

**MINUTES OF MEETING
RIVER RIDGE
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the River Ridge Community Development District's Board of Supervisors was held on **Tuesday, October 22, 2013 at 1:00 p.m., at the Pelican Sound Golf and River Club at 4561 Pelican Sound Boulevard, Estero, Florida 33928.**

Present at the meeting were:

Terry Mountford	Chair
Bob Schultz	Vice Chair
George (Tom) Schoenheider	Assistant Secretary
Judy Haase	Assistant Secretary
Frank Golle	Assistant Secretary

Also present were:

Cleo Crismond	Assistant Regional Manager
Tony Pires (<i>via telephone</i>)	District Counsel
Charlie Krebs	District Engineer
Todd Blanton	PSGRC Club Manager
Rob Johnson	Golf Course Superintendent

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Crismond called the meeting to order at 1:02 p.m., and noted, for the record, that Supervisors Schoenheider, Schultz, Mountford, Golle and Haase were present, in person.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (5 minutes per speaker)

There being no public comments regarding agenda items, the next item followed.

THIRD ORDER OF BUSINESS

Public Comments: Non-Agenda Items (5 minutes per speaker)

There being no public comments regarding non-agenda items, the next item followed.

FOURTH ORDER OF BUSINESS

Discussion: Amended Rules of Procedure

Ms. Crismond distributed an updated version of the Amended Rules of Procedure (Amended Rules). Ms. Crismond noted that she will return to this item when Mr. Pires calls into the meeting. She indicated that a public hearing will be scheduled in November for approval of the Amended Rules of Procedure; the public hearing must be advertised 28 days in advance.

Mr. Mountford expressed confusion in having received two (2) versions of the Amended Rules, the agenda version and another version emailed by Mr. Pires. Mr. Mountford noted that there may not be sufficient time to review the most current version, prior to the public hearing. Ms. Crismond advised that, if Mr. Pires is unable to present the Amended Rules during today's meeting, the public hearing can be held in December. Mr. Mountford mentioned that there is no rush. Mr. Golle commented that Mr. Pires must explain the changes to the Amended Rules. Mr. Mountford indicated that the document may seem harmless but if there is a conflict, the District will be stuck with the changes. Referring to two (2) documents, Mr. Schultz noted that one (1) seems to be an addendum to the other, but he does not know where it fits. Ms. Crismond noted that Mr. Pires provided the addendum during the prior meeting.

Discussion ensued regarding the various documents and versions received. Mr. Schoenheider was disappointed that the Pledge of Allegiance was eliminated. Ms. Crismond advised that it can be reinstated, if the Board wishes.

FIFTH ORDER OF BUSINESS

Continued Discussion: Island Sound Roadway Repairs

A. Consideration of Bids

- i. Ajax Paving Industries of Florida, LLC**
- ii. APAC Southeast**
- iii. Better Roads, Inc.**
- iv. Bonness, Inc.**

Mr. Krebs reported that additional bids were received for the Island Sound roadway repairs. He indicated that a breakdown of the bids is included. Mr. Krebs stated that APAC Southeast (APAC) submitted a reasonable bid to repair all of the roads within Island Sound. He noted that APAC has not responded to his request for the additional bid. Mr. Krebs was not sure if APAC's lack of response is because they are too busy or not interested in performing partial

repairs. Mr. Krebs suggested translating APAC's silence as their interest to repair 'all or nothing'. If the additional bid is received, Mr. Krebs will provide it to the Board.

Mr. Krebs pointed out that Better Roads, Inc. (Better Roads), provided a bid to keep communication open because their bid is almost double the amount of the other vendors.

In Mr. Krebs' opinion, Ajax Paving Industries of Florida, LLC (Ajax) and Bonness Inc. (Bonness), are the top candidates. Referring to the Ajax bid, Mr. Krebs expressed concern with the proposed solution to the partial repairs, "3" of S-1 Structural Asphalt Paving in Lieu of Limerock". Mr. Krebs prefers that Ajax utilize Bonness' approach and repair the limerock. Ms. Crismond suggested that Mr. Krebs request an amended bid from Ajax, to include the limerock repair. Mr. Krebs responded that he can; however, he is not satisfied with their solution. Ms. Crismond asked what the correct technique is. Mr. Krebs reiterated that Bonness' method is the proper repair method; repairing the subgrade and the limerock, as needed. Mr. Krebs clarified that Bonness will go as deep as needed to get the correct compaction, reinstall the materials in layers and provide the densities.

******Mr. Pires joined the meeting, telephonically, at approximately 1:10 p.m.******

Mr. Krebs explained that, if the District did not have the settling issue and was experiencing potholes or some other issue, he would not have a problem with Ajax's approach. Mr. Krebs indicated that Bonness' proposal stipulates that they will address the subgrade or limerock, if necessary, when they open cut the pavement. Ms. Crismond noted that she has worked with Bonness in another district and they must be monitored. Ms. Crismond clarified that she had to request that Bonness return to the site to repair items that should have been completed, prior to completion of the project.

Mr. Krebs noted that he had good and bad experiences with Bonness; contractors have several crews and the quality of the work will depend on which crew is dispatched to perform the repairs. Mr. Mountford asked if that holds true with the other vendors. Mr. Krebs replied affirmatively. Mr. Krebs indicated that, with any contractors, the District should spot check, during different stages of paving and repairs, to follow the progress.

Mr. Krebs stated that Ajax is top notch; they perform good work. The county uses them on road projects and his firm has hired them. Ms. Crismond noted that their proposal is within budget. Mr. Mountford pointed out that Ajax is not following the methodology that Mr. Krebs suggested. Mr. Krebs advised that he can request an amended proposal from Ajax, if the Board wants an 'apples to apples' comparison. Mr. Schultz noted that Ajax did not address the paver

situation. Mr. Krebs confirmed that he will contact Ajax for an amended proposal. Mr. Golle stated that Better Roads' proposal includes curb replacement.

Mr. Mountford questioned if the Board had enough information to determine whether to perform partial repairs or repair the entire community. Mr. Krebs believed that including the pavers and limerock repairs will not significantly alter Ajax's proposal and will make it more analogous with Bonness' proposal.

Ms. Crismond indicated that, per the September financials, the District has \$303,000 in the fund balance, which is sufficient to repair the entire roadway. Mr. Golle noted that \$50,000 was budgeted for road repairs. Mr. Krebs suggested accepting APAC's proposal, if the Board decides to repair the entire roadway. Mr. Krebs stated that he can approach Ajax and Bonness regarding their numbers. Mr. Krebs reiterated that APAC does not seem interested in the partial repair project but noted that their proposal is fair and they are good contractors; his firm and the county have worked with APAC. Mr. Golle requested that Mr. Krebs assist the Board with concentrating on either partial repairs or the entire roadway.

Mr. Mountford indicated that he inspected the roads, by foot and bicycle and, in his opinion, the rest of the roadway is on the par with the rest of the community, if not better, in some cases. Mr. Schultz advised that he inspected the roads that morning and agrees with Mr. Mountford's observation. Mr. Schultz indicated that the roads seem fine, except for the four (4) areas with depressions near or around the manholes. Mr. Krebs feels that the contractor performed bad compaction on the runs to the sanitary.

Ms. Haase asked if Island Sound Circle will be repaired, when all the roads within the community are repaved, if the Board chooses to make partial repairs. Mr. Krebs replied affirmatively. Mr. Krebs suggested resurfacing the areas that will be patched when the community is repaved, for uniformity. Mr. Krebs recalled that the Board decided to obtain the additional proposals to repave all of Island Sound Circle to start fresh, be done with repairs to that area and enable the Board to focus on other roadway repairs.

Ms. Haase asked how long the repairs will last. Mr. Krebs noted that the roads do not have to withstand construction traffic; therefore, they can survive for 15 to 20 years. Mr. Krebs indicated that the District is not a transient community; therefore, moving trucks will not create much damage. The largest vehicles moving through the communities will be garbage trucks, which is low volume. Mr. Mountford indicated that traffic patterns vary within the community,

volume will increase on the main road when the River Club is completed. Mr. Krebs believes that the main road was more heavily constructed, than the other roads.

Ms. Haase inquired if contractors will be required to utilize Florida Power & Light's (FPL) road to access Island Sound. Mr. Krebs indicated that the contractors were informed that traffic must be maintained; therefore, repairs will be performed one (1) lane at a time. Mr. Krebs explained that FPL does not allow anyone to use their accessway. Mr. Golle asked if the River Club contractors must enter through the main gate. Mr. Krebs replied affirmatively. Ms. Haase expressed concern with closing roads during a time of the year with heavier traffic volume.

Mr. Schultz indicated that the repairs do not have to be performed this fall; the roads are still drivable. Mr. Golle pointed out that the bids are good for 30 days. Ms. Crismond believed that the prices will not increase too much, if the District waits until spring to perform the repairs. Mr. Krebs stated that the improving economy will cause prices to increase. Ms. Crismond suggested that Mr. Krebs ask the contractors to hold their pricing for six (6) months. Mr. Mountford noted that there will be a lane open to traffic; the repairs will not take that long. Mr. Schoenheider asked what the time frame is. Mr. Krebs will ask the contractors to provide a time frame. Discussion ensued regarding overnight parking for machinery.

Mr. Schultz asked if the partial repairs will require repairs to the entire width of the road. Mr. Krebs replied affirmatively and voiced his belief that partial repairs will take at least one (1) week. Mr. Schoenheider suggested making the repairs during the latter part of December. Mr. Mountford was in agreement.

Mr. Schoenheider prefers to repair the entire roadway. Mr. Golle recalled a prior conversation with Mr. Whitmore, and Mr. Whitmore agrees with repairing the entire roadway. Mr. Golle noted that repairing the entire roadway will keep uniformity. Mr. Schoenheider pointed out that the District has the money to repair all the roads and would not have to worry about the roads for another 20 years. Mr. Mountford indicated that the Board must make sure that the repairs are completed correctly.

Mr. Schultz favors making the partial repairs. In his opinion, the Island Sound roads look just as good as the rest of the roads within the community and they have, at least, five (5) to ten (10) years left before they need total repairs. Mr. Golle indicated that the decision will be a judgment call, in terms of appearance and impact on resales. Mr. Golle is not in favor of the roads having grey and black patches. Mr. Mountford noted that the color will even out in six (6) to 12 months. Ms. Crismond indicated that the material oxidizes and the color will change. Mr.

Mountford was not in favor of repairing the entire roadway and spending more money than necessary. Mr. Mountford noted that the District is not receiving a discount for the full repairs and a discount might be received, in the future, when all the roads within the District are repaved.

For clarification, Mr. Golle asked if the road color will eventually become uniform, if partial repairs are made. Mr. Krebs indicated that the saw cut will be visible. Mr. Schultz recalled road repairs made one (1) year ago and noted that, currently, the only visible sign of the repairs is the saw cut. Mr. Krebs advised that the reason he requested that the contractors provide bids to mill from curb to curb was to give the roads a cleaner look and not have patches.

Mr. Golle asked if either repair will impact the decision to repair all the roads, in the future. Mr. Krebs said no. Not knowing how the Board wants to move forward, Mr. Krebs did not advise the contractors about the amount of roadway in need of repair. In Mr. Mountford's opinion, the roads in the Masters are in worse condition than Island Sound. Mr. Mountford indicated that residents will start questioning why the roads in their community were not repaired.

Mr. Golle felt that it makes sense to work from the outside perimeter in; otherwise, the trucks will damage the repaved roads. Mr. Mountford believes that it will not make sense to repair roads in construction zones. Mr. Krebs advised that he will have trucks enter through Williams Road, rather than the gatehouse, and the contractor will work north to south, working their way out of the community.

Mr. Golle pointed out that the expiration dates on the proposals are near. Mr. Krebs stated that he can ask the contractors to hold the pricing for a few days. Mr. Mountford stressed that the Board must decide whether to make whole or partial repairs and authorize Mr. Krebs to proceed. Mr. Mountford does not want to waste time and lose the pricing provided in the proposals. Mr. Krebs indicated that he believes that prices will not increase unless the housing market improves tremendously.

Mr. Krebs advised that, once the Board makes a decision on partial or whole repairs, he can ask Bonness and Ajax to 'sharpen their pencils'. Mr. Krebs will convey the Board's preference of not performing the structural asphalt and to determine if the subgrade must be rebuilt to Ajax. Mr. Krebs stated that he does not have a problem with Ajax using the structural asphalt instead of limerock, if the subgrade is repaired and verified. Mr. Krebs cautioned that

not verifying the subgrade and just putting asphalt on top of it will cause the same problems in the future. Mr. Mountford indicated that the District cannot take that risk.

Mr. Mountford made a motion to repair the road. Mr. Schultz seconded the motion. Ms. Crismond asked if the not-to-exceed price will be \$55,000. Mr. Krebs noted that Ajax's price will increase for limerock repair. Ms. Crismond indicated that the Board will approve the repairs today and Mr. Krebs will present the amended proposals during the next meeting.

Mr. Pires indicated that the contracts do not contain the language required for a governmental entity. He suggested approving the contract subject to appropriate legal revisions. Ms. Crismond explained that the District utilizes a standard government contract that overrides the terms in the vendor's contract.

Ms. Haase asked if other communities will demand that their roads be repaired, if the Board proceeds with full repairs to the Island Sound roadway. In Mr. Mountford's opinion, proceeding with full repairs will leave the Board open to other requests. Ms. Haase stated that she was in favor of performing all of the roadway repairs; however, she does not want to leave the door open for other requests. Mr. Golle recalled that Pinehurst requested road repairs. Mr. Krebs noted that several communities are in need of road repairs. Mr. Mountford stated that repairs under \$50,000 need to be addressed by the PSGRC; repairs above that amount should be presented to the Board. In response to Mr. Krebs' question, Mr. Todd Blanton, PSGRC Manager, confirmed that the PSGRC has been patch repairing.

Mr. Schoenheider asked if the Board can request reimbursement from the PSGRC if a \$48,000 proposal is approved. Mr. Mountford replied affirmatively.

Mr. Mountford stated that, if the District will expend this much money for the repairs, the Board must make sure that the repairs are made properly. Mr. Mountford indicated that Mr. Krebs must make sure that the language in the proposal regarding the subgrade and limerock is settled and, if Ajax provides an amended proposal and they are the better company, he believes that the Board should choose Ajax. Mr. Krebs stated that all four (4) companies are good. Mr. Krebs indicated that he did not request a proposal from anyone that he did not feel could not perform the work; however, no company is perfect. Mr. Krebs reiterated that Bonness performed a great job the last time that he worked with them but there were problems the job before that; it is the same situation with all companies.

Mr. Mountford indicated that part of his motion is provided that the Board decides to proceed with repairs only and Mr. Krebs presents amended proposals, at the next meeting,

repairs should begin in mid-December. Ms. Crismond reminded Mr. Mountford that his motion on the floor is for repairs only.

Mr. Schultz agreed that there is justification to make repairs because the depressions in the roads are large; however, making the roads look pretty and uniform in color are not justification for proceeding with complete repairs; the District would be fixing something that is not broken. Mr. Golle asked who requested the Island Sound roadway repairs. Ms. Crismond indicated that discussions were initiated, as a result of the District Engineer's roadway audit.

Mr. Mountford noted that prior repairs were made by putting asphalt on top of the damaged areas, causing deeper depressions and reiterated that the road must be repaired correctly, this time. Mr. Golle stated that Mr. Mountford's theory is correct; if all of the Island Sound roads are repaired other communities will request road repairs. Ms. Crismond indicated that the District can inform the other communities that, per the District Engineer's list of road repairs, Island Sound was the first priority. In Mr. Mountford's opinion, only 10% of the roads within Island Sound are in need of repair.

Mr. Schoenheider asked if the motion on the floor is approved, it will have to be approved again when the amended proposals are presented. Ms. Crismond clarified that the Board will approve a contractor, during the next meeting. Mr. Schoenheider suggested approving both motions during the next meeting. Mr. Mountford stated that he would like Mr. Krebs to focus on the type of repair that the Board will approve today. Mr. Golle clarified that the Board will approve the type of repair today and the contractor during the next meeting. Mr. Schoenheider pointed out that construction will still be one (1) month out, approving both items during the next meeting. In response to Mr. Schoenheider's comments, Mr. Krebs indicated that the contractors will be given short notice because the Board Meetings are held towards the end of the month.

Ms. Crismond suggested approving a not-to-exceed amount and authorizing Mr. Krebs to proceed with negotiations. Mr. Golle recommended rescheduling the date of the meeting. Mr. Schoenheider stated that if the Board is going to approve a motion it should authorize Mr. Krebs to get everything done. Mr. Mountford had no problem with giving Mr. Krebs the authorization. Ms. Crismond proposed approving a not-to-exceed amount of \$60,000 and authorizing Mr. Krebs to negotiate the new terms with the contractors. Mr. Mountford was in agreement. Ms. Crismond advised Mr. Krebs to provide Staff with a copy of the contract.

Mr. Golle asked which company Mr. Krebs recommends. Ms. Crismond recalled that Mr. Krebs favors Ajax and Bonness. Mr. Schultz noted that Ajax's proposal does not include the proper method of repairs. Mr. Krebs indicated that he will discuss the terms of the repairs with Ajax. Mr. Krebs noted that Ajax's proposal is \$7,000 higher than Bonness. Mr. Krebs suggested Bonness, going by the numbers alone; however, if \$7,000 provides the Board with the piece of mind that the job will be done properly, they should select Ajax. Mr. Schultz recalled Mr. Krebs' comment that all four (4) companies are qualified. Mr. Krebs noted that Mr. Mountford questioned Bonness' ability, based on Ms. Crismond's past experience. Ms. Crismond recommended Bonness and noted that Staff must make sure that they are doing their job.

In response to Mr. Schultz's inquiry, Ms. Crismond advised that Mr. Krebs will supervise the repairs. Mr. Krebs confirmed that he will be on the worksite and the contractor must supply him with the densities of the subgrade and the limerock, along with the asphalt mixture. Mr. Mountford advised that Mr. Krebs' presence and supervision gives him more confidence; although there is hesitancy with Bonness, he believes that they will perform a good job if properly supervised. Mr. Krebs expressed his doubt that any of the contractors would send someone who is not qualified, because of the potential of getting hired on future jobs. Mr. Krebs confirmed that he will advise the contractor that the Board is considering resurfacing the entire community, in the future.

Mr. Schoenheider asked if the motion needs to be changed to approve Bonness for road repairs. Mr. Golle indicated that the motion needs to be amended. Ms. Crismond asked if the Board will approve Bonness' proposal at the listed price of \$48,245.32 or allow room for adjustments. Mr. Krebs felt that Bonness bid an accurate amount for the repairs. Mr. Mountford suggested adding a reasonable cap on the bid amount, for contingencies.

Mr. Mountford amended his motion. Ms. Haase pointed out that there is a motion on the floor. Mr. Mountford advised that he is amending his prior motion to accept Bonness' proposal, in a not-to-exceed amount of \$55,000, for repairs only. Mr. Golle asked if a time frame will be included in the motion. Mr. Krebs noted that he will advise Bonness that the Board desires to have the work completed by mid-December.

On MOTION by Mr. Mountford and seconded by Mr. Schultz, with all in favor, the Bonness Inc. proposal for Island Sound roadway repairs, in a not-to-exceed amount of \$55,000, was approved.

Mr. Krebs confirmed that he will provide a copy of the contract to Ms. Crismond.

Conversation returned to the Amended Rules of Procedure.

Mr. Mountford asked Mr. Pires if the discussion regarding the Amended Rules can be postponed to the next meeting. Mr. Pires indicated that a public hearing must be advertised for the November meeting and noted the 28-day notice requirement. Mr. Pires clarified that the discussion and the hearing may be held during the November meeting. Ms. Crismond asked if a motion is required. Mr. Pires stated that no further action is necessary.

Mr. Mountford asked Mr. Pires to provide the Board with a clean copy of the final version of the Amended Rules. Mr. Schultz asked if he provided one (1) or two (2) documents. Mr. Pires explained that the document that will be discussed during the public hearing is the document called "Rules of Procedure". Mr. Pires explained that he provided the original Rules, revised redlined Rules and a clean Revised Rules of Procedure. Mr. Pires indicated that the second document, handed out today by Ms. Crismond, is called "Protocol and Meeting Procedures", which is not part of the formal Rules of Procedure. He noted that these are the two (2) documents that will be presented for the Board's consideration.

Mr. Schoenheider asked if discussions can be held today. Mr. Pires replied affirmatively.

Mr. Schoenheider noted that Section A-1.03, on Page 5, mentions Fiddler's Creek CDD. Mr. Pires noted that he used the Fiddler's Creek Rules of Procedure as a template.

Referring to Page 8, Ms. Haase indicated that the county in A-105 should be changed to Lee County.

On Page 7, Mr. Schoenheider suggested replacing "CMT" with "Communications Media Technology". Ms. Crismond noted that "CMT" is explained under the heading "H. Communications Media Technology". Mr. Schoenheider withdrew his comment.

Ms. Haase indicated that "G. Public Comment." currently states, "The Board may set aside a reasonable amount of time at each regular meeting for public comment." and asked if the public comment is now a requirement. Ms. Crismond replied affirmatively and noted the public comment sections on the agenda. Ms. Haase suggested changing "may" to "shall".

Referring to H.1.A., on Page 7, Ms. Haase noted that the word “far” should be “for” and, in H.1.E., the word “once” should be “one”.

Mr. Schultz asked if, with the inclusion of CMT to the Rules of Procedure, it is necessary for the Board to approve Board Member’s telephonic appearance by a motion. Mr. Pires clarified that a motion is necessary, per the Attorney General’s opinion.

Mr. Schultz noted that the Board will be required to elect a Treasurer. Mr. Pires indicated that the District Manager is the elected Treasurer. Mr. Mountford stated that Mr. Adams is the Treasurer. Ms. Crismond clarified that Mr. Craig Wrathell is the District’s Treasurer and Mr. Adams is the District Manager and Secretary.

On Page 4, Mr. Mountford read the duties of the Chairperson, “The Chairperson shall convene and conduct all meetings of the Board.” He stated that he is not sure that the Board necessarily wants to follow that procedure. Mr. Mountford asked if the language can be changed to the meeting procedure that the Board currently follows and suggested changing the sentence to “The Chairperson or District Manager or Staff shall...”. He noted that the District’s current meeting procedures work nicely. Mr. Mountford stated that the verbiage needs to be changed in the vice chairperson description, as well. Mr. Pires agreed to make the change.

Mr. Golle asked if there is a time constraint for adopting the Rules of Procedure. Ms. Crismond asked if the Board is required to adopt the Rules of Procedure during the November meeting. Mr. Pires explained that the Board can adopt the rules during the next meeting but they are not obligated.

Referring to Mr. Schultz’ earlier question, Mr. Pires clarified that Paragraph 5, on Page 4, reflects that “The treasurer shall serve at the pleasure of the Board and need not be a member of the Board...”.

Mr. Golle asked if there is a difference between the “Protocol and Meeting Procedures” and the “Rules of Procedure”. Mr. Pires replied affirmatively. Mr. Pires explained that the Protocol and Meeting Procedures is geared more towards the order of the meetings and public speaking. Mr. Pires clarified that the Protocol and Meeting Procedures is not a rule; to amend the rules, the Board must follow the formal rule making process, which requires an advertised Notice of Rule Development Amendment as well as an advertised public hearing. Mr. Schoenheider advised Mr. Golle that the public comment requirements are included the Protocol and Meeting Procedures and not in the Rules of Procedure.

Referring to Page 2, of the Protocol and Meeting Procedures, Ms. Crismond noted a scrivener’s error in section C.1. “...address to four (5) minutes.”; four (4) should be changed to five (5).

On Page 1, Paragraph 3. Meeting Agenda, Ms. Haase indicated that the Board does not have an approximate time frame for each of the items listed on the agenda. Mr. Pires explained that, for the benefit of the public, some Boards provide time frames for each agenda item. Mr. Pires advised that the verbiage can be removed. Mr. Schoenheider pointed out the time frames for public comments on today’s meeting agenda.

Mr. Pires confirmed that he will make the changes and will be ready for the Board’s consideration and adoption at the next meeting.

Referring to Section A-108.A., on Page 16 of the Rules of Procedure, Mr. Schoenheider asked if the term “CATEGORY FOUR” means that River Ridge is a category four (4) District. Mr. Pires replied no. Mr. Pires explained that Chapter 190 references that, for certain types of services, there are defined purchasing categories with threshold amounts for expenditures and the formal process.

For clarification, Mr. Golle asked if, under state law, River Ridge is considered a Special District. Mr. Pires replied affirmatively. Mr. Pires explained that, per Chapter 190 and certain points of other Florida Statutes, River Ridge is considered an independent Special District. Mr. Pires discussed Chapter 189 of the Florida Statutes.

Mr. Schoenheider asked what an “independent or dependent” district means. Mr. Pires explained that a CDD will have an independent board and a dependent board is typically established by a city or county.

SIXTH ORDER OF BUSINESS

Consideration of Agreement with Lee County for the Delivery and Use of Reclaimed Effluent Water

Ms. Crismond presented the agreement with Lee County for the Delivery and Use of Reclaimed Effluent Water, for the Board’s consideration. Ms. Crismond referred to an email handout that she provided to the Board today, from Mr. Adams, and noted several highlighted points. She stated that the county indicates that they feel it is in the interest of both parties to provide the additional 500 million gallons to Pelican Sound. The county feels that it is difficult to make a commitment without having a resource already available. Ms. Crismond stated that

allocation will be based on the available effluent water on the date of the completion of the project. The county advised that, at the moment, they are in the permitting stage and expect to be on line within two (2) years. Staff hopes that the District will be on line during the 2015 dry season.

Ms. Crismond recalled that the county originally agreed to provide 350,000 gallons of effluent water per day; they are now agreeing to provide 500,000 gallons per day. Mr. Golle indicated that the email implies 750,000 gallons per day. Ms. Crismond clarified that the county agreed to 500,000. Mr. Schoenheider asked how many gallons the District uses per day. Mr. Johnson advised that, on a hot summer day, during dry season, the District can use 1.2 million gallons overnight. Mr. Johnson clarified that does not mean that the District uses that amount every night. Mr. Mountford asked Mr. Johnson if he is stating that the PSGRC is not having problems with the amount of water that the county is providing. Ms. Crismond explained that the 500,000 gallons is in addition to the amount that the county is currently providing. Mr. Golle and Mr. Schoenheider asked if Mr. Johnson is satisfied with the agreement. Mr. Johnson replied affirmatively.

Mr. Schoenheider asked if the Board will approve the agreement during today's meeting. Ms. Crismond replied no and indicated that Mr. Adams will hold additional discussion during the next meeting.

SEVENTH ORDER OF BUSINESS**Approval of September 24, 2013 Regular Meeting Minutes**

Ms. Crismond presented the September 24, 2013 Regular Meeting Minutes and asked for any additions, deletions or corrections. She noted that Mr. Pires previously provided corrections to the minutes.

The following changes were made:

Line 342: Change "the west bay" to "West Bay"

Line 432: Change "golf course" to "state"

Line 441: Change "Main" to "Meeting"

Line 453: Insert "that" after "government"

Line 458: Insert "and" after "protocol"

Line 479: Insert "as to zoning matters" after "that"

Line 567: Delete the sentence "Mr. Adams confirmed that Districts..."

Line 54: Add “Adams” after “Mr.”

Ms. Crismond reminded the Board to state their names when they speak. Mr. Mountford feels that the transcriptionist does a good job of identifying the speakers, considering the Board does not identify themselves.

On MOTION by Ms. Haase and seconded by Mr. Golle, with all in favor, the September 24, 2013 Regular Meeting Minutes, as amended, were approved.

EIGHTH ORDER OF BUSINESS

Other Business

Ms. Crismond provided a form to the Board and asked that they review and complete it. She noted her intentions of including the form in the agenda, behind the action and agenda items. Mr. Schultz asked if the form is in response to his request for a list of objectives.

Mr. Schultz noted that he originally suggested that the Board compose a list of objectives as an attempt to force the Board to think about what they want to achieve in Fiscal Year 2014. The list will keep the Board focused on objectives even when daily problems arise. Mr. Schultz would like to shift the Board to a proactive approach in managing the District. Additionally, every two (2) years, the District may have a new Board Member, which is a good reason to keep a list of objectives. Mr. Schultz stated that a list of objectives will clarify the focus and premise of the Board to a new Board Member. He indicated that the road repair and resurfacing is a good example of an objective, including an outline depicting the outcome of the annual road inspections and, based on the outcome of the inspection, the Board can plan the road repairs. Mr. Schultz conveyed that this objective will bring a new Board Member up to speed and assist current Board Members to remain focused when memories fade.

Mr. Schultz indicated that the lakes can be placed on the list of objectives. Ms. Crismond noted that lake management is ongoing. Mr. Schultz agreed that a portion of lake management is ongoing, but the question becomes what the Board is trying to achieve. Ms. Crismond stated that there are different aspects to lake management and it will continue for eternity. Mr. Schultz questioned where that goes and what the Board is trying to achieve. Objectives should include verbiage or thoughts reflecting what the Board is trying to achieve within the realm of lake management. Mr. Mountford believes that Mr. Schultz is referring to a vision statement; where are we going and why are we here. Mr. Schoenheider stated that is a mission statement. Mr.

Schultz advised that the Board can compose a mission statement but, in his experience, they are high level and mean different things to different people.

Mr. Schultz indicated that outreach is another objective. He stated that the District should reach out to the PSGRC and The Meadows. Mr. Schultz recalled that joint meetings were held between the PSGRC and the District, once per year, to discuss issues. Ms. Crismond believes that joint meetings have not been held because PSGRC does not have any issues to discuss at this time.

Mr. Schultz reiterated that his goal for the list of objectives is to identify what the Board is trying to achieve. Mr. Mountford suggested that the Board think of objectives and present them during the next meeting. Mr. Golle asked if any other district that Ms. Crismond manages has a list of objectives that the Board can review. Mr. Schultz asked to review list of objectives from other districts. Ms. Crismond advised that all districts have similar daily functions, such as budgets, elections and lake and wetland management. Mr. Schultz stated that there must be a district that is forward thinking and is keeping a list of objectives.

Mr. Golle indicated that this is a good project for the Board to work on. Ms. Crismond will confer with Mr. Adams for ideas and suggestions. Mr. Schultz conveyed that he is trying to make the Board more efficient.

Mr. Mountford stated that his long-term goal is for the District to refine the budget process and make it more meaningful. Mr. Mountford feels that the budget process is lost in a mechanized processed utilizing the prior year numbers. He believes that it is not representative of a good budget.

Ms. Crismond asked if the Board still has budget concerns. She recalled the extensive budget discussion, during the prior meeting and was under the impression that the Board was satisfied. Mr. Mountford indicated that the Board is not satisfied with the budget and stated that the budget is his long-term objective. Mr. Mountford wants a better job on the budget.

Ms. Crismond indicated that she will add the list of objectives for discussion on the next agenda. Mr. Mountford stated that there must be a distinction between long and short-term goals. Mr. Mountford clarified that he is not referring to the Fiscal Year 2014 Budget; he is referring to the process of creating the budget.

Mr. Pires informed the Board that he recently revised a document for one (1) of the districts that he works with, called the "Principle and Budget Philosophy". He noted that every district is unique and the document may not contain all the information that Mr. Mountford is

referring to but it lays out the parameters for how a district should philosophically look at a budget.

Mr. Crismond indicated that one (1) of the districts that she works with schedules a budget workshop a few days prior to the Board Meeting. She noted that each line item is discussed in detail during the workshop. Ms. Crismond suggested that the Board consider scheduling a budget workshop in Fiscal Year 2014.

Mr. Mountford stated that Mr. Schultz' suggestion will produce forward thinking and recommended that the Board bring their ideas to the next meeting.

Ms. Crismond advised that she will include "Discussion: Goals and Objective Plan for Fiscal Year 2014" on the next meeting agenda. Mr. Schultz expressed his agreement.

Ms. Crismond reported that there are issues with Lakes H2A and H1B, in the Palmetto Dunes area. She indicated that both lakes will be replanted with 8,500 plants. Ms. Crismond explained that LakeMasters was too aggressive with chemical treatment of the submersed vegetation and many of the plants were damaged. She noted that EarthBalance will be removing the dead vegetation from the lake banks and perform the replanting, as well. Mr. Mountford asked if LakeMasters will perform the replanting. Ms. Crismond reiterated that EarthBalance will remove the vegetation and replant; however, the costs will be reduced from LakeMasters contract. Mr. Pires asked if LakeMasters was advised of that change and expressed concern with violation of the contract. Ms. Crismond indicated that LakeMasters is aware of what Staff is doing.

Ms. Crismond reported that, last week, she asked LakeMasters to rake the algae in Palmetto Dunes and they only raked the lip abutting the condominiums. She requested that they return to rake the entire perimeter. Ms. Crismond inspected the area and could not see the submersed. She advised LakeMasters that they need to be very careful with their chemical treatments. Mr. Schultz asked if this is a good time of the year for planting. Ms. Crismond replied affirmatively.

Ms. Crismond noted that the two (2)-year lake and wetland contract is about to expire and will be put out for bid. She noted that the bids will be presented to the Board for consideration in November.

Mr. Mountford asked if Ms. Crismond is unhappy with LakeMasters' services. Ms. Crismond replied no and noted that, overall, the lakes are incredible; the waters are healthy and the plants are beautiful. Ms. Crismond clarified that there are issues with a handful of lakes with

submersed vegetation but it is not severe. Ms. Crismond indicated that LakeMasters must get control of the H Lakes. Mr. Mountford commended Ms. Crismond for staying on top of LakeMasters and stated that he is more satisfied with LakeMasters's services than he was with Aquagenix.

Ms. Crismond reported that all of the new conservation signs were installed

Mr. Golle asked Ms. Crismond if she is aware of PSGRC's Palmetto initiative that will occurring in 2014 and explained that the PSGRC is removing a lot of Palmettos surrounding the golf course. Mr. Krebs asked if the county's approval was received. Mr. Johnson replied affirmatively. Mr. Johnson clarified that approximately 20 acres will be removed. Mr. Golle noted that the sprinkler system can be damaged during the removal process. Discussion ensued regarding the removal process.

▪ **Fees**

****This item previously 9.B.i., was presented out of order.****

Mr. Golle asked if the invoices from Hole Montes will be reviewed. Ms. Crismond explained that they were included for informational purposes, per Mr. Mountford's request. Mr. Mountford noted that a big variance in the budget was engineering expenses. Mr. Mountford stated that, when there is a variance that large, the Board should investigate. Mr. Krebs recalled that there were unforeseen expenses, such as the water use permit and the transfers. Mr. Mountford stated that it is good for the Board to understand the expenditures.

Ms. Crismond referred to Action Item #9 and advised that Ms. Robin Gillespie, with The Meadows, did not attend today's meeting to discuss the Hold Harmless Agreement for street sweeping. She asked Mr. Pires if the agreement can be emailed to Ms. Gillespie. Mr. Pires replied affirmatively. Mr. Pires explained that the agreement is a simple two (2)-page license agreement, authorizing the District to perform street sweeping on the roads in The Meadows; a hold harmless indemnification agreement is also included.

Ms. Crismond reported that Ms. Gillespie believes that the agreement is a good idea; Ms. Gillespie will need to present the agreement to her board, for execution.

Referring to Action Item #12, Mr. Krebs indicated that, prior to withdrawing the LDO application, he will review the documents with Mr. Pires and Ms. Crismond.

Items 2, 3, 5, 6, 7, 8, and 10 were completed.

Items 1, 4, 9, 11, 12, 13 and 14 were continued.

Mr. Schultz suggested archiving the completed Action/Agenda Items that are six (6) months or older.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being nothing additional to report, the next item followed.

B. Engineer

There being nothing additional to report, the next item followed.

i. Fees

This item was discussed after the Eighth Order of Business.

Ms. Crismond asked the Board if they had questions for Mr. Krebs regarding the invoices. Mr. Schoenheider does not recall requesting copies of the invoices. Ms. Crismond reiterated that the invoices were included, per Mr. Mountford's request. Mr. Mountford stated that he requested the invoices because the engineering item was over budget.

C. Manager

i. Approval of Unaudited Financial Statements as of September 30, 2013

Ms. Crismond presented the Unaudited Financial Statements as of September 30, 2013. She reported that the total fund balance was \$303,109, as of September 30, 2013. She indicated that, due to tax certificate sales, total revenues were 117%.

On Page 3, Ms. Crismond noted that the year-end total expenditures were 101%, due to the engineering expenses.

Mr. Mountford pointed out that September 30 is the end of the fiscal year; therefore, this budget compares the year-to-date budget to the year-to-date expenditures. He indicated that the Board can review each line item and compare the differences. Mr. Mountford noted that the Fiscal Year 2014 Budget was "largely made up of doing nothing more than subtracting what was left in the budget to project where we would be". Referring to the "Audit" line item, Mr. Mountford advised that there are significant differences; the audit budget was \$7,100 and the year-to-date expenses were \$4,544. Ms. Crismond clarified that the amount budgeted was \$4,000 and the year-to-date expenses are \$2,556.

Referring to the "Engineering" line item, Mr. Mountford noted that \$10,000 was budgeted for Fiscal Year 2013; however, the District spent \$17,263. He stated that the "Legal

advertising” was adjusted to \$1,500 and the District spent \$1,065. Mr. Mountford suggested adjusting line items, in the future.

Mr. Mountford stated that \$750 was budgeted in Fiscal Year 2013 for “Website Maintenance” and the District only spent \$360. Mr. Mountford asked Ms. Crismond if anyone is updating the District’s website. Ms. Crismond believes that the District office is keeping the website updated; she will confirm with Ms. Gillyard. Mr. Mountford indicated that, if the website maintenance costs are \$360, that is the amount that should be budgeted, not \$750. Mr. Mountford noted that plant replacement was 262% over budget.

Mr. Mountford believes that there were many big budget misses. The District should think about these budget items and proceed with the budget workshops, suggested by Ms. Crismond.

Mr. Mountford indicated that the District must do a better job with preparation of the budget, as budget preparation is one of the most important tasks that any board performs. Mr. Mountford stated that the Board relied on Staff for the budget; however, Board input is necessary for some of the contingencies.

- Check Register

Mr. Mountford asked if the District is still paying off the lease on Wetland #9. Ms. Crismond replied affirmatively. She clarified that the lease is for Wetlands #7 and #9; payments should be completed by July, 2014. Mr. Schoenheider asked if the lease payments are made payable to “Old National Bank Leasing”. Ms. Crismond replied affirmatively.

Mr. Schoenheider asked who “The Brickman Group LTD, LLC” is. Ms. Crismond advised that is the landscaper for the Pelican Sound Entry.

Ms. Crismond advised that she noticed that the District is making payments to Lee County Utilities for the water monument. She spoke with the District office and that account will be closed. Ms. Lamaruggine previously advised that she is preparing an invoice for reimbursement from the PSGRC. In response to Mr. Mountford’s inquiry, Ms. Crismond clarified that the PSGRC will reimburse the District for two (2) years, since the agreement was executed on December 1, 2010. Mr. Mountford pointed out that the PSGRC has not invoiced the District for the meeting room. Ms. Crismond will discuss this matter with Mr. Adams. Mr. Mountford suggested invoicing the PSGRC for the water monument, moving forward.

ii. NEXT MEETING DATE: November 19, 2013 at 1:00 P.M.

The next meeting will be held on November 19, 2013 at 1:00 p.m.

TENTH ORDER OF BUSINESS

**Supervisors' Requests and Public
Comments (5 minutes per speaker)**

There being no Supervisors' Requests or public comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Public Comments


There being no public comments, the next item followed.


TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Schoenheider and seconded by Mr.
Golle, with all in favor, the meeting adjourned at 2:45 p.m.**


Secretary/Assistant Secretary


Chair/Vice Chair

ACTION/AGENDA ITEMS:

1. **ACTION ITEM:** Re-use water Agreement
2. **ACTION ITEM:** Ms. Crismond to discuss the street sweeping and hold harmless agreement with Robin Gillepsie, The Meadows representative
3. **AGENDA ITEM:** Public Hearing for the Amended Rules of Procedure and discussion for Public Participation Protocol during 11/19/13 meeting
4. **ACTION ITEM:** Secure proposals to clean the catch basins in Spring 2014
5. **ACTION ITEM:** Mr. Krebs to withdraw LDO Application
6. **ACTION/AGENDA:** Board to draft objectives for Fiscal Year 2014 and discuss during November meeting
7. **ACTION/AGENDA:** Mr. Krebs will provide amended proposals from Ajax and Bonness
8. **AGENDA ITEM:** Continued discussion: Island Sound repairs
9. **ACTION ITEM:** Mr. Pires to provide the Board with clean copies of the final version of the amended rules of procedure
10. **AGENDA ITEM:** Consideration of agreement with Lee County for the delivery and use of reclaimed effluent water
11. **ACTION ITEM:** Ms. Crismond to confirm website maintenance and cost
12. **ACTION ITEM:** Ms. Crismond to discuss writing off water monument costs to offset meeting room rental

COMPLETED ACTION/AGENDA ITEMS:

- 08/27/2013 **ACTION ITEM:** Street Sweeping – Management to obtain costs for budget Interlocal Agreement with Pelican Landing
- 08/27/2013 **ACTION ITEM:** Quit Claim Deeds – require execution by PSGRC president, will be completed by next meeting (Ref – 5 lakes)
- 08/27/2013 **ACTION ITEM:** Tract 1: Conservation signs have been ordered
- 09/24/2013 **ACTION ITEM:** Area #6 – will replant on the golf course side of the t-box. Note that management will continue to supplement the dry detention plantings on a yearly basis as needed.
- 09/24/2013 **ACTION ITEM:** Management suggests planting in the following locations later this summer: E1-E, E1-B, E1-A, E3-A, E3-C, H1-B and E8-C
- 09/24/2013 **ACTION ITEM:** Tract 6: Planting of this are to be completed this summer
- 09/24/2013 **ACTION ITEM:** Tract 7: Planting of this area to be completed this summer
- 09/24/2013 **ACTION ITEM:** Tract 11: Planting of this area to be completed this summer
- 09/24/2013 **ACTION ITEM:** E1-B aeration repair
- 09/24/2013 **ACTION ITEM:** Check register to be provided in monthly board packages
- 09/24/2013 **AGENDA ITEM:** Discussion regarding audit billing
- 09/24/2013 **AGENDA ITEM:** Legal fees and ledgers to be provided by Mr. Pires
- 09/24/2013 **AGENDA ITEM:** Clarify field service fees
- 09/24/2013 **AGENDA ITEM:** Define purpose for carry forward surplus
- 09/24/2013 **ACTION ITEM:** Mr. Krebs to survey parcel/property to determine ownership – Mr. Pires to clarify with Ivan Valexz, Lee County Utilities
- 09/24/2013 **ACTION ITEM:** Tract 12/13 – quote to trim Spring 2014 – 50%
- 10/22/2013 **ACTION ITEM:** Charlie Krebs will measure and provide cost estimates for repairs –will have pricing at next meeting – three (3) additional bids are pending

- 10/22/2013 **ACTION ITEM:** Management suggests planting in the following locations later this summer: E1-E, E1-B, E1-A, E3-A, E3-C, H1-B and E8-C
- 10/22/2013 **ACTION ITEM:** Mr. Pires to prepare hold harmless agreement for street sweeping in The Meadows
- 10/22/2013 **ACTION ITEM:** E1-B aeration repair
- 10/22/2013 **ACTION ITEM:** Installation of conservation signs
- 10/22/2013 **ACTION ITEM:** Year end 9/30/13 accrued financial statements to be included in November agenda (*presented in 10/22/13 agenda*)