

MINUTES OF MEETING
PINE RIDGE PLANTATION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Pine Ridge Plantation Community Development District was held on Tuesday, September 15, 2015 at 6:00 p.m. at Pine Ridge Plantation Amenity Center, 4200 Pine Ridge Parkway, Middleburg, FL 32068.

Present and constituting a quorum were:

Nicole Gardner	Chairperson
Mike Biagetti	Vice Chairman
Maria Haney	Supervisor
Rooster Hendrix	Supervisor
Mike Mesiano	Supervisor (by phone)

Also present were:

Jim Oliver	District Manager
Jason Walters	District Counsel (by phone)
Peter Ma	District Engineer (by phone)
Steve Andersen	Operations Manager
Amanda Rentsch	Riverside Management Services
Rich Whetsel	Riverside Management Services
Josh Boucher	Down to Earth

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the August 18, 2015 Meeting

Mr. Oliver stated included in your agenda package is a copy of the minutes of the August 18, 2015 meeting. Are there any additions, corrections or deletions?

On MOTION by Ms. Gardner seconded by Mr. Biagetti with all in favor the Minutes of the August 18, 2015 Meeting were approved.

FOURTH ORDER OF BUSINESS

Acceptance of the Minutes of the August 18, 2015 Continued Audit Committee Meeting

Mr. Oliver stated included in your agenda package is a copy of the minutes of the August 18, 2015 continued audit committee meeting. Are there any additions, corrections or deletions?

On MOTION by Ms. Gardner seconded by Ms. Haney with all in favor the Minutes of the August 18, 2015 Continued Audit Committee Meeting were accepted.

FIFTH ORDER OF BUSINESS

Update Regarding Foreclosure Process

Mr. Walters stated we are working with the bondholders to get them to indemnify the trustee for certain actions related to the foreclosure. We have also been working on the title process for those properties. Unfortunately it was very expensive to run title on each individual lot, so we presented the bondholders with some options. It was around \$5,000 or \$6,000 to get the commitment on all of those lots. I wanted to make sure that bondholders were willing to fund that if we are going to go forward with that. I am waiting on direction from them but we did get word from the largest bondholder that they are comfortable with the indemnification. We will start the title process and go from there.

SIXTH ORDER OF BUSINESS

Consideration of Resident Fence Encroaching on CDD Property

Mr. Oliver stated back at the May meeting one of the supervisors, who is no longer with this board, had brought up the fact that he had noted there was a fence that is owned by a private resident. The fence extends from beyond the property line of her yard and onto District property. At board's direction, we contacted the resident and made them aware of this. We asked for their present reasons why the fence should not be removed and set back to the original property line. In your agenda package are some communications that we received. Diane Leonetti, who is the property owner, along with her husband David, provided some of the details. We checked with the previous HOA Manager, who is no longer with this community and he indicated that he did not have anything in his records to indicate the HOA approved the fence. We have had several phone conversations with Ms. Leonetti. She has come here tonight to present her case to you. I spoke with Peter Ma this afternoon and he indicated that the land upon which the fence sits is not part of the conservation network. It is

just common area that serves no purpose for the District. I had a conversation earlier with Supervisor Mesiano. He has a very good background with land uses. I did want to give Diane the opportunity to address the board.

Ms. Diane Leonetti stated we purchased our property from KB Homes back in 2011. It is our fault for not knowing how to read a plat map. We specifically asked the sales agent and on three different cases we had the construction manager out there with us. We begged him to please mark our property line. Our property is actually in the middle of a culvert and I didn't know how far back from that culvert we could go, so I asked him to please stake where we could put our fence. We originally paid a \$5,000 premium for this lot. I would love to invite each and every one of you to come see this because by moving my fence, my side yard is going to be larger than my backyard. When we purchased this home, we really thought it was going to be our retirement home. We put a total of \$22,000 in our backyard between our 40x15 screened enclosed patio. We spent over \$5,300 on the fence. We spent \$1,900 on the concrete edging. I called three places to get an estimate to move the fence and so far the cheapest I can get is \$2,700, which is going to make my total loss \$11,990. Had they shown us how that lot was going to be cut in thirds, we would never have bought the lot and we sure would not have paid a \$5,000 premium on that lot. I have no documentation. I thank you for your time and consideration.

Ms. Gardner asked is there not an issue if we choose to leave it as is and what would happen if she would go to sell the property?

Mr. Oliver responded if you were to say that you can keep the fence up then you could say we still have the right to access it. Steve Andersen did take a look at all of the other existing fences and other permanent structures that may be encroaching upon District property and he could find no other cases like this.

Ms. Haney stated I just reiterate the conversation that we had at the last meeting that we addressed this particular issue. It is community property. It belongs to the CDD but it belongs to everyone. Everyone pays taxes on it. Everyone is responsible for the property. I really feel for her situation. It is a really unfortunate situation but I would be hesitant to just give someone property. I don't think that is fair when you look at everyone. She had mentioned in her letter that she would be interested in buying the property. I don't know if we could arrive at a fair price for the property.

Ms. Gardner stated we wouldn't be giving her the property if we allowed the fence to stay. We would still have access to that property.

Mr. Oliver stated I think there may be some things short of conveyance.

Mr. Walters stated remember, this is property that we already own. We own all of the rights to that property. It is not a matter of making sure we own it or things like that. The question is are we going to in some form or fashion say to the homeowner that we are going to allow her to keep these improvements on our property under whatever condition. Conveying the property is probably an option. It is a little bit trickier being a governmental entity. We are not saying that you now have ultimate control over that property or you own it or you have rights to it. It is just a question of if we are going to require the homeowner to remove everything and reconfigure the fence and landscaping or if there is a scenario where the District would say the fence can remain under these conditions.

Ms. Haney asked if we left the fence up for a little while, would we have to give them a temporary or permanent easement?

Mr. Walters responded we could do it several ways. We could do it as a temporary easement. We could do it as a permanent easement but in that situation you are probably locking yourself into subsequent owners. You could even do it on something less formal in terms of a license agreement. The one good thing about an easement is that you can record those and it shows up in title through conveyances, so we could bind subsequent purchasers.

Ms. Haney asked and how much would that cost?

Mr. Walters responded it is really just a matter of putting an easement together. There is usually a per page fee for recording it. One of the expenses that would pop up is if we had to get a survey.

Ms. Gardner asked and this lot backs up to a wooded area, right?

Mr. Andersen responded correct.

Mr. Oliver stated if the board did go in a direction similar to what we are talking about, you could have the homeowner bear the costs that are associated with that.

Ms. Haney stated absolutely.

Ms. Gardner stated I am leaning towards the easement that we can file with the County. It is property that is not maintained by the CDD anyways. I understand that they should have

submitted it to the HOA and got approval. I think we should ask the homeowner to bear whatever the cost is.

Mr. Hendrix asked is it possible if the property is sold that it reverts back to the original property owners?

Mr. Oliver responded that could be a condition.

Mr. Walters stated we can do that. We can also make that an automatic provision through a temporary easement that would not run with the land.

Mr. Biagetti stated I don't even know if we even want to go down that route. This is a tough situation. This happened many years ago. We don't know the true full story. I agree that the fence should stay.

Mr. Oliver stated you don't have to make a decision on this today. There is no harm for you to have some time to think about it.

Ms. Haney stated I wouldn't mind pursuing the easement with the understanding that they are responsible for any costs associated with this endeavor.

Ms. Gardner stated I am leery to put in there about reverting back to the original homeowner if it is sold.

Mr. Oliver stated one thing you can do is if it is a temporary easement and new ownership comes in, they would have to come to the Board of Supervisors. We can make that clear.

Mr. Andersen stated you can at least say that you are going down the road of keeping the fence for now, so that would give them piece of mind.

Mr. Oliver stated yes and also make it clear to the homeowner that she would have to incur these costs. Are you guys comfortable with us communicating that?

Ms. Gardner responded I am.

Mr. Biagetti stated I am.

Mr. Mesiano asked if the property is definitely clear of any sort of encumbrance then why not just convey it? All of the costs of that conveyance would be upon the homeowner because they are the ones that will be benefiting. The reality is I am sure their boundary survey doesn't show that property being theirs. If that was the case then that is a whole different animal and it should be brought before the surveyor and the title company that did the original work for them. I think we ought to keep it simple. If the property doesn't mean anything to us

Mr. Andersen responded they do not have anything on them. Most of it is fill and sand. If we do the hydro seed option, we are getting to that time that we want to do it. I wouldn't recommend doing anything other than that because our park areas out here are not irrigated. They were left natural. From here on out, Down to Earth will be supplying a report of the agenda package.

Mr. Oliver asked so for hydro seeding areas one, two and three, we are recommending that we do not need irrigation installed for that?

Mr. Boucher responded yes.

Mr. Oliver asked is there a best time of the year for the hydro seeding to occur?

Mr. Boucher responded early winter is the best time. If it is not going to be irrigated then we will have to bring out a tank and water it. It usually takes one to two applications.

Ms. Gardner asked and we have funds to do this?

Mr. Oliver responded yes. We do have residents across the street that are anxious to see something done.

Ms. Haney asked are those areas mowed now?

Mr. Boucher responded we have never mowed them but we can.

Ms. Haney asked so when the grass does grow, is the cost to mow it included in next year's budget?

Mr. Andersen responded yes. It is actually in our contract.

Mr. Mesiano asked is that Bahia seed?

Mr. Andersen responded yes.

Mr. Mesiano asked so Bahia seed on areas one, two and three for \$11,025?

Mr. Andersen responded yes.

Mr. Mesiano asked and then the other areas would be tabled for the moment?

Mr. Oliver responded correct.

Ms. Gardner stated except area eight was approved at the last meeting.

Mr. Mesiano stated in the future for work like this, I think it would be appropriate for us to get a couple more bids.

Mr. Oliver stated okay. I had a discussion with Steve and we were certainly prepared to do that, especially if the board went the route with the irrigation and the sod but in terms of the hydro seeding actions, we thought it made sense to have Down to Earth do it because they

Mr. Oliver stated included in your agenda package is a proposal from ASG/Vesta. That shows a cost of \$11,310 for the year. If you notice in your adopted budget, in previous years we have combined pool maintenance and chemicals at a cost of \$30,000 and in this years adopted budget, you broke that out, so that you could have the pool maintenance separated from the chemical cost. For pool maintenance, it is \$11,140 and for pool chemicals, it is \$10,589. The total cost is coming in at \$22,000. There is no one with Vesta here with us tonight. Last year, the contracted amount was \$10,140 and this year they are asking for \$11,310. That is a monthly increase from \$845 to about \$942 a month or a 12% increase. It is still a reasonable cost at \$11,310. The question is are you satisfied with the level of service. If you are then you can renew at this price or we can seek other proposals.

Ms. Gardner stated the only thing that I have noticed that I have had a problem with is the cleaning of the pool. The tiles look atrocious. They have looked that way for several months. I know in the previous contract that cleaning the tiles was part of that. You can see it from here if you look at four foot six it is black. I know it gets that way from sunscreen but if they are cleaning the pool weekly, it shouldn't be that way. I know I had a conversation with Amanda about that. She actually spoke to them about it. They said they were working on it but it is still not done.

Ms. Rentsch stated I originally brought it up to the pool maintenance guy a month ago and then I had to go to his boss because it still wasn't done. He started cleaning the tiles but he has only done a very limited section.

Ms. Haney asked so this is a different company than the company that resmarsited the pool?

Ms. Rentsch responded yes.

Ms. Haney asked and the marsite company did offer pool cleaning services?

Mr. Oliver responded correct.

Ms. Haney stated one of the reasons we went with this company is because of their cost. To the fact that they raised their fees, I would be in favor of soliciting some other bids.

Ms. Gardner stated I would be inclined to agree.

Mr. Oliver stated we will bring back more proposals to your next meeting. This company will continue to work on a month-to-month basis until you consider proposals.

dirt coming off of Buggy Whip. We also have sent in a maintenance request for the sinkholes that are around the stormdrains along the roads. We have had two or three calls on washouts on CDD pond banks. Our maintenance group is addressing the washouts.

Ms. Gardner stated I have seen Public Works out on the sinkholes. One of those continues to reoccur.

Mr. Andersen stated trash was picked up in the ponds today from our guys at RMS.

E. Amenity Manager

Ms. Rentsch stated we got the charcoal grill installed and the benches are installed at the park. October 6th is National Night Out and we are going to have an ice cream social.

ELEVENTH ORDER OF BUSINESS Audience Comments/Supervisors' Requests

A resident stated the grasses in the median need trimmed back.

Mr. Andersen stated we are thinning them out and we have started pulling some of them out, so you can see through them. I think it is a lot better than it was two years ago.

Mr. Boucher stated we will do another pencil cut this winter. At the beginning of winter is when they will go full bloom. We will cut them and thin them out a little bit more.

A resident stated I would suggest that you sell the property to the homeowner that has encroached the District land. If they are using the property and benefitting off of it then they should pay taxes on it.

TWELFTH ORDER OF BUSINESS Financials:

A. Balance Sheet and Statement of Revenues & Expenditures for the Period Ending August 30, 2015

Mr. Oliver stated included in your agenda package is a copy of the balance sheet and income statement as of August 30, 2015.

B. Approval of Check Register

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

On MOTION by Mr. Hendrix seconded by Mr. Gardner with all in favor the Check Register was approved.

C. Assessment Receipts Schedule

Mr. Oliver stated included in your agenda package is the assessment receipts schedule.

THIRTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – October 20, 2015 at 6:00 p.m. at the Pine Ridge Plantation Amenity Center

Mr. Oliver stated the next schedule meeting has been changed to October 20, 2015 at 6:00 p.m. at this location.

FOURTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Ms. Gardner seconded by Mr. Hendrix with all in favor the Meeting was adjourned.



Secretary / Assistant Secretary



Chairman / Vice Chairman