plus days, the budget is refined. A public hearing is held. A budget is adopted and then in a form of an assessment roll, it is presented to the St. Johns County Tax Collector and those assessments will be included on the property tax bills that are issued November 1st. The budget that you have before you is very

similar to the budget you had for fiscal year 2012. If you recall, we had anticipated that we were going to be opening up the new recreational facility in late spring of 2012 and we budgeted for that. As it turns out, that didn't happen. We will have a construction update later in this meeting. We essentially took that same budget and we carried it forward. There is not an increase in assessments. There may be some shifting of funds among line items between the FY12 budget and the FY13 budget and throughout the fiscal year. If you look at the very bottom of page, you will see that the per unit assessment stays at \$923.53. There is no change to that. For all 583 units, the debt service assessment remains at \$1,100.

Mr. Williams asked the pool monitor line item looks like we are on track to be on budget for this year but we will have two pools next year?

Mr. Oliver responded right. That is a decision we will need to make as we get closer to the opening of the facility. We can determine if we want to do a budget amendment and expand that line item taking funds from another line item or the anticipation that there will probably be some excess funds from this years budget. If you look down at excess revenues, you will see we project about \$50,000 extra. Typically that would flow to your capital reserve fund, but if we need to move some of that to some of these line items, we can do that. We are dealing with an unknown, in terms of the exact opening date of the amenity center.

Mr. Williams asked is there some question in your mind that we would not open an amenity center before summer of next year?

Mr. Oliver responded no.

Mr. Williams stated then I think we will need money for pool monitors.

Mr. Oliver stated yes and we will adjust that. Clearly, we went into this budget year not wanting to raise assessments. I think we have enough latitude in the document here to reallocate funds as needed.

Mr. Payne asked is there any consideration about getting our own employees as pool monitors?

Mr. Oliver responded I think it makes sense to look at all alternatives.

Ms. Little stated under maintenance, we talked about landscaping and perhaps doing a few less cuts in the non growing season. Do we not want to change the amount?

Ms. Michaels responded that has already been factored in.

Mr. Oliver stated in some areas, we probably anticipate more cuts. Some of the areas that are being cut every other week, there is evidence that it needs to be done more frequently during the summer months. We do have a bit of contingency in landscape anyways. I think the contract is just under \$100,000 and we budgeted for \$112,000, so we will make that number work. It may be one of those things that when the amenity center opens that we will have to restructure that line item also.

Ms. Drinkwater asked is that landscape maintenance their contract or does that include any additional items that they might install?

Mr. Oliver responded that includes some contingency.

Ms. Little asked does the janitorial include both amenity centers?

Mr. Oliver responded yes.

Ms. Drinkwater asked and the doggie stations too, correct?

Mr. Oliver responded that will come out of maintenance.

Mr. Williams stated I noticed you dropped our lake maintenance down from this year's budget. I haven't heard any complaints about the lakes but I know it has been an area of contention in prior years. Are we spending appropriately to maintain our lakes?

Mr. Oliver responded we are. This is where we switched to Charles Aquatics from The Lake Doctors. Charles Aquatics charges a lower fee.

On MOTION by Mr. Williams seconded by Ms. Drinkwater with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2013 was opened.

A resident asked is the lake behind Huffner Hill part of the Developer or is that CDD? I have been hearing comments about that lake and the maintenance of that lake.

Ms. Michaels responded there was an issue there. There was some algae that popped up there because of the rains and the heat. Charles Aquatics was very responsive with coming out and taking care of it.

Ms. Karin Williams asked if we take the pool monitors in-house, is that a potential liability issue for us?

Mr. Oliver responded it could be a liability issue. We would certainly want to make sure they are trained to the same standard as a vendor would be.

A resident asked if we budgeted for the amenity center last year and we paid for it in our annual fees, wasn't there any money that you guys collected from us?

Mr. Oliver responded yes. If you look at the bottom of column three, you will see \$50,000. That money is available. First, we would put it towards capital reserves because there will be a time in the future that there are going to be repairs and replacements to existing facilities. If we have some shortfalls with the fiscal year 2013 budget, we can use those funds also.

A resident asked how do we guarantee that someone doesn't take this \$50,000 and say we want to build a new pond or we want to build a new pool?

Mr. Oliver responded because only the Board of Supervisors, can authorize expenditures of District funds and those actions happen in a public meeting like this.

Mr. Payne stated there is also additional funds that we have from the 2003 bond. You can be assured that the supervisors will be diligent with engaging the residents and advising you. Anything that we discuss has to be in this public hearing here.

Mr. Williams stated all of our financials are audited by an independent CPA firm and they are available to any resident that wants to see them.

A resident asked what is the fiscal year?

Mr. Oliver responded it is October 1st through September 30th.

On MOTION by Mr. Williams seconded by Ms. Little with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2013 was closed.

Mr. Oliver stated Resolution 2012-03 adopts the budget for fiscal year 2013.

On MOTION by Ms. Drinkwater seconded by Ms. Little with all in favor Resolution 2012-03 Relating to Annual Appropriations and Adopting Budget for Fiscal Year 2013 was approved.

B. Consideration of Resolution 2012-04, Imposing Special Assessments and Certifying an Assessment Roll

Mr. Oliver stated Resolution 2012-04 approves imposing the special assessments and certifying an assessment roll.

On MOTION by Ms. Drinkwater seconded by Ms. Little with all in favor Resolution 2012-04 Imposing Special Assessments & Certifying an Assessment Roll was approved.

EIGHTH ORDER OF BUSINESS

**Update Regarding Phase 2
Amenity Center**

Mr. Arnold stated the contractors are committed to the February completion, so it will be a spring delivery to the District. Once the District Engineer inspects the property, approves it and then it is deeded and donated to the District for ownership of operation and maintenance. There is a process after completion.

NINTH ORDER OF BUSINESS

**Discussion of Resident Survey
Regarding Use of Series 2003
Bond Proceeds**

Mr. Payne stated I think our take on this is that we have the priority items that were voted on by the residents. We are still in a holding pattern considering some of the aspects of phase two. I think last time we discussed about the oak trees.

Ms. Michaels stated currently Austin is installing the valves. They have two more to put in, which should be completed tomorrow. Then the trees should start going in next week.

Mr. Payne asked where exactly are we putting the trees?

Ms. Michaels responded they are right along the main common areas on Johns Creek Parkway starting just before Owl Hollow. I think there is approximately three trees there. There are 25 trees in total. Then they will run along here between Owl Hollow and West Johns Creek and then they will continue on just before Thorn Hollow, where there will be two. Then there will be another two right before the lift station.

Ms. Drinkwater asked did you find out what the species of them were?

Ms. Michaels responded they are live oaks.

Mr. Williams asked is that okay?

Ms. Drinkwater responded I walked the property with Tracey and the only concern I have is live oaks get huge. I know from other communities there are issues

with overhanging trees into the roadway. The ones that are planted in the median are a different species and they grow more chronicle shape. I am a little concerned with the live oaks.

Mr. Williams asked since you are a master gardener, is this something we should be rethinking?

Ms. Drinkwater responded I don't think you should rethink about putting trees in but the species. Of course in our lifetime, we are not going to see the size of them but it is something that you have to consider down the road.

Mr. Williams asked is it your opinion that it would make more sense to use the same species that is on the main entrance?

Ms. Drinkwater responded it might be. It would be something that I would like to ask them. Austin Outdoor actually did the installation on the median and they did it for that reason. They talked to the University of Florida Agricultural Center to get the right species there to make sure there were no issues.

Ms. Michaels stated I can get with Brian tomorrow and look into that.

Mr. Williams stated I think Dianne makes a very compelling argument to stay with that species of tree. If it is a significant pricing difference then we should talk about it but I think you make a very good argument.

Mr. Payne stated one of things that we discussed was beautifying the neighborhood and we thought oak trees would be a good addition to the community.

Mr. Williams stated one of the things that we have spent a lot of time talking about and it is the number one resident request is this new sign. Where are we at on that?

Ms. Michaels responded that was going to be on Tom Welch's hands to determine whether or not it was even possible to put in there with the easements and everything.

Mr. Arnold stated I was involved in the discussion in the last meeting. Tom was going to help identify the tract of land that the District owned that would be a potential candidate for it to go. I do believe it is a great opportunity, if we move on this, to really partner that sign construction with the amenity construction of the second amenity

center. We will have excess amounts of material that we could use. I don't mind working with ETM but I need the location decided upon.

Ms. Drinkwater stated you were also concerned with the feasibility of it, in regard to lighting and so forth.

Mr. Williams asked so should ETM go research that again and get back to us?

Ms. Michaels responded yes.

Mr. Payne stated we also talked about the signage coming into Johns Creek from the Publix side. We could even continue the beautification and consider trees in that area, as well. We need some research to see where our property lines are.

Mr. Williams stated my only other thought on this is we talked about refinancing the bonds and I am assuming that if we refinance the bonds any excess cash we have left over from the original bonds would need to be factored into that.

Mr. Oliver stated I told the underwriters that we are reserving these funds.

Mr. Payne stated so Brad and Peter will work with Charlie to come up with those property lines and figure out what we can do. So at the next meeting we should have recommendations?

Mr. Ma responded yes.

A resident asked I was wondering if the other items that the residents proposed have been put aside?

Mr. Payne responded we put them on hold considering what is going to happen in phase two. We want to coincide any activities along the lines of what Charlie is going to.

A resident stated as a parent with young children I was hoping I could see a better playground sometime. The one that we have in phase two is nice enough but I think we need something bigger. Both of our playgrounds seem awfully tiny. My kids are five now and I think they have outgrown our parks. Our parks are tiny and meant for smaller children.

Mr. Payne stated all of the items will be revisited in conjunction with phase two.

TENTH ORDER OF BUSINESS

Update Regarding Compliance with ADA

Mr. Payne stated I think we are pretty much done with our ADA requirements.

Ms. Michaels stated with the exception of an additional handrail. It would be cost effective to put it in at the same time the pool is going to get resurfaced.

Mr. Oliver stated we will be compliant by the newly extended deadline.

Mr. Williams asked what is the solution on the kiddie pool? Is the solution that it can't be made compliant, so we get the exclusion?

Mr. Oliver responded yes. It is not technically feasible.

Mr. Payne stated I know one of the concerns is about vandalism of the chair lift. Have we given anymore thought to securing it?

Ms. Michaels responded the only thing is the pool is still open after the pool monitors leave or before they get there, so it has to be accessible the entire time the pool is open. The cameras are very useful and have been a major help in any kind of vandalism.

Mr. Williams asked have we been able to use those camera images to get restitution?

Ms. Michaels responded yes. We haven't had to pay anything but we have had several teenagers that were cited for trespassing that did not live in the community, so we were able to move forward with that.

ELEVENTH ORDER OF BUSINESS

Discussion of Landscape Improvements

Mr. Oliver stated there is a handout. There is one area in the community, the roadside grassy areas on Huffner Hill Circle.

Ms. Michaels stated we were mowing the Bahia grass bi-weekly. This is the proposal. This is the current charge for a weekly mow. It is \$534.92 every week that they mow in addition. We are looking at an additional \$1,000 plus a month for the extra month. They would be mowing back here in phase two. I thought it was expensive, so that is why I didn't sign it.

Mr. Payne asked so currently it is not being mowed?

Ms. Michaels responded it is bi-weekly. With the rain that we have had this year, it is growing faster than it did last year. This was brought up by residents that were concerned with it back in the second phase. I clarified with Brian again that was the price and he said yes.

Ms. Drinkwater asked how many days a week are they out here?

Ms. Michaels responded one.

Ms. Drinkwater asked would this cause them to come out another day?

Ms. Michaels responded no.

Ms. Drinkwater stated if you want it done then my suggestion would be to negotiate that price.

Mr. Williams stated my concern is that is \$12,000 a year and that is 12% of their annual budget.

Ms. Michaels stated I agree. That is why I didn't say to go ahead and do it.

Ms. Drinkwater stated I will bet you any money that you can negotiate that price.

Mr. Payne asked what price do we think is reasonable?

Ms. Drinkwater responded you are just talking about the growing season. You are not talking about every month.

Ms. Michaels stated we are looking at two extra mows a month.

Ms. Drinkwater asked for how many months?

Ms. Michaels responded May through September.

Mr. Williams asked is this because it is Bahia grass?

Ms. Drinkwater responded yes.

Mr. Oliver stated offline we will negotiate with Austin Outdoor. We will bring the results back to one of the supervisors and we will have these additional mows done in the short term and then we can have a more long term solution.

Mr. Payne stated I like that idea. I would ask Dianne to take the lead on that.

Mr. Williams stated I am a little concerned then with our budget because we are talking about spending this much or more incremental to what we are spending today.

Mr. Payne asked has the grass been bothering anyone?

Ms. Michaels responded it is definitely getting tall.

A resident asked since you have talked about residents for pool monitors, what about temporary alternative mowers for back there? I don't know the legalities of that though.

Mr. Williams responded Jim has the right proposal. I am supportive of doing the initial mowing to responsive to the residents. We need to try to renegotiate.

A resident asked did they mow Monday back there?

Ms. Michaels responded yes.

TWELFTH ORDER OF BUSINESS

Update Regarding Maintenance Improvements

Mr. Oliver stated we had a pretty lengthy discussion at the last meeting and there were several points brought up by residents and the board, where there needed to be improvements to the maintenance program at the District. What Tracey has been doing on a weekly basis is providing a report to each of the board members outlining what she has accomplished that week. You see a summary of what she has accomplished in your agenda package. A lot of these improvements have taken place or are in progress. We will continue to talk and document more about the maintenance issues that need to be taken care of.

THIRTEENTH ORDER OF BUSINESS

Discussion of Property Manager Survey

This item was tabled.

FOURTEENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Williams stated this is the third out of the last four meetings that you have been attending the meeting by phone. I get that you are in Tallahassee but my preference is that you are here at these board meetings.

Mr. Walters stated today was kind of an exceptional circumstance because I had a couple meetings of boards that don't usually meet. My original plan was to be there tonight. I apologize for not being there in person. I will certainly will make an effort to be there in person at future meetings.

B. Engineer - Requisition Summary

1. Consideration of Requisition No. 229, Payable to Brandy Creek CDD, in the Amount of \$1,668.00

Mr. Ma stated included in your agenda package is a requisition summary. This is a repayment to the general fund in the amount of \$1,668.00. I believe this was for the

fencing. I believe we already paid that out of the general fund, so we are just reimbursing the construction funds.

Mr. Oliver stated that is for the fencing to go around the chemical area.

Mr. Williams asked and that is going toward the 2003 bond funds?

Mr. Ma responded that is correct.

On MOTION by Mr. Williams seconded by Ms. Drinkwater with all in favor Requisition No. 229 Payable to Brandy Creek CDD in the Amount of \$1,668.00 was approved.

C. Manager – Proposed FY13 Meeting Schedule

Mr. Oliver stated included in your agenda package is a copy of the proposed meeting schedule for fiscal year 2013. The meetings would continue to be on the 2nd Wednesday of every other month at 6:00 p.m. at this location.

Mr. Williams asked, “Jody, is it still good for us to meet here?”

Ms. Jody Caputo responded yes. I have gotten your schedule, so far in advance that it is awesome that we can schedule it. Once the phase two amenity center is done, will you meet there?

Mr. Williams stated I don’t want to speak for all of the board members or the phase two Developer but I think the hope is that we will have a meeting style room that we could accommodate things like that. I am very grateful that you have allowed us to do this.

Ms. Caputo stated we are happy to give back to you guys for the business you give us.

On MOTION by Ms. Little seconded by Mr. Williams with all in favor the Annual Meeting Schedule for Fiscal Year 2013 was approved.

Mr. Oliver stated I found out about Tracey’s resignation today, so we don’t have a replacement plan. We will have someone staff that office in the short term. I will provide oversight and our operation’s people can assist with any operational issues that need to be handled. At the next meeting we will present a formal plan on how to fill the position. In the meantime, I will deal individually with each of the supervisors for their

suggestions and offer some of my suggestions. If you want to delegate a specific supervisor for me to work that is fine or I can just communicate with all of you. The timing of Tracey's departure is very helpful in terms of the busy summer season is ending now. As we look at options, we don't have to do things exactly as we are doing them right now. We may come up with some other ideas.

Mr. Payne asked do we need to create a transition plan?

Mr. Oliver responded I think as far as the transition goes, I will find someone in the short term that can staff that office and handle the administrative tasks. I will work with that person and make sure contracts are given oversight. I will bring in one of our employees to work with Austin Outdoors and Charles Aquatics, as a courtesy. Any vendor that you are using here likely service some of our other Districts.

Mr. Payne stated what I was looking for is a list of all of the activities that Tracey does.

Mr. Oliver stated yes. We will develop that. Tracey is going to help with the transition until September 7th and even in her new capacity with Lennar, she is going to be nearby and has offered to assist.

D. Facilities Manager – Amenity Center and Operations Update

Ms. Michaels stated the mulch for the playground is scheduled for Friday.

Mr. Payne asked is that for both playgrounds?

Ms. Michaels responded yes. I have removed the straps from the trees at the lake behind Publix. We are installing the fence around the pool pump. The tennis net was replaced. There was a tree stump in the playground in phase one that has been ground down. The ceiling fan was fixed. We are currently looking at adding three additional fans in there.

Mr. Williams asked didn't we agree to go ahead and do that?

Ms. Michaels responded yes. I am having a scheduling conflict with the electrician that had given us a quote. He is currently on another big job. It is in process. I am looking at getting another electrician because he can't give us the time to do it. We repaired the leaning crosswalk sign. We pressure washed all of the sidewalks and windows around the amenity center. We replaced the plexiglass cover for the marquee sign. We have installed seven dog bag stations back in phase two. We have added the

pine straw to the playground areas and around the amenity center. We have also treated the fire ant mound. Those were the major resident concerns that we have taken care of.

Mr. Williams asked is there anything still open on that list that we need to address?

Ms. Michaels responded other than the mulch everything else has been taken care of.

Mr. Oliver stated with the new property manager, we will make sure there is an avenue for residents and the board that if they see something they want addressed they can get it to the attention of the property manager and copy me on it. We will either take care of it immediately or respond to the resident and let them know when it will be taken care of.

Mr. Payne asked are you going to go through the maintenance items?

Ms. Michaels responded yes. There was one windscreen that was torn that had been replaced for the tennis courts. We replaced the valve on the adult pool back in the pool pump area. We had to replace the motor on the kids pool pump. We replaced the volleyball net. We fixed the chair lift at no cost because it was under warranty. The pool furniture is clean. We installed signs at the recycle bins.

Mr. Williams asked what about the base of the stop signs that are peeling?

Ms. Michaels responded we are currently getting those painted. We have already started prepping them.

Mr. Oliver stated three other large projects that she has in motion that won't occur until after she leaves is resurfacing the pool, making the ADA repairs with the handrails and splash pool is going to have a thorough cleaning and refurbishing.

Mr. Payne stated I would like to recommend that the sign that says the weight limit for the kiddie pool be more prominent.

Mr. Oliver asked is there a weight limit on the sign?

Mr. Payne responded I think it is 75 pounds.

SIXTEENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Ms. Drinkwater stated a lot of attention was made at the last meeting in regard to the police visibility and riding through the community. Within this packet it clearly

shows the efforts of the police staffing to ride through the community. It shows the time. Not a lot of activity was seen. It looks like patrol was stepped up in the phase two area. They do sit with their lights off to prevent anyone from seeing them. One thing I also saw them do is to go down that construction road, which is good.

Mr. Williams asked did we fix the hole in the fence between South Hampton?

Ms. Michaels responded it is in process. I am hoping for next week.

Mr. Oliver stated I signed a check for that today.

Mr. Williams stated school starts on Monday. I know that we have had dump trucks coming through the community but I would appreciate an additional reminder to the construction crew that school is in session.

Ms. Michaels stated I have already spoken to the dump truck drivers. They are going to start after 8:00 a.m.

Mr. Williams asked can you monitor some during the key hours?

Ms. Michaels responded sure.

Mr. Arnold stated I met with the dirt contractor. Our plans to try and improve the construction road are starting next week. Hopefully we are able to direct most of the traffic back there. Additionally, exporting the fill dirt will wind down next week. I am hoping by next week, we will no longer need to take dirt out of the District.

A resident stated a resident is concerned about the UPS trucks.

Mr. Williams stated this is a letter from Maria Ramsey, who is a resident here. It says, "She is getting feedback that quite a few residents are not happy with the large trucks that are using our roads. The reason the construction related vehicles, including many dump trucks, have to use Johns Creek is because of the rain making the construction entrance impassable. I witnessed it first hand when I road back there with Tracey to check on another issue. I notice that large trucks are the slowest trucks in Johns Creek. Many of our personal vehicles and small delivery trucks pass by the pool at much faster speed than the trucks. I know Tracey has been contacted by numerous residents on a daily basis and has spoken to truck companies. I hope that Johns Creek residents can appreciate that the work in phase two needs to continue to completion and will accept the fact that large trucks need to go through Johns Creek roads." I guess what she is saying is be patient with the large trucks.

Dana Boggs stated I know in other meetings we have talked about combining our efforts with the CDD for the newsletter and the website. I was just concerned on where we are with that.

Mr. Oliver stated I think I have been on some emails with you, Joe Taylor, and Bob Hutson. I know from your viewpoint that you are looking to get a publication that is very similar to what they have at St. Johns Golf & Country Club, which is a free publication. They also use the same thing at Eagle Landing and Eagle Harbor. I also reached out to the webmaster, who does the website for Julington Creek Plantation CDD and St. Johns Golf and Country Club. We will probably launch the new site before the next meeting. That will be a site that will have joint use between the CDD and the POA. Clearly, the CDD has more funding than the POA. I do think it is fair for the CDD to carry the load when it comes to the website maintenance costs. We will look to the POA for content and creativity. We will get a good value price.

Ms. Drinkwater stated I have given Bob names of The Living Magazine contacts. Are you familiar with the webmaster for Eagle Harbor?

Mr. Oliver responded I am because that is a client.

Ms. Drinkwater stated I gave him that contact, as well.

Ms. Boggs stated I did talk to Joe at The Living. He said he didn't have a market for us at this point.

Ms. Drinkwater asked how long ago was that?

Ms. Boggs responded that was right after our last meeting.

Mr. Oliver stated if we are going to fund a website, it makes sense for that to be the primary conduit for information and probably get away from hardcopy mailers except when absolutely necessary.

A resident asked so if we have someone design it and set it all up, we can still have a resident do all of the upgrades?

Mr. Oliver responded what I would envision is that we have a webmaster help us with the setup and then we will have a few people designated from the CDD and POA that information funnels through and have the webmaster post it. We contract out. I think it is well worth the dollars.

Ms. Boggs stated I would like to see that done. We haven't had a newsletter since January. I have kind of done an August letter, so we are hoping to get that out really quick.

Mr. Oliver stated I doubt there is much District information. Mailers are usually pretty expensive.

A resident stated I think we should still take it on as a delivery.

Mr. Oliver stated we will have something up and running for the website on October 1st.

A resident asked so the CDD will fund the website?

Mr. Oliver responded yes.

Mr. Joe Taylor stated on behalf of the POA, I want to thank the CDD board for willing to come forward to foot the bill. I noted that as a community we definitely need a newsletter and we also need a new website. As far as I am concerned, we are willing to share that with you. We do have some funds that are available to use.

Mr. Oliver stated it is all the same money at the end of the day.

A resident stated I have had some complaints from at least two residents about some ATVs at night in the streets. They said they have called the sheriff's office but by the time they get there, they are gone. I have personally witnessed them on the back road coming from Stonehurst. I feel they are probably coming over from Stonehurst. Can you bring that up to the police?

Ms. Michaels asked what time of day is this?

A resident responded he was saying it was after 11:00 p.m. I will them a heads up. I understand because the construction road was washed out that you had to use the streets but there was one trucker in particular that was flying on both incoming and outgoing.

A resident asked when are they going to be resurfacing the pool?

Mr. Oliver responded I believe we are going to do it during the off season this winter.

A resident asked was that budgeted for?

Mr. Oliver responded yes. It is in the capital reserve budget.

A resident stated the pool is one of the main reasons I wanted to come to the meeting because of the condition of the pool. The resurfacing should have been done a year or two ago. Some of the pool furniture is moldy. It is seven years old. You wouldn't want to put a towel on it. You wouldn't want to sit on it. I just took these pictures last week. Monday is my day off, so it hurts when the pool is closed on Monday's.

Mr. Oliver stated we can make sure the two pools are maintained on separate days.

A resident asked why can't the pool be treated late Sunday night? Will the new pool be permitted any different, as far as operating hours go?

Mr. Oliver responded the board will actually look at all of those policies as we get closer to opening. They will consider any resident input in that.

A resident stated I don't understand why the pool has to be closed for a full 24 hours.

Ms. Michaels stated it is a maintenance day. That is when I get all my landscapers in there to do anything around the pool. They put extra chemicals in the pool on Monday and they shock it.

A resident asked have we ever tested it at noon to see if it was safe to go into? According to the health department depending on the gallons of a pool, when it is chemically treated it is basically out of service for 30 minutes to two hours. Maybe we can have the landscapers go in there first thing in the morning.

Mr. Payne asked do other communities have a similar operation?

Mr. Oliver responded it is pretty typical to see them closed for the entire day. The reason the day is typically Monday is because of the heavy usage over the weekend. We will ask the question.

Ms. Michaels stated I have consulted with the pool company and they said it is good to give it a day of rest to get it circulating and get the filters clean. They backwash that day.

Mr. Payne stated we can certainly look at that and see if there are any opportunities. We will certainly alternate the days of closure between the two pools.

Ms. Drinkwater stated I see you have an issue with regard to illumination. To have it open past dusk would cost more money for illumination. That would have to be something the board would have to consider.

Mr. Williams stated lighting would have to be added.

Ms. Drinkwater stated you have to have underwater lighting. You have to have above lighting. You need so many lumens per square foot.

Ms. Michaels stated it is not a cheap process.

Ms. Drinkwater stated yes. I have looked into it for other pools.

Mr. Williams asked is underwater lighting planned for the new pool?

Mr. Arnold responded if it is not consistent with phase one specs then no. We designed the facility around similar daily use.

Mr. Payne asked can you have swim at your own risk beyond dusk?

Ms. Drinkwater responded no. Anything that I have been involved with, you close it at dusk. It doesn't have someone come in and give you the information.

A resident stated it would be easier to do it on the new pool rather than modify this one.

A resident asked isn't it swim at your own risk all the time?

Ms. Michaels responded yes.

Mr. Oliver stated it is illegal to swim in the pool at night without the approved lighting. That is a State code.

Mr. Williams asked is it too late to add the lighting to the pool in phase two?

Mr. Arnold responded yes. It has been permitted already.

Mr. Williams asked so are we going to look at retrofitting the phase one pool for lights?

Mr. Oliver responded we can look at that.

Mr. Payne stated we had the survey of top items of desires from residents and nighttime swimming wasn't one of them.

Mr. Oliver stated we will get the pricing.

Mr. Payne stated we did have concerns about the pool furniture. I know Tracey has been cleaning them.

Ms. Michaels stated I cleaned them in June and they need it again. Between the weather and the preserve, it doesn't matter if it is new or not it is going to mildew.

Ms. Drinkwater asked is the furniture in the second phase going to be the same type?

Mr. Arnold responded that is what is currently scheduled.

Mr. Oliver stated this is your original furniture. We will have to do an evaluation of whether or not these chairs can be cleaned and maintained or whether it is time to replace them.

Mr. Arnold stated when we go to order new furniture for the new facility, it will give us an opportunity to order replacement furniture.

Mr. Williams asked are there products that are more resistant to the mold?

Ms. Michaels responded I think it is a benefit of living in Florida. It is vinyl. It cleans with bleach.

Mr. Williams asked so part of it is the function of a cleaning schedule?

Ms. Michaels responded yes.

Mr. Oliver stated in the meantime, we will get these cleaned up as best we can.

A resident stated I was at the pool on Friday and there was a bad smell in the women's bathroom.

Ms. Michaels stated I have my janitors on it but it may require a plumber.

A resident stated one of my ideas is maybe signage about disposing of dirty diapers at the outside trashcan. I had a guest in town and she couldn't even go to the bathroom.

Ms. Michaels stated we can put in a diaper genie.

Mr. Williams stated that is probably reasonable.

Ms. Little stated maybe we can put a sign above the trashcan to throw diapers into the diaper genie.

A resident asked wouldn't it be effective to have a trashcan in the pool area in the back, where the tables are? I didn't know if there was an issue.

Ms. Michaels responded not really.

Mr. Oliver stated we will look into this. The important point here is that staff is on the ground and they should go check the restrooms several times a day. It is also in the contract for the pool monitors.

A resident stated I still notice that a lot of the pine straw around both areas still need help. The trees look great. It makes it look like we care about the community.

Ms. Michaels stated it is contracted annually to put pine straw in.

Mr. Oliver stated I even think you did some additional pine straw.

Ms. Michaels stated we did. We freshened up the amenity center and the playground.

A resident asked what could Tracey actually do about speeding?

Ms. Michaels responded I think it was more a communication with the construction side of it. I get in touch with Lennar's contractors and the Developer's contractors to make sure they abiding by it.

A resident asked what about residents?

Ms. Michaels responded I can't do anything about residents.

Mr. Payne stated maybe we can add communication to the marquee sign about slowing down.

Mr. Williams stated I know the POA did some research with the County to add some stop signs at some of the four ways and we can't. There are rules around how much traffic goes each way and if it is not an equal amount of traffic going each way, they won't put a four way there. It is a difficult situation. I think the POA even asked the County about speed tables and I think the answer is no because they are public streets.

A resident stated something that has been effective in St. Johns Golf & Country Club is the sign that tells you what speed you are driving.

Mr. Williams stated when the POA looked into that, that is \$30,000 a sign.

SEVENTEENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet & Income Statement

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

B. Approval of Check Register

Mr. Oliver stated included in your agenda package is a check register.

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

C. Treasury Report

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

D. Assessment Receipt Schedule

Mr. Oliver stated included in your agenda package is an assessment receipt schedule. It shows the District is fully collected.

EIGHTEENTH ORDER OF BUSINESS

**Next Meeting – Wednesday,
October 10, 2012 at Watson St.
Johns Realty at 6:00 p.m.**

Mr. Oliver stated the next scheduled meeting is on October 10, 2012 at this location at 6:00 p.m.

NINETEENTH ORDER OF BUSINESS

Adjournment

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

Secretary / Assistant Secretary

Chairman / Vice Chairman