

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 14, 2013 at 6:00 p.m. at Brandy Creek Amenity Center, 251 Huffner Hill Circle, St. Augustine, Florida 32092.

Present and constituting a quorum were:

Gary Williams	Chairman
Barbara Little	Supervisor
Jason Hill	Supervisor
Charlie Arnold	Supervisor

Also present were:

Jim Oliver	District Manager
Jason Walters	District Counsel
Brad Weeber	District Engineer
Mike Usina	Facility Manager
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 6:00 p.m.

SECOND ORDER OF BUSINESS

Affidavit of Publication

Mr. Oliver stated included in your agenda package is a copy of the affidavit of publication of notice for tonight's public hearing.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the
June 12, 2013 Meeting**

Mr. Oliver stated included in your agenda package is a copy of the minutes of the June 12, 2013 meeting. Are there any additions, corrections or deletions?

On MOTION by Mr. Hill seconded by Ms. Little with all in favor the Minutes of the June 12, 2013 Meeting were approved.
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Mr. Usina joined the meeting.

FOURTH ORDER OF BUSINESS

Public Comment*

A resident stated there is a sign out there at Publix with the company that went bankrupt.

Mr. Arnold stated they did not go bankrupt. They are still building homes in the Jacksonville area. I noticed the sign was still up. I will call the builder tomorrow and ask him to remove it. Lennar's sign will stay up until they have sold their last home.

FIFTH ORDER OF BUSINESS

Public Hearing Adopting the Budget for Fiscal Year 2014

A. Consideration of Resolution 2013-13, Relating to Annual Appropriations and Adopting Budget

On MOTION by Mr. Williams seconded by Mr. Hill with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2014 was opened.
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Mr. Williams stated copies of the proposed budget are on the table at the door for our audience. We discussed the budget in detail at our June meeting. Mailed notice of tonight's budget hearing was mailed to all property owners and published notice was in the newspaper. I will now ask for audience comments.

Mr. Chuck Dacey asked I assume the rental line item is a soft number?

Mr. Oliver responded that is correct. We expect to realize more rental revenues with the new amenity center, but don't have much history yet.

Mr. Dacey stated other question is regarding the increase in facility administration and in capital reserve, which has doubled from \$20,000 to \$40,250.

Mr. Oliver stated the capital reserve study recommends a contribution of \$57,000 for FY14. We think we will be able to apply FY13 surplus to make up the difference.

Mr. Dacey stated how we you account for surplus funds from one year into the next.

Mr. Oliver stated unlike the Federal Government, the money in this local government budget stays with the District, so it is a line item on the balance sheet that is undesignated reserves. At the end of the fiscal year, this board will have the option of designating those as committed reserves and put them in the capital reserve funds. I

don't have any changes to the budget. Largely, the increase in the budget is due to the operating of the new amenity center and grounds.

Mr. Hill stated I have no issues with the budget.

Ms. Little stated I have no issues.

Mr. Arnold stated I don't have any suggested changes to the budget but I want to stress the importance, especially while we are still marketing and selling homes in phase two, whose residents will incur a 16% increase in their operation and maintenance for the year that is not being offset by their debt service, that we remain sensitive to new home sales activity, as well as existing residents in the neighborhood. My sincere hope is after we look back this time next year is that we can actually cut the operation and maintenance budget back a little bit. I feel it is a good solid budget.

Mr. Williams stated I really look for this level or lower of expenses going forward. That is not a guarantee but we have had fluctuation between the bonds in phase one and now we have fluctuation on the operation and maintenance. I think you are right that we need to be sensitive to that.

Mr. Walters stated the first resolution you have is the appropriation resolution saying this is our budget. We are going to appropriate \$500,000 to operate all of our facilities. The second resolution is the actual assessment resolution, where we look back at our budget and determine this is how much we need in assessments per unit. Jim will have the assessment roll and certify it to the County. The County will collect all of our assessments. The second resolution is actually a resolution that levies that assessment and certifies it to the County. Resolution 2013-13 is the appropriation resolution. You will see the blanks on there.

Mr. Williams asked on the appropriations piece I see a debt series fund for 2003 and one for 2006 with a refinance?

Mr. Walters responded that will be 2013.

Mr. Williams asked so there is only two debt service line items out there?

Mr. Walters responded yes.

<p>On MOTION by Mr. Williams seconded by Mr. Hill with all in favor Resolution 2013-13 Relating to Annual Appropriations and Adopting Budget was approved.</p>
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B. Consideration of Resolution 2013-14, Imposing Special Assessments and Certifying an Assessment Roll

Mr. Walters stated Resolution 2013-14 is in the same form you have seen before. It provides for findings and benefit. It imposes the assessments for operation and maintenance and debt service. The assessment roll will be attached to this resolution.

On MOTION by Mr. Hill seconded by Ms. Little with all in favor Resolution 2013-14 Imposing Special Assessments and Certifying an Assessment Roll was approved.

On MOTION by Mr. Williams seconded by Mr. Arnold with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2014 was closed.

SIXTH ORDER OF BUSINESS

Consideration of Updated Disclosure of Public Financing

Mr. Walters stated there is currently a disclosure of public financing reported in the public records. Essentially what it does is it sets forth the plan for financing, the improvements we plan to construct and how we plan to maintain those.

Mr. Williams asked so this is not an annual event?

Mr. Walters responded no.

Mr. Williams asked so we just need to update a document that is used through the sales process?

Mr. Walters responded yes.

On MOTION by Ms. Little seconded by Mr. Arnold with all in favor the Updated Disclosure of Public Financing was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Policy Regarding Public Comment, Resolution 2013-15

Mr. Walters stated every local government provides for public comment. That wasn't specifically spelled out in the statute. A court case came up, where the question was does the public have the right to speak at meetings. Legislation moved to amend the statute to make it clear that the public does have the right to speak. We have taken a look at it. Our goal in this was to be consistent with all of the Districts throughout the State. It is not that we are trying to overkill. It is just that we want to have some

provisions in place for all Districts throughout the State. The statute makes it pretty clear that the public has to have the right to comment on items being considered by the board. We generally had a public comment period towards the end but that wasn't going to be in compliance. The biggest change is to have an open comment period for anything related to the agenda. You can still have a second public comment period towards the end. We do think it is important to have an open public comment period for items on the agenda. The other change is if there are items that are considered by the board that are not on the agenda. If there is an additional agenda item that is listed at the last minute then before the board votes on that then it is opened up for public comment. This is a policy, so if we need to tweak it as time goes by, we can do that.

Mr. Williams stated in the past we have been pretty loose in allowing comments during the agenda items. Is the way we have been practicing within the scope of what is lined out here?

Mr. Walters responded it is. We try to be very flexible.

Mr. Williams asked so how does this document get incorporated into the documents we have in the District? Does this go in our general policies and procedures type of document?

Mr. Walters responded it is. It is a stand alone policy for public comment but it is part of the overall policy. This is the policy we are rolling out to all of the Districts.

A resident asked does this just pertain to the CDD?

Mr. Walters responded it refers to cities, counties and special Districts. I don't believe HOAs are incorporated in that.

On MOTION by Mr. Williams seconded by Mr. Hill with all in favor Resolution 2013-15 Policy Regarding Public Comment was approved.

EIGHTH ORDER OF BUSINESS

Ratification of Street Lighting Agreement

Mr. Williams stated it looks like we are going to get more street lights in phase two.

Mr. Oliver stated right. I executed this agreement to avoid delays.

Mr. Williams asked does this finalize all of our streetlights in phase two?

Mr. Arnold responded this the last phase of power. It is the southwest quadrant that is the final phase. They wanted to see a lot cleared in that phased area. We sent them pictures this morning of two lots that were cleared, so they are now releasing the job.

Ms. Little asked are we satisfied with the current lighting we have?

Mr. Williams responded I see two people shaking their heads but I have not heard of any concerns.

A resident stated can we get more streetlights?

Mr. Williams stated I think the simple answer is yes. We can look at that. The more difficult question is how we coordinate that with FP&L. I remember we added lights down at Johns Creek Parkway. Is it possible to add more lights? I believe the answer is yes.

Mr. Oliver stated after this meeting Mike can take a look at the entire neighborhood at night and see where are some weaknesses in the lighting. He can come back and make a proposal to the board.

Mr. Williams stated I will ask Mike to do that. If any residents would let Mike know, so he can write those down. What I don't want to get is where we have a streetlight by every house.

A resident asked who is responsible for the trees that are covering some of the lights?

Mr. Williams responded I don't know the answer to that. It is ironic that you raise that because I noticed the same thing down at Nature's Walk that is CDD property. There are a couple of light poles are buried in the oak trees there.

Mr. Walters stated if the tree is on private property it is likely to be up to the homeowner. If it is our trees then obviously we would have to deal with that. If it is private property then that is going to be difficult for us to enforce because the agreement is with FP&L.

Mr. Williams stated my guess is that if it is on CDD property then we can manage that. If it is on the homeowners property then that is on the homeowner.

On MOTION by Mr. Williams seconded by Mr. Hill the Street Lighting Agreement was ratified.
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NINTH ORDER OF BUSINESS

**Consideration of Root Crown
Excavation Proposal**

Mr. Usina stated I initiated the report that was included in your agenda package for this meeting. Based on observations that I made about trees that were located on the backside of Huffner Hill Circle. Many of the trees there seem to be dying from the top down. I have taken pictures and I have submitted photos to two arborists. I sent them to Jim Hearsh at Austin Outdoor and then Chuck Lippi, who was kind enough to put together a report based on his observations, as well as his recommendations for remediating the trees.

Mr. Williams asked is Chuck the same person, who did the ones on Natures Walk?

Mr. Usina responded yes. The recommendation is that much like remediation work that was done on Natures Walk that we would provide the same kind of support for this row of trees.

Mr. Williams stated I think there is a second part in this too, which is about moving some trees that are close to the fence that is being put up.

Mr. Usina stated potentially, yes.

Mr. Williams asked are those trees on CDD property?

Mr. Usina responded yes.

Mr. Arnold stated I have obviously been in communication with Mike Usina. I also have seen something going on with the health of the trees. Some of them are fine. Some of them are dead and some of them have some indication that they are not healthy. My reaction to the proposal is the same reaction to the phase one proposal. I think any reinvestment in the long term health of our trees certainly couldn't hurt but I want to be careful to just throw money at it without knowing what is going on there and if it is going to help. I reached out to our District Engineer. That is the firm that drafted and permitted the design specifications for the installation of the trees and they also had oversight capacity during installation and during the growing period and they inspected the trees. They also cooperated with St. Johns County. These trees were mitigation trees, meaning they were planted to replace trees that were taken down during the development, so they are very important to St. Johns County. I reached out to Peter Ma

and Brad, who are our District Engineers. I spoke to Peter earlier today and he gave me a brief on what Brad was going to bring to the board. I am going to ask Brad to give us his opinion, so we can make an informed decision.

Mr. Weeber asked did the other arborist give an opinion, as well?

Mr. Usina responded not to this degree. He did not file a report. It was his recommendation that the trees should be pruned back and the dead material removed. He recommended that fertilization be introduced. He also recommended that we consider the root excavation work that was done on Natures Walk.

Mr. Weeber stated we do have a certified arborist in-house at ETM, to where it might be good to have them take a look at it. He needs a little more information. He said it is a potential problem if you bury the roots too deep but he wants to make sure there is not something else going on. With your approval I will send our arborist out to take a look. It would be at our standard hourly rate.

Mr. Arnold asked did he speak to some of the specific items? In the report there are comments about things that could have led to stressing the tree, like the wire basket installation and the buildup of material around the base of the root. There is a question about whether they were installed too deep and the close proximity to the fence. I know when I talked to Peter he gave me some feedback but I know he is going to have to take a look at it.

Mr. Weeber stated the material found is not uncommon at all. The root balls are contained. You can dig around any tree and find some wire and burlap. The wire fairly quickly rusts away and the burlap doesn't impede and rots away, as well. That is overly a concern and is unlikely a problem.

Mr. Williams stated we went through that on Natures Walk with trees that were 10 years old. The wire wasn't rusted away and the burlap wasn't deteriorated.

Mr. Weeber asked was it burlap or was it synthetic material?

Mr. Williams responded I can't remember. It might have been synthetic. I appreciate what you are saying. I think we do need to have another look at it.

Mr. Weeber stated if you dig down and find some of that material, it doesn't necessarily mean that the bulb is completely contained. As far as the trees being planted too low that does not appear to be the case. Bear in mind, these were inspected by both ETM and the County, so they were installed properly at the time. This was five years

ago and we have several things that could have happened. There is berm around these trees to contain water during the growing period. Usually that berm goes away. If that had been pushed in then that could be a problem. When mulch is not removed and just piles up and piles up that buries the roots, as well. It is potentially needing some remediation. As for the size of the trees and the potential of moving them, I would caution against moving trees. The viable root is not going to be great and no one is going to warranty that. If you absolutely didn't want a tree there and you want to plant a new one then at least get a warranty on a new tree. Just looking at this picture, do you know how far that tree is from the fence?

Mr. Usina responded the trunk is probably 12 to 18 inches away.

Mr. Weeber stated magnolias don't generally get huge trunks. To see a 24 inch trunk would be a pretty big magnolia. To the concern of the trunk actually getting to the fence, I don't think that is going to be a problem. As far as being a nuisance to the neighbor, I guess everyone has their own opinions. I like trees personally.

Mr. Arnold stated my conclusion is I would like the ETM arborist to come look. I think something is an issue. Could it be the stress of adding mulching material to the base over time? It could be. Could it be a disease? Could it be insects? It may be at the end of the day. Maybe at the end of the day, we just don't know. It needs some level of reinvestment. I just don't know that it needs \$3,700 worth.

Mr. Williams asked has it been five years since we put these trees in?

Mr. Arnold responded yes. They were put in, in 2008. Something is an issue on 30% of them. They should be healthier.

Mr. Hill stated I think it would be good to get a second opinion.

Mr. Arnold stated I know you said the arborist would be at an hourly rate. This is a one hour visit, right?

Mr. Weeber responded yes.

Mr. Williams stated my inclination is to get a second opinion. Get the arborist to come out and look at it and then we can make an informed decision. When I saw this \$3,700 my jaw dropped but I also think we need to take care of the long term health of the trees.

Mr. Arnold stated our landscape maintenance company can handle pruning and removal of mulch build up around the base of the trees. Maybe we need some

fertilization too. It is the pruning of the root balls that we need to know if it is necessary. We may inquire with our landscape maintenance company.

Mr. Williams asked is that something that should be part of the normal year round landscape plan?

Mr. Arnold responded personally I think so.

Mr. Usina stated as it relates to trimming these trees, Austin contends that they are not equipped to do it. They would bring in Taylor Tree Service as a sub or another company that has their own equipment. Austin can trim from the ground. They are not equipped to leave the ground.

Mr. Williams stated I was primarily talking about the mulching piece.

Mr. Usina stated the mulching is no problem.

Mr. Arnold stated I think they can be trimmed from the ground.

Mr. Williams stated part of what I am trying to get is the balance between setting something right that has gone wrong and general maintenance.

Mr. Usina stated in terms of maintenance on these trees beyond what they have received in their first five years, \$50 a tree right now may be a good investment.

Mr. Williams stated it may be but it only costs us \$100 to get a second opinion from another arborist. I don't think we are in a rush to get this done by the end of August.

Mr. Arnold asked the \$50 per tree is just the root trimming?

Mr. Usina responded yes.

Mr. Arnold stated we need a price to remove the existing mulch if the current landscape maintenance guy is not willing to do it per his current contract. We need a price to remove the existing pine straw and repine straw and we need a pruning price.

Mr. Usina stated if we hire Chuck Lippi based on the scope of his work, he would remove the material. That is part of what he does. He relieves the entire ball and spreads out all of the mulch. He flattens the volcano. There are some differences between what is going on back here and what we found on Natures Walk. Part of that excavation would be to spread that material out.

Mr. Arnold stated I noticed back here we still have some of our berm.

Mr. Williams asked and there are 60 trees impacted?

Mr. Usina responded 66.

Mr. Williams stated please have your arborist look at it and come back to us with a recommendation and an update. If you can get the results back to Mike and Jim then they can share them with the board and if we decide we need to take some immediate action then I think we can make that decision.

TENTH ORDER OF BUSINESS

**Update Regarding Phase 1
Capital Projects (Remaining
Series 2003/2013 Bond Proceeds**

Mr. Usina stated I have provided an update of my report as of today.

Mr. Williams stated I think the only question I have is this utility shed that we have been talking about. There are some designs in here. I don't see a quote yet that tells us what we are looking at with these options and how that matches up with what we set aside with that.

Mr. Usina stated there is no quote yet.

Mr. Williams asked is that still a work in progress?

Mr. Usina responded it is but I do have more information to share tonight. The stack on this building over a period of time has developed to be what is on the cover of this handout. We are talking about a concrete block building that would be stucco with a metal roof to emulate the existing buildings that are in and around the phase one amenity center. The other specs in this list achieve a 35x15 foot utility building on a slab. Within this package there are two choices related to locations and a couple of emails that speak to conversations of advice that we have received accordingly based on the locations.

Mr. Williams asked the best option is to buy the pool equipment?

Mr. Usina responded yes.

Mr. Williams stated so then it becomes an option if we want to do it and then what is the construction material. I got lost between the metal frame versions and brick.

Mr. Usina stated I have spent the better part of two months chasing a building and hoping that I could find a provider of a building that would conform to our budget. Back and forth over that period of time it has not been very productive until this last week. We are in conversations with Dicky Smith & Company based on the facility they provided here and the work they have done for us in the past. They came to us highly

recommended by the Developer, as well. In those discussions Dicky Smith felt what they could provide for us would not conform to our budget constraints. They politely handed over their contacts and that was it. In the meantime given the experience I have had with Southern Recreation I posed the question to them given the number of different subs that they have and buildings they have showed us in the last couple of months if they would have the opportunity to compete for this business. The answer is yes. As late as this morning I got an indication that they could come in at or below the budget.

Mr. Arnold asked what is the budget again?

Mr. Usina responded \$26,000. Charlie has been willing to support this effort by considering a couple of other builders. I am encouraged that it is doable at or near the budget. I am much more confident tonight than I was a week ago about the prospect of being able to build this building.

Mr. Arnold stated Mike has been working very hard on this project. Dicky Smith has provided a lot of input free of charge to the District to really brainstorm the right solution both from the most functional building and the most cost effective. As you know we looked at everything from a storage container dressed up to what Dicky initially looked at and that is a full blown really nice building. I believe \$26,000 is enough. It is 525 square feet. That is \$50 per square foot. I have entire single family houses that I can build for that. This can be done. Mike has put a lot of pressure on himself to come to this meeting with a full blown solution. This is our most challenging and most complex capital improvement project. I am confident over the next two months that we will be able to pull the trigger on a design and site plan. We need to confirm today that this is the location. The current specs is probably the best solution for us. It is now a matter of finding a contractor. Finding the right contractor to match up with this project is important. We want someone who appreciates the work and comes in and does a good job.

Mr. Weeber stated I have been coordinating with the County on this. We did get approval from them to not have a master development change. They have been very supportive and nice. If we had to do a master development plan change then this project wouldn't happen.

A resident stated I live in phase two. They told us the CDD fee was the same for both phase one and phase two. Are we a separate CDD?

Mr. Williams responded no. We have one CDD and two POAs. What we are talking about today benefits both phases. It would just be located in phase one.

A resident asked will this sit on the volleyball court?

Mr. Williams responded no. It is adjacent to it.

A resident asked have you thought about using a shipping container?

Mr. Williams responded we have discussed that. My personal preference would be to not use a shipping container. I don't have the confidence that it could be dressed up to look good in our community.

A resident asked will the building have electric and water?

Mr. Usina responded not water. It will have lights and electric.

Mr. Williams stated so we will use location A.

A resident asked is it going to have a garage door?

Mr. Usina responded yes.

ELEVENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer – Requisition Summary

1. Consideration of Requisitions

- a. Requisition No. 248, \$5,730.00, Payable to Southern Recreation, Inc.**
- b. Requisition No. 249, \$13,243.00 Payable to Southern Recreation, Inc.**
- c. Requisition No. 250, \$2,200.00 Payable to Southern Recreation, Inc.**
- d. Requisition No. 251, \$1,055.88, Payable to Michael Usina for Televisions for Fitness Rooms (reimbursement)**

Mr. Weeber stated included in your agenda package are invoices mainly from Southern Recreation for the work they have been doing in phase one. We also have one from Mike to pay him back for the televisions he bought for the fitness room.

On MOTION by Mr. Hill seconded by Ms. Little with all in favor Requisition Nos. 248, 249, 250 and 251 were approved.

C. Manager

There being none, the next item followed.

D. Facilities Manager – Amenity Center and Operations Update

Mr. Usina stated at a point in the past few weeks we had a parking incident that stretched over three days in a common area on Johns Creek Parkway. I was asked to pursue signage. I have received quotes on signage that I didn't know if you wanted to consider at this point. We have two different quotes from two different sign companies.

Mr. Williams asked what is your proposal in terms of locations?

Mr. Usina responded these quotes include either six signs in a package or 11. Six signs would be the minimum that I think would have any effect on keeping people off of the common areas. Eleven signs would give us almost line of sight from one sign to the next one.

Mr. Williams stated I am the one that has raised this as an issue in the past because people are parking in the common areas. I am concerned about damage to the lawn and the sprinkler systems.

Mr. Usina stated the most economical quote for six signs is \$830. The signs would be relatively low to the ground. The other quote for six signs was \$1,645.

Mr. Williams asked does that seem expensive to you or is it just me?

Mr. Usina responded no, not compared to other signage throughout the neighborhood. The primary sign provider in the neighborhood has quoted us \$800 for six or \$1,200 for 11.

Mr. Williams asked is that the sign maker that put up the model home signs?

Mr. Usina responded no. He is the sign maker that has done all of our sign packages at both amenity centers.

Mr. Williams asked did we talk to the sign maker that put up the model home signs?

Mr. Usina responded no.

Mr. Williams stated I wouldn't mind one more quote. To me, \$800 for six signs seems like a lot.

Mr. Usina stated the advantage with the current sign guy that we use is that we don't have to reinvent the wheel. He has all of the artwork already digitized related to the shape of our signs. That is why the other quote is higher.

Mr. Arnold asked how much of the \$830 is for labor?

Mr. Usina responded the installation is \$110 and they would be concreted in.

Mr. Arnold stated Mike is exactly right. We have the benefit of the artwork already being with this particular firm and they do give us a break. I think it is a reasonable price.

A resident asked what about people parking on Johns Creek Parkway on the weekends? I think Mike told us those were County roads.

Mr. Williams responded yes.

A resident asked so should we contact St. Johns County?

Mr. Williams responded I think you can try. I believe what you will find is that it is a common road. People can park there. If they are parked there facing the wrong way, they could get a ticket but you would have to call the sheriffs department. I don't know if they would come out there for something like that. I share your frustration.

Mr. Usina stated I would like to introduce Officer Bob Kukar. Bobby has been working with me on the late night patrols for the last three months. He and I have had several conversations about the parking issues on the parkway.

Deputy Bob Kukar asked are they parking on the curb or on the road?

A resident responded on the road.

Deputy Kukar stated the sheriff's office will not come out unless it is obstructing a driveway. I will ticket someone if they are parked in the wrong direction.

A resident stated I take a walk at 6:00 a.m. I go around Huffner Hill and there is that cul-de-sac. A guy is there every day with his windows rolled down.

Mr. Williams stated the sheriffs service we use it to pay off duty sheriff officers and it is based on patrolling the CDD property. It is not meant to be a private security type company. It is not meant to be a process to protect private homes. We have the advantage of having CDD property all throughout the community, so they drive from one facility to the other one. We just have to be really careful because these are public funds and are used to pay for odd duty sheriff officers to protect CDD property.

A resident stated I would appreciate the signs.

Mr. Hill stated I am tending to like the 11 signs. How does the spacing work out and can we cover the areas that we need to cover with that?

Mr. Usina responded six signs would be the minimum. I would be concerned that it might not be effective enough. There are four common areas, so six signs stretching over that is pretty sparse. Eleven signs is good coverage.

Mr. Williams stated my thought would be less on the economy side and more on the aesthetics side.

On MOTION by Mr. Williams seconded by Mr. Hill with all in favor to Purchase & Install 11 No Parking Signs was approved.

THIRTEENTH ORDER OF BUSINESS **Supervisor's Requests and Audience Comments**

A resident asked is phase two any different than phase one?

Mr. Walters responded the CDD was formed and established by local ordinance with the purpose of financing and constructing the public infrastructure. At some point after the CDD was formed, phase two was added to the District, so the District just grew. It is one District. We serve all of the infrastructure. The CDD services the public infrastructure. When they say there is one CDD fee then I think they are referring to is the operation and maintenance. Those assessments will be the same for phase two as they are for phase one.

Mr. Williams stated there are two fees associated with the CDD. There is operations and maintenance and the debt service assessments. There are two bonds out there. One bond is for phase one and one is for phase two.

A resident stated I read the minutes and saw that they said the fees were lowered in phase one.

Mr. Williams stated right. We refinanced the bond. The bond for phase one was written 10 years ago when interest rates were higher. We had the opportunity to refinance that bond, so we were able to refinance that bond and by doing that, we were able to reduce the cost.

A resident asked so our fees are different than phase one?

Mr. Williams responded the bond fees are.

Mr. Arnold stated phase one was eligible to refinance their bonds because that phase is complete. Phase two will have that opportunity in the future but not until the homes are all completed.

A resident stated several street signs are faded and crooked.

Mr. Usina stated in the last 30 days I replaced eight stop signs, so I think maybe the next time you drive through you will see a change in that. I concur with the other signage that you notice and I have an estimate on my desk related to fixing all of the signs in both phases.

Mr. Williams stated one thing I would like you to address tomorrow is this stop sign right here. It is crooked. I think it is a safety issue.

Mr. Usina stated okay. We also have some signs that are missing.

A resident asked is there a reason Dreamfinders has lots that are not built on?

Mr. Arnold responded they just started closing on some home sites, so they are brand new to the neighborhood. In the first two months of sales activity, they have sold 20 homes at an average selling price that is very good for the neighborhood.

A resident asked and there is a pond back there?

Mr. Arnold responded yes.

A resident asked is there going to be a sun protector for this playground out here?

Mr. Williams responded that depends on whether we want to spend the money. We did put a sun protector at phase one because we had some capital funds that we needed to spend. At some point if the residents desire that then we need to have a conversation and decide what it is going to cost and how it is going to fit in the budget. I don't think it is out of the question.

A resident stated this is the hottest pool deck compared to any pool deck. I was wondering if there was anything that could be done during the off season? Many residents are commenting on how hot it is.

Mr. Arnold responded in my experience there is nothing that can be done.

A resident stated I have been at other pools that have a different kind of material and it seems they have had some sort of spray on them, so you don't slip. I have seen pools that have had it applied more than once.

Mr. Arnold asked is that a cool deck product?

A resident responded yes.

Mr. Arnold stated those types of products are designed to deal with temperature a little better. You go to a more richer look with a concrete paver or a stone. I would be glad to ask our design architect, who specked the material. There is an industry design spec for temperature on pool decks, so it has to meet a certain spec. The performance specification for temperature is one of them. I will ask the architects to look into that.

A resident stated there is so much trash in the retention ponds. I am curious to know how often it is cleaned out and if it can be cleaned out more often.

Mr. Usina stated Charles Aquatics is our service provider that maintains our lakes. They visit our ponds monthly and treat for growth, algae blooms, grasses, etc. They also pick up trash monthly. I also pick up trash on the lake banks.

Mr. Williams stated if there is something that you see that is way out of line let Mike know and we can at least bring it to Charles Aquatics attention.

A resident stated the cul-de-sac on Weeping Willow has that wooded area in between a couple of the homes. A few years ago there was a no trespassing sign there but it is so overgrown now that no one can see it. All of the growth is up to the edge of the road.

Mr. Usina stated Austin went back there two to three months ago and did that work but I can ask them to do it again.

A resident stated it would be nice if it was a regular clean up item.

Mr. Williams asked is that common area?

Mr. Usina responded no. It is conservation area.

Mr. Williams stated take a look at it. It is probably not that much if it is done once a quarter.

Ms. Dana Boggs stated we are going to have a dive in movie this Friday. In September we are trying to see if we can do a self defense class. In October we will have our fall garage sale. November is when we do our fall festival but this year we wanted to combine it with a vendor show. These people aren't going to have business licenses. This is something that happens all of the time at farmers markets.

Mr. Walters stated we have done farmers markets and things like that. I would prefer if there are going to be vendors that the HOA handles all of that and we just allow them to use the facility.

Ms. Boggs stated we were also wanting to know if we could do activities like dance, karate and gymnastics on the basketball court.

Mr. Williams asked is that a one time type of thing?

Ms. Boggs responded yes.

Mr. Williams asked are you talking about this basketball court or the one at phase one?

Ms. Boggs responded phase one. Basically they would come out for free and do a demonstration to do advertising to get business.

Mr. Williams stated I don't have a problem with blocking off the basketball court for one day for use like that. We have another basketball court if someone wants to go play. You can do it as long as the HOA is responsible and they have an insurance policy.

Mr. Joe Taylor stated we have had vendors at the amenity center before. It wasn't at the basketball court though.

Mr. Williams asked is the holiday party going to include liquor?

A resident responded no. The trolley fee for the holiday party has gone up a lot. The fall festival is not going to be free. A lot of the money that we will get from the fall festival, we want to use towards the holiday party. We will charge people a vendor fee. We are trying to get it that if you are a resident then you don't have to pay a vendor fee but if you are an outside person then they would pay a vendor fee of \$25.

A resident stated I know the CDD is responsible for making the rules at the pool area. I have lived here a year and I know that ants have been an issue at the pool. I also know that if you have kids it is very inconvenient to have to leave the pool to go get them some water. We are all adults.

Mr. Williams asked what is the rule now?

A resident responded the rule now is there is no food allowed on the pool.

Mr. Usina stated the rule has been in place for quite awhile. The problem in allowing food on the pool deck is obvious but the real problem would be managing it with exception. There is an advantage to having areas, where food can be consumed because then we can manage the cleanup of it if the residents don't take care of it. Yesterday in phase one there were three families sitting down at the pool deck at one of the sunshades having lunch. What I recommended to the monitors is if people start

lunch then don't interrupt their lunch but ask them to remember the next time to have lunch on the breezeway level.

A resident stated there are only two tables by the pool in phase one. It doesn't seem like that large of an area to police.

A resident stated this is my second season as a pool monitor. I care about both areas. I try to make sure the rules are followed. Another portion of the food issues is the trash that comes along with the food. We are constantly picking those up.

Mr. Williams asked in phase two, where is food allowed?

Mr. Usina responded up here and at the pergola. If there is some confusion about the tables at the pool deck then we have another place we can put them.

Mr. Hill stated I am comfortable with keeping the rules how they are.

Mr. Williams stated I think we need to the rules as they are.

Ms. Little stated I want to commend Mike and Bobbie Kukar for addressing the issue about cars being parked the wrong way.

Mr. Usina stated we are going to pursue the traffic calming study too.

Mr. Hill stated when I lived in Miami we had the option of having our lawn service performed by the same company who did it for the community. It was basically half of the price of what a private lawn care company was. Is that something we could ask the landscape company?

Mr. Oliver responded Mike can ask Austin.

Mr. Williams stated the right-of-ways in phase two will be mowed this week. We are still fighting the condition of the construction access road. I have hired a contractor to come in and do some substantial work on it and it should be completed in the next week or two.

A resident asked does anyone know about County Road 2209 being extended through our area?

Mr. Weeber responded it is on hold. There is a lot of stuff in flux right now.

Mr. Arnold stated I would just defer it to your County Commissioner Cyndi Stevenson. They stay fully apprised of traffic and road improvements in their districts.

FOURTEENTH ORDER OF BUSINESS
A. Balance Sheet & Income Statement

Financial Reports

Mr. Oliver stated included in your agenda package is a 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 Mr. Williams seconded by Mr. Hill with all in favor the Check Register was approved.

C. Assessment Receipt Schedule

Mr. Oliver stated included in your agenda package is an assessment receipt schedule.

FIFTEENTH ORDER OF BUSINESS

Next Meeting – Wednesday, October 9, 2013 at 6:00 p.m. @ Phase II Brandy Amenity Center, 251 Huffner Hill Circle, St. Augustine, Florida 32092

Mr. Oliver stated the next scheduled meeting is October 9th at 6:00 p.m. at this location.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Williams seconded by Mr. Hill with all in favor the Meeting was adjourned.

Secretary / Assistant Secretary

Chairman / Vice Chairman