

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 Wednesday, June 8, 2011 at 3:05 p.m. at Ryland Homes, 1845 Town Center Boulevard, Suite 200, Fleming Island, Florida 32003.

Present and constituting a quorum were:

Levi Ritter	Chairman
Chris Middleton	Vice Chairman
Gerry Boeneman	Supervisor

Also present were:

Jim Oliver	District Manager
Jason Walters	District Counsel
Peter Ma	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 3:05 p.m.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the February 9, 2011 Meeting**

Mr. Oliver stated included in your agenda package is a copy of the minutes of the February 9, 2010. Are there any additions, corrections or deletions?

On MOTION by Mr. Boeneman seconded by Mr. Middleton with all in favor the Minutes of the February 9, 2011 Meeting were approved.
--

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2011-04, Approving Proposed Budget for Fiscal Year 2012 and Setting a Public Hearing to Adopt the FY12 Budget**

Mr. Oliver stated there is a slight increase in expenditures and that has to do with grounds maintenance and operation of the amenity center. The administrative expenses stay about the same. At the very bottom you will see the assessments stay roughly the same. They drop from \$408 to \$406 for O&M.

Mr. Ritter asked and we are kind of under the market norm for operations and maintenance from a similarly sized community?

Mr. Oliver responded absolutely.

Mr. Ritter asked and we still have a surplus?

Mr. Oliver responded yes.

Mr. Ritter asked should we need it? What is it about \$150,000?

Mr. Oliver responded your surplus at the end of this fiscal year is projected to be \$529,000 with the caveat that eventually assessments will be collected.

Mr. Ritter asked and that is just O&M?

Mr. Oliver responded yes.

Mr. Ritter asked so if we didn't collect another assessment right now for O&M, we would have enough for the remainder of this year's budget and next year's budget?

Mr. Oliver responded pretty close.

Mr. Ritter stated that is a real good situation to be in. Would you maybe start stepping up the O&M, so the shock and awe to the community wasn't crazy when it does have to step up?

Mr. Boeneman responded we talked about that when we reduced it. I think it is a good idea.

Mr. Oliver stated you are going to have to start that at some point. When you do decide to start ramping it up, you will have to send mailed notice to all residents.

Mr. Ritter asked is the excess revenue we have because we are collecting more assessments based on where our assessments are?

Mr. Oliver responded it is from the gas line agreement.

Mr. Ritter asked so right now if we collect everyone's assessments on each lot based on the expenses, is it a break even right now? Maybe we increase the services to where it is a break even.

Mr. Oliver responded if you look at the very top it says proposed assessments of roughly \$300,000. Then if you at the bottom of page two that is against expenditures of \$475,000, so you are subsidizing the budget by \$175,000.

Mr. Boeneman asked how many residents actually pay?

Mr. Ritter responded 200 maybe.

Mr. Oliver stated there is 201 registered voters in the District.

Mr. Middleton stated we have sold at least 130 lots.

Mr. Ritter asked do we have it provided for in our rules and regulations that we can sell memberships to our amenity to people that don't live in Pine Ridge?

Mr. Ritter responded yes, but no one ever does it because it costs too much money. We have people calling our homeowners association asking what the price is.

Mr. Boeneman asked how many people?

Mr. Ritter responded maybe half a dozen. We could lower the amount to \$500 and builders could come and pay \$500 for a one year seasonal pass for the amenity center.

Mr. Boeneman stated I think that is a bad idea.

Mr. Ritter stated because we don't collect enough to meet the total expenses, I say we raise the assessments somewhat to eventually meet the level of expenses without raising it all one year.

Mr. Middleton asked we are about \$230,000 below?

Mr. Oliver responded \$175,000 is what you are subsidizing. Each lot is being subsidized by \$237 right now. What they do at Rolling Hills and South Village, where it is Developer contributions they tell the people when they sell the lot that their assessments are going to go up \$60 a year, which is \$5 a month until it is no longer subsidized. I think you should consider holding the amount for one more year.

On MOTION by Mr. Boeneman seconded by Mr. Ritter with all in favor Resolution 2011-04 Approving the Proposed Budget for Fiscal Year 2012 and Setting a Public Hearing Date for August 17, 2011 at 3:00 p.m. at Ryland Homes, 1845 Town Center Boulevard, Suite 210, Fleming Island, Florida 32003.

**FOURTH ORDER OF BUSINESS**

**Ratification of Actions Related to Purchase, Installation and Monitoring of Security System**

This item was tabled.

**FIFTH ORDER OF BUSINESS**

**Discussion of Boundary Amendment**

Mr. Walters stated everyone should have received a binder from my office with a draft petition. This is in substantial form of what would go to the County. This would be submitted to the County. The action petition is up front. The meat of a lot of the things are in the

exhibits. If you look at tab six it is the resolution from the board to authorize and approve the boundary amendment process. If you think conceptually about the District boundaries as a whole, the Statutes require consent of the District and when the District authorizes everything and approves the process that constitutes consent for all of the landowners within the boundaries of the land that will remain. The next consent is of the landowner whose property is being removed from the District. The resolution is the action of the board and the consent of the board. If you look at exhibit five this is the consent that will be executed by the landowner Sandhill. With those two documents we would have consent of 100% of the landowners affected by the boundary amendment. If you look at the resolution it discusses the particulars of what the District has currently, the lands that are going to be removed from the District and what the District provides for services and the facilities to those lands currently. "Peter, can you verify there are no facilities or services being provided to those parcels being removed, correct?"

Mr. Ma responded that is correct.

Mr. Walters stated it talks about the landowner providing consent. It discusses a lot of the statutory requirements for Districts. It talks about that the landowners is providing funds to pay the cost of the amendments. In section three it authorizes the Chairman and myself to act as agents. In the interim we are dealing with the County and provide the petition and getting pre filed testimony for certain consultants and taking actions necessary. The first exhibit is simply an overview of a map. Exhibit two is the current legal description for the District. It is the legal description for exhibit one. Exhibit three are the four pieces that are going to be removed. This is the legal description for each parcel.

Mr. Boeneman asked why are we doing this?

Mr. Middleton responded for a school site and wetlands.

Mr. Boeneman asked why do we have to remove it for a school site?

Mr. Walters responded I can't represent the future intent of the current landowner but the school site I can tell you that for Fleming Island Plantation we removed a slice that went through Clay County School Board property and they asked us to remove it. The current intention is that this is going to be a future school site. My understanding is in contemplation of that transfer is to remove it from the District. With respect to the wetlands, my understanding from the landowner is that it is to facilitate unencumbered mitigation in the

future. The key questions for the District in this process are, are these lands assessed and the answer is no, so it doesn't affect current assessments. Are we providing services or do we have roadways out there and the answer is no. The only issues that would arise in the future for the District and there are no more entitlements to be used for this property that the landowner intends to convey the school site to the Clay County School Board and that the wetlands will be used for such purpose.

Mr. Ritter asked do we convey it eventually with consideration?

Mr. Walters responded no. The only issue for the District is if we were to remove this piece and in the future a commercial building was put there instead of the school site then at that point you may argue that there are benefits to that parcel and we don't have the ability to assess them.

Mr. Boeneman asked but who would have the right to put the commercial on it at that point and time?

Mr. Walters responded the landowner at that point. Currently, Sandhill is the landowner. My understanding is that it will be conveyed at some point to the school board but it hasn't happened yet. We will get all of these finalized. The County holds the hearing, so generally we put together pre file testimony, which is essentially like a transcript with questions and answers and it is signed under oath. As part of that we are going to have to say some things like, there are no facilities on these lands that the intention is that this will be given to the Clay County School and that the intention is that the wetlands will be used for mitigation. The District through its consultants and through whoever is providing the testimony is going to have to make some affirmative statements regarding all of these things. I can't predict what the future may hold. I think if someone were to come back and attempt to zone this from a school to a 30,000 commercial, the County may have something to say about that based upon the fact that we made these representations. Certainly, the District would be upset by the fact that the land was taken out and we no longer have the ability to assess it and we certainly would not provide access, stormwater, etc. to that parcel.

Mr. Boeneman asked what is the cost of the transaction?

Mr. Walters responded the cost of the process is yet to be determined. I will have fees. Peter may have some costs involved with this. The District Manager has to prepare a SERC,

which is another document and there are costs involved with that. Some times the County will request their boundary amendment fee.

Mr. Ritter asked in the future if this is given to the school or sold to the school pursuant to our PUD they are going to want it out anyways, so why do it twice? Everything else will be used for wetland mitigation purposes. When you are doing wetland mitigation one of the things they are looking for is any encumbrances on the parcel that you are putting a conservation easement on.

Mr. Boeneman asked so if you take that out you wouldn't have to deal with that?

Mr. Ritter responded you would have to clean up the title. Sandhill owns it and they want to make the best use out of it.

Mr. Walters stated I have had a couple conversations with the Clay County Attorney to see what his preference was and see what his issues were. He seems comfortable with everything I have told him so far. We will get this in final form. We will get the testimony from the required parties and then it will be submitted to the County with the petition and the testimony. They will hold a local public hearing and at that time they will take action to either approve it or not and if they do then they will amend the ordinance and by doing that they amend it with a new legal description.

Mr. Middleton asked are you going to be there for that?

Mr. Walters responded yes.

Mr. Middleton asked is it a consent agenda item?

Mr. Walters responded it depends. Sometimes you can get it on the consent agenda. It is not shocking to have something like that pulled from a consent agenda.

Mr. Ma asked you don't have to go in front of the judge for this to, do you?

Mr. Walters responded no, just in front of the County. The only time we go in front of a judge is when we validate bonds.

Mr. Boeneman asked and you don't know of any reason why we shouldn't do it?

Mr. Walters responded I don't know of any reason. The risk to the District moving forward is that development would occur on these parcels and we don't have the ability to assess. Obviously, we are not going to do that development. We are not going to pay for it or fund it and we are not going to provide services to it. Behind tab six is Resolution 2011-05,

which sets forth all of the findings and authorizes the Chair and myself to act as agents and approves the process moving forward.

On MOTION by Mr. Boeneman seconded by Mr. Middleton with all in favor Resolution 2011-05 Boundary Amendment Resolution was approved in substantial form.

**SIXTH ORDER OF BUSINESS**

**Update of ADA Compliance Issues**

Mr. Oliver stated at the last meeting we talked about ADA compliance. I can send Chris a report from another District, so you can use that report as a template for this District, instead of hiring someone.

**SEVENTH ORDER OF BUSINESS**

**Discussion of Amenity Center Hours of Operation**

Mr. Ritter asked is there are a rule for having two lifeguards at the slide in order for it to be used? I don't think it is a rule.

Mr. Walters responded I don't it is a rule either. I think it is an ASG policy.

Mr. Boeneman asked I thought if the slide was a certain height you had to have one lifeguard at the top and one at the bottom?

Mr. Oliver responded you do in St. Johns County. We will find out.

Mr. Ritter stated if it is not a rule then having one lifeguard is sufficient and we can keep the slide open longer.

Mr. Boeneman stated I agree.

Mr. Walters stated we will look it up. The other issue we need to look at is with our insurance provider.

**EIGHTH ORDER OF BUSINESS**

**Discussion of Community Signage**

Mr. Boeneman stated Chris and I shot some emails back and forth and resolved this issue.

**TENTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Manager**

Mr. Oliver stated according to the supervisor of elections there are 201 registered voters within the District. The reason that is relevant is because beginning in November of 2012 two of these seats will become general election seats if you have 250 registered voters living within the District.

Mr. Walters stated when we get to that point in 2012 if there are 250 registered voters then we will have general elections, meaning they go on the ballot just like everyone else.

Mr. Ritter asked do they get one vote per lot?

Mr. Walters responded there will be two seats that go in the general election and one seat that will remain a landowner election.

Mr. Oliver stated the landowners will still control the board.

Mr. Middleton asked the landowner gets to vote, right?

Mr. Walters responded for the landowner election they do. For the general election there is a qualifying period and you are subject to public election laws and you have to take steps to do that. If no one qualifies to be on the ballot then the board will appoint the replacement for that seat.

Mr. Middleton asked is has to be a resident, right?

Mr. Walters responded yes.

Mr. Middleton asked so if there are 249 registered on April 15<sup>th</sup> but the next day there is 250, does it wait until the next cycle?

Mr. Walters responded yes.

Mr. Ritter asked how do you get rid of the CDD?

Mr. Walters responded you don't, unless you haven't issued bonds and not done anything.

Mr. Middleton asked what about in 25 years, does it just go away?

Mr. Walters responded the statutory answer to that is you file a petition to dissolve.



**C. Engineer**

Mr. Ma stated I have one requisition from Hopping Green & Sams in the amount of \$520.02. This item was tabled.

**D. Operations Manager**

Mr. Oliver stated the operations manager is Charles Raley. He has been in communication with the residents. He has been getting some areas resodded and he has been getting plumbing problems fixed. He is definitely hands on out there.

Mr. Ritter asked do you think he is worth it?

Mr. Oliver responded I do.

**TWELFTH ORDER OF BUSINESS                      Supervisors' Requests**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS                      Consideration of Proposal for Lifeguard Services**

Mr. Oliver stated included in your agenda package is the proposal for lifeguard services.

Mr. Ritter stated I would like to know about the lifeguards for the slide by the next meeting and I would also like to know if it has something to do with the height of the slide.

Mr. Walters stated the previous agreement was for the summer and it has expired, so we have to at least approve the proposal and we will put together an agreement but currently, they are not under contract.

Mr. Oliver stated there are some protections for the District in that agreement, too.

Mr. Ritter asked so since they are not under contract, we don't have to pay them for up until today?

Mr. Walters responded no. We will have to pay them for the services but we need a new agreement in place.

On MOTION by Mr. Ritter seconded by Mr. Middleton with all in favor the Proposal for Lifeguard Services was approved & Authorization for District Counsel to Prepare Agreement.

**THIRTEENTH ORDER OF BUSINESS      Audience Comments**

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS      Financials:**

**A. Balance Sheet as of April 30, 2010 and Statement of Revenues & Expenditures for the Period Ending April 30, 2010**

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

**B. Treasury Report**

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

**C. Approval of Check Register**

Mr. Oliver stated included in your agenda package is a check register. This includes check numbers 508 through 578 totaling \$110,943.46.

Mr. Ritter asked is the majority of the CCUA?

Mr. Oliver responded CCUA is a lot but it is also for running the amenity center, electric and landscape maintenance.

Mr. Middleton asked can improvements like sodding be done with bond money?

Mr. Oliver responded it can be, depending on the type of project.

Mr. Walters stated if it is resodding then I would think it is a maintenance item.

Mr. Ritter asked does the guy that does the pool chemicals have a separate company that does the pool cleaning?

Mr. Oliver responded the chemical company is called Pool-Sure but ASG is the company that cleans the pools.

On MOTION by Mr. Ritter seconded by Mr. Boeneman with all in favor the Check Register was approved.

**D. Assessment Receipt Schedule**

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

We are at 87% collected.

**FIFTEENTH ORDER OF BUSINESS**

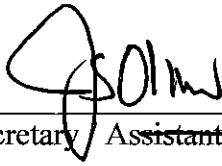
**Next Scheduled Meeting – August 17, 2011  
at 3:00 p.m.**

Mr. Oliver stated the next scheduled meeting is on August , 2011 at 3:00 p.m.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Boeneman seconded by Mr. Ritter with all in favor the Meeting was adjourned.



Secretary Assistant Secretary



Chairman / Vice Chairman