

**MINUTES OF MEETING
RIVERCREST
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Rivercrest Community Development District was held on Thursday, April 5, 2007 at 6:00 p.m. at the Rivercrest Clubhouse, 11560 Ramble Creek Drive, Riverview, Florida.

Present and constituting a quorum were:

Melanie Calloway	Vice Chairman
Julio Cruz	Assistant Secretary
Lisa Dunn	Assistant Secretary
Robert Castellini	Supervisor

Also present were:

Andrew P. Mendenhall	Manager
Rolando J. Santiago	Attorney
Tonja Stewart	Engineer
Kim Bryant	Field Manager
Laura Fiatoa	Activities Director
Several Residents	

FIRST ORDER OF BUSINESS

Roll Call

Ms. Calloway called the meeting to order and called the roll.

Ms. Calloway stated we received a letter of resignation from Mr. Pichette. I will now Chair the Board. We have a request submitted by a resident to fill the vacant seat we have on the Board.

Mr. Mendenhall stated I will read Mr. Pichette's resignation letter for the record. The Board needs to make a motion to accept his resignation. "This letter will serve as my notice of resignation from the Rivercrest CDD Board of Supervisors effective April 5, 2007. Thank you, Edward Pichette III."

On MOTION by Ms. Calloway seconded by Mr. Cruz with all in favor Mr. Pichette's letter of resignation was accepted.

Mr. Mendenhall stated we have an individual who has expressed interest in filling the seat left vacant by Mr. Pichette. I will distribute copies of Mr. Castellini’s expression of interest. He is a resident who has attended many meetings.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Mr. Castellini was appointed to fill the unexpired term left vacant by Mr. Pichette.

Mr. Santiago, being a Notary Public of the State of Florida, administered the Oath of Office to Mr. Castellini and a copy of the signed oath is attached hereto and made part of the public record.

Mr. Mendenhall presented Mr. Castellini with a guide to the Sunshine Law and will forward a copy of the Form 1 Financial Statement to be filed with the Supervisor of Elections in the county in which he resides.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the March 1, 2007 Meeting

Ms. Calloway stated each Board member received a copy of the minutes of the March 1, 2007 meeting and requested any corrections, additions or deletions.

The Board made several changes, which will be incorporated in the amended copy of the minutes.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the minutes of the March 1, 2007 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Approval of Financial Statements

Ms. Calloway stated you sent an email about the District being billed \$1,200 over.

Mr. Mendenhall stated Severn Trent Services has issued two credit memos for two invoices you should not have been billed for.

Ms. Calloway asked what is you charge for copies?

Mr. Mendenhall responded I will find out, but there is a great deal of copying involved with this bond process. This charge does not go against your general fund. It will come from the cost of issuance of the bond.

Ms. Calloway stated I was hoping those fees came from the cost of issuance for the bond.

Mr. Mendenhall stated the general fund does not deal with the bond issuance costs.

Ms. Calloway asked what are trustee fees?

Mr. Mendenhall responded with the bond issuance you have a trustee. The trustee is responsible for overseeing the interest of the bondholders. They are paid to manage the bond funds.

Ms. Calloway asked should this come out of the general fund?

Mr. Mendenhall responded the trustee fees come out of the general fund because they are responsible for managing your debt for your District regardless of any capital projects.

Ms. Calloway stated I am afraid their mistakenly taking out the administrative fees for the bond from the general fund.

Mr. Mendenhall stated they should not be. I do not believe they are, but I will double check.

Ms. Calloway stated I want this double checked. On page three of the financial statement it says we spent approximately \$20,000 on irrigation. I wonder if they are mistakenly taking \$10,000 left over from the first bond, which we did for the wells. On page four it says the off roll assessments are \$10,316.

Mr. Mendenhall stated I will get a breakdown of the irrigation line item.

Ms. Dunn asked what are we paying bank fees for?

Mr. Mendenhall stated I will look into it and get a breakdown.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the financial statements were approved pending responses to the questions asked.

FIFTH ORDER OF BUSINESS

Attorney's Report

Mr. Santiago stated we have a few resolutions we need to take action on.

A. Consideration of Resolution 2007-12, Adopting a Policy for Granting Pool and Facility Benefits to Commercial Property Owners within the District

Mr. Santiago stated this passes the same benefits to the commercial property owners with the same restrictions the residents have. Section 1A states, "*Declaration of Policy; Owners of commercial property have access rights and privileges to use the CDD facilities, including, but not limited to the pool, clubhouse and basketball facilities. Except as otherwise stated herein, each owner shall be subject to all policies, restrictions and fees as residents of the District.*" If they come here to use the clubhouse, they must use it for individual purposes and not for business purposes.

The tricky part is determining who gets an access card if the property is owned by a corporation. I provided direction under Section 1B, “An owner of commercial property shall be the person(s) holding fee simple title to the property. If title to the property is held by a corporation, partnership or trust, then the ‘owner’, for purposes of this policy only, shall constitute each officer having apparent authority for the corporation, partnership or trust. Officers having apparent authority are: the president, vice president, partner(s), manager, or trustee of the respective corporation, partnership or trust.”

Section C discusses key cards. This is the same as the residents. Each owner shall be issued an access card; no more than four cards per parcel of property. Cards shall be issued in the name of each owner. The first four cards are issued at no cost to the owner. Subsequent cards to replace lost or stolen cards shall be charged as with any resident. Each owner is allowed up to four guests, providing the cardholder is present. We identified guests as people not related to the owner.

Section three is an instruction to the District Manager to mail a certified copy of this resolution by certified mail, return receipt requested, to each owner of commercial property. This will place them on notice of this policy. We can make changes to this resolution if you wish. This is intended to create no greater or less rights on a commercial property owner than a resident.

A resident asked are they already paying the CDD?

Mr. Santiago responded yes. This is why this was brought up. They pay an assessment. Some of them pay a greater percentage than the residents and they are asking to have the same privileges.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Resolution 2007-12 adopting a policy for granting pool and facility benefits to commercial property owners within the District was adopted.

B. Consideration of Resolution 2007-13, Adopting a Policy for Establishing Non-Smoking Areas at Recreational Facility Offices, Clubhouse, Pool Deck and Areas under Roof

Ms. Calloway asked are we required by law to have this? Is there a limit as to how much we can designate non-smoking?

Mr. Santiago responded by law all government buildings are non-smoking. This is a State Agency and I believe this building is exempt from smoking. You can extend this to outside areas. You have jurisdiction and as a governing Board of this property you can determine all CDD property to be non-smoking areas. They will have to go to the right-of-ways to smoke.

Ms. Calloway stated I would like to extend the non-smoking area from the full deck all the way to the fence.

Mr. Santiago stated I can amend the resolution if it is the Board's pleasure.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Resolution 2007-13 establishing non-smoking areas was adopted as amended.

C. Consideration of Resolution 2007-14, Approving, Ratifying and Confirming Agreement with Nations Fence, Inc.

Mr. Santiago stated this resolution approves and ratifies action, which has already been taken.

Ms. Calloway stated they have not started the work, but we started the process with the contract.

On MOTION by Mr. Cruz seconded by Ms. Dunn with all in favor Resolution 2007-14 approving, ratifying and confirming agreement with Nations Fence, Inc. was adopted.

D. Consideration of Resolution 2007-15, Approving, Ratifying and Confirming Agreement for Pool Repairs

Mr. Santiago stated Ms. Calloway has signed the agreement. This resolution authorizes this action.

Ms. Calloway stated we were able to start the pool repairs this week.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Resolution 2007-15 approving, ratifying and confirming agreement for pool repairs was adopted.

E. Consideration of Resolution 2007-16, Establishing Policies for the Bulletin Board

Mr. Santiago stated attached to the resolution is a draft of the community bulletin board policy. You have two bulletin Boards; one is the official bulletin board for the District and one is outside this door. The goal is to provide staff with guidance as to what can be placed on the board, how long it can be on the board and to have structure. There are 11 rules in this drafted policy.

On MOTION by Mr. Cruz seconded by Ms. Dunn with all in favor Resolution 2007-16 establishing policies for the bulletin board was adopted.

Mr. Santiago stated last month you requested I ask Ms. Stewart to investigate the borrow pit issues. She is here to discuss it under her report.

FOURTH ORDER OF BUSINESS

Manager's Report

Mr. Mendenhall stated at the last meeting you requested we get additional quotes for the front sign. Ms. Bryant did a very good job with this. We already discussed the Severn Trent Services bill, which is being refunded. There was a question about a \$291 per month charge on the Severn Trent Services' bill. It is related to the payroll administration, which is listed as an annual amount of \$3,500 on the contract.

There was another question in regard to the asphalt and the cost associated with it. I will let Ms. Stewart address it. At last month's meeting the Board decided to take care of any outstanding bills with Hopping, Green and Sams and they have been taken care of. There was also a SWFMD advertisement, which was required for new water management. It has been advertised. Ms. Stewart helped me with the details for the advertisement and the notice will run in the paper on April 6, 2007.

We discussed security devices, specifically cameras, at the last meeting. There was a question raised as to whether there is a requirement to the length of time the recorded tapes need to be kept. I looked into it and I could not find any legal requirement. Some districts keep their footage for a long period of time and other districts use a rolling recording device. If we get to the point where we will consider doing this, legal counsel can weigh in.

The TECO bills were straightened out. In regard to the line of credit, you will not incur interest charges. I received an agreement from the Hillsborough County Property Appraiser. It is an agreement with them to do your assessments and is the same as the agreements in the past.

You can approve this now or I can email it to you for your review and you can approve it at the next meeting.

Ms. Calloway stated it is transferring the District management company to pay the assessments every year through the tax bill.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the agreement with the Hillsborough County Property Appraiser was approved.

Mr. Mendenhall stated we discussed establishing salary options. Mr. Fiatoa and Ms. Bryant provided me with information, which I circulated to the Board. I previously circulated six different options to the Board. We are at a point where you have to make a decision.

Ms. Calloway asked do either one of you want to address the Board?

Ms. Bryant stated we do not mind being put on salary. It does not seem to us that we are being too eager to ask for a paid vacation, paid holidays and sick days. I do not believe it is too much to ask considering everyone here who works gets benefits. I have worked very hard for this District and at the end I will have nothing to retire with. It is not too much to ask to have a week off.

Ms. Calloway stated there is Option 2 for full time salaries. I do not believe the District has the ability to give you benefits at this time. We are about to go through our budget process for the next fiscal year. We will consider benefits because they do work hard and I know it is rough at times.

Mr. Cruz asked are we talking about giving them vacations this year or next year?

Ms. Calloway responded we will not be able to do anything until next year, but we will start working on the budget next month. We can look at the budget and see what it will cost us.

Mr. Mendenhall stated if you establish a salary allowing vacation within the parameters of the salary, there should not be additional costs. If the Board wants to consider providing vacation time, Ms. Bryant and Ms. Fiatoa can work it out so one of them is always available.

Ms. Calloway asked do we have a vacation policy? Are they required to take all vacation hours at one time or can they split it up?

Mr. Santiago responded I met with staff this month to work on the drafted personnel manual to make it more consistent with reality. You will be seeing it at next month's meeting. It is at the Board's discretion to give whatever you wish in regard to vacation. There is a schedule

in the personnel manual, such as employees who have worked up to one year get five days and those who work one year to three years get ten days. It is up to the Board to decide how much you want to give. With regard to benefits, I am waiting on a package to come in. I submitted a request to the Florida Retirement System since the CDD is a governmental agency and by law its employees can be part of the Florida Retirement System. I will know what this will cost next month. There is a great deal of latitude as to what you want to do and what you want to give.

Ms. Calloway stated okay.

Mr. Santiago stated with non salary, or exempt employees, you do not have to pay overtime.

Ms. Dunn stated I definitely feel they should get vacation and get paid a salary.

Mr. Cruz stated at least five days.

Mr. Santiago stated I will be able to provide you with a revised policy manual at next month's meeting. I will distribute it to you by email before the meeting. I will highlight the sections I am looking for direction on and we can devote a substantive amount of time to this at the next meeting.

Ms. Calloway stated I was hoping we could adopt the salary at this point. We can adopt how we will structure vacations at the next meeting. I also feel they should have vacation, but we need to iron out the structure.

<p>On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Option 2 converting staff's hourly rate to a full time salary of \$47,840 for the Field Manager and \$31,200 for the Activities Director and eliminating overtime effective as of the next pay cycle was approved.</p>

SIXTH ORDER OF BUSINESS

Engineer's Report

Ms. Stewart stated I have several items. I want to discuss the pool equipment repairs, which were approved. I had a brief conversation with Ms. Fiatoa and Ms. Bryant yesterday and I wanted to explain a few things to the Board. The Engineer's Report specifically discussed mechanical equipment for the pool. Any mechanical equipment for the pool is reimbursable through the bond proceeds. You need to be aware that you have a list of 14 items. If the amount of money for the mechanical equipment is going to exceed what was budgeted, you will not be able to do all 14 items. I recommend we establish priorities so we know we are spending money on the right item. I do not want something of high priority not getting done.

Ms. Calloway asked how much are the pool repairs and what did we budget?

Ms. Stewart responded you have things going on, which I have not been involved with. I will work with Mr. Mendenhall to get an update of where we are and what the budget is. I will prepare a report between now and the next meeting so you can give this some thought.

Ms. Calloway stated I know the pool is a priority. It seems as if everything is coming in at the same price.

Ms. Stewart stated I believe the mechanical equipment for the pool is different than what was originally discussed. When I spoke to Ms. Bryant and Ms. Fiatoa the other day they told me they received an outrageous figure for the asphalt patch. I have another contractor coming out tomorrow. It appears we can get a concrete sidewall for less than an asphalt patch. We are trying to see what the different options are in terms of getting the most economical pedestrian connection. We will hopefully be able to come back with something more reasonably priced. There is the contingency line item. I do not know exactly how to apply this and I am not sure you want to try to apply it.

Mr. Mendenhall stated I do not think so either. We will want to check with bond counsel to be sure.

Ms. Stewart asked should this come from you?

Mr. Mendenhall responded I will find out.

Ms. Stewart stated this way we can clarify. The security cameras were another issue. If the security cameras can come up under the contingency line item, we should bring it up. Before you contact bond counsel you and I should discuss where we are in the total budget.

Ms. Calloway stated when I talked to Mr. Draper he said this bond was looked at like the last bond. The last bond had \$10,000 left over and we were able to use the money to build a new well because it was a capital improvement and it was not on the list.

Ms. Stewart stated I have done several things in regard to the mitigation area. I contacted Heidt & Associates, Biological Research & Associates and someone at the EPC. I got the plans for the borrow pit and talked to the original county inspector for borrow pit operations. You have a borrow pit on the south side, which is in violation. They are 99.9% sure there is not a breach associated with the Hillsborough County borrow pit on the north side of Rhodine Road.

I inspected this site last week. Based on the design plan for the borrow pit, you can see the water level is approximately 10 feet lower than what it was designed to be. This should not be the case. There is a code of influence. The water level of the borrow pit will affect wetlands,

the stormwater ponds and the mitigation areas within a certain radius around it. It is obviously within this radius and is being affected by it.

The breach on the south side of the road can be a potential problem. It can be drawing down all the water areas around it and I am suspicious this can be the problem. I believe Mr. Santiago's involvement in terms of working with the EPC can get us through one more rainy season and will get us in the loop as to what is going on with the violation as well as the investigation. I feel there will be a way to negotiate options with the EPC.

Ms. Calloway stated because we will be going through our budget process, I feel it will be helpful if you can give us a ballpark of what it will cost us to resolve this. I want us to be prepared.

Ms. Stewart stated I recommend we consult with an environmental scientist.

Mr. Mendenhall stated as far as any third party consultants Ms. Stewart might bring in at a cost to the District, you should make a motion to authorize potential expenditures of the District's funds.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Ms. Stewart was authorized to spend an amount not to exceed \$2,000 for third party consultations in regard to the borrow pit issue.

Mr. Santiago asked will you hire the consultants and later pass on the costs?

Ms. Stewart responded Wilson Miller will charge you 10% if you do it through us. I recommend we do it as a separate contract. I will get the contracts and send them to Mr. Mendenhall.

SEVENTH ORDER OF BUSINESS

Field Manager's Report

Ms. Bryant stated the first item I have is a quote from Signs Now and it is higher than our original quote from Signs by Tomorrow. I would like to know if we can get a motion authorizing us to order the signs from Signs by Tomorrow.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Ms. Bryant was authorized to purchase signs from Signs by Tomorrow.

Ms. Bryant stated Mr. Mendenhall brought up Nations Fence, Inc. and the possibility of needing a permit. I did research and we do not need a permit if we are located in Hillsborough County. The next item has to do with the pavement as Ms. Stewart discussed earlier. None of these quotes count if we do not decide anything tonight. I wanted to give you a projection of what the costs were and they are all in the same range. Ms. Stewart and I will work together to see what we can do to lower the cost.

Ms. Calloway asked me to get quotes on pressure washing. This is the only person I could get quotes from. The \$900 quote is for all the monuments in the community. There is a \$200 quote for the Rivercrest sign at the main entrance, which is filled with dirt doobers and spider webs.

Ms. Calloway stated I want to clarify the reason we did not have the handyman do this is because it needs to be pressure washed.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the Board authorized the pressure cleaning of all monuments, as well as the pavilion located at the south main entrance, at an amount not to exceed \$1,100.

Ms. Bryant stated we have quotes for plantings; however, I am not ready to vote on this. I want to show you the costs and research this further to make sure this is the time of year to plant what they are recommending we plant. I want to make sure nothing is going to die.

Mr. Mendenhall asked because of the budget, is it possible to hold off on these plantings?

Ms. Bryant responded these are required by a certain month.

Ms. Calloway stated we had this issue before with the EPC. When I spoke with Mr. Thompson he told me we need to be planting trees in November or December when it is cooler for them to do well. It is better to plant them in their dormant phase. Ms. Bryant is going to do research on this.

Ms. Bryant stated the next thing I want to discuss has to do with the wetland Ms. Stewart was discussing earlier. There is a dead end, which meets with one wetland and a little white cove, which should also be filled with water. They are on each side of the road. In between is where the water should run under the road to fill the wetland and it is not. Erosion is destroying this and there is a chance the road will collapse. I met with Mr. Thompson and he said this needs to be repaired; although, I do not want to move forward on this until we know who is responsible

for this. If it is our responsibility, I want to give you an idea of what Remson Aquatics is willing to do it for.

Ms. Calloway asked did you get with Ms. Stewart on this?

Ms. Bryant responded no. I just received this today.

Ms. Calloway stated I want you to get with Ms. Stewart on this. I want her to get out there to look at this.

Mr. Mendenhall stated included in your package is a resolution, which has to do with the fencing. It is Resolution 2007-14.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor Resolution 2007-14 approving, ratifying and confirming agreement with Nations Fence, Inc. was adopted.

EIGHTH ORDER OF BUSINESS

Activities Director's Report

Ms. Fiatoa stated I received an email or fax from Elite Pool & Spa last week. They have declined our acceptance of their bid. I spoke with Skinee Dip Pools and they gave us a bid. This is for the pool tiles and the quote is \$14,782.

Ms. Calloway asked did we budget this much for the pool tiles?

Ms. Fiatoa responded no. We budgeted a little over \$8,000. The difference is this company says there is a problem with the bricks sitting on top of the tiles. There are hollow spots allowing moisture to get in, which is causing the cracking. The tiles will not fit if they do not remove them.

Ms. Calloway asked are they legitimate?

Mr. Santiago responded I typically do a check on all these companies. More often than not I find a company with a mess associated to them. This is one of them. They are doing business as Skinee Dip Pools & Renovations. This is not a corporation, but a fictitious name for a company called Zoo, Inc. This is a defunct corporation. When I asked them to explain the status they said the company name was owned by Zoo, Inc. It is now owned by Roboclean, Inc.

The public record of the State of Florida does not reflect this, so you will be doing business with an unknown corporation at this time. They agreed to forward documentation to connect these dots, showing a transfer of the name. If this corporation does exist, I will caution the Board with proceeding. You may authorize this contract contingent of them closing this gap. If they can connect these dots, you are dealing with a legitimate corporation.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the contract with Skinee Dip Pools & Renovations was approved contingent of them providing the District with proper corporation documentation.

Ms. Fiatoa stated I turned in a quote from Curb King in the amount of \$4,285 for a ramp. A rail standard to code was \$3,200. I have another quote from Stripe-A-Lot in the amount of \$8,860, which is approximately the same.

Ms. Calloway stated it is saying Option 2 is for \$3,200. Option 1 is a handrail for \$4,995.

Ms. Fiatoa stated the \$4,995 option is from Curb King. They were going to fabricate what we already have, but it is not to code.

Ms. Calloway asked do you have a sketch of what it will look like?

Ms. Fiatoa responded no we do not. The option, which is to code, is for only \$3,200.

Ms. Calloway stated we are only doing the rails because we need a ramp.

Ms. Fiatoa stated the ramp from Curb King is \$4,285.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the handicap ramp in the amount of \$4,285 and Option 2 for the handrail in the amount of \$3,200 from Curb King was approved.

Ms. Fiatoa stated I presented a quote from RP Electric Services for basketball lighting at last month's meeting. I recommend approving this quote. You wanted pictures.

Ms. Calloway stated it looks like the one already there. We wanted them similar to what is there.

Ms. Fiatoa stated Himes Electric is concrete.

Ms. Calloway asked is the quote comparable to what we budgeted during the bond refunding?

Ms. Fiatoa responded yes.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the quote from RP Electric Services in the amount of \$8,194.59 was approved.

Ms. Fiatoa stated at the last meeting the Board requested I get more quotes for playground equipment. They all go back to the same manufacturer. The other manufacturers use either wood or a lesser grade of plastic. The bid went down to \$89,882.88.

Ms. Calloway asked how long is this going to take?

Ms. Fiatoa responded six to eight weeks.

Ms. Calloway stated you all have concerned looks on your faces and I will put your concerns to rest. We refunded our bond. It is like refinancing your house. We lowered our percentage rate and we are keeping the same amount of years to pay it off. We lowered your debt assessment and you received a letter about this a couple of months ago. This is all good news. When we did this, we pulled \$250,000 out of the bond and still lowered your assessment. With this money we are fixing the pool, adding lights, doing the fence and building a play area.

A resident asked can you find out why we did not receive this report?

Ms. Calloway responded it was mailed out to all the property owners.

Mr. Mendenhall stated the letter is dated January 5, 2007. It went out to property owners through the property appraisers' records.

<p>On MOTION by Mr. Cruz seconded by Ms. Dunn with all in favor Resolution 2007-18 authorizing the Chair to execute an agreement with Playnation Systems of Tampa for the installation of playground equipment and rubber mulch ground cover at an amount not to exceed \$89,882.88 was adopted.</p>

Ms. Fiatoa stated behind Tab 4 I have a quote for security cameras. I recommend the first camera option because it is a better camera.

Ms. Calloway stated the range is twice as far.

Ms. Fiatoa I talked to the electric company we just approved to do the basketball lighting and they are willing to install the wiring at a discounted rate.

Ms. Calloway stated it will help to have security cameras. The off duty officer is here for a bit and patrols the area. They come here if they feel like coming and if they get a call. We still pay them. If they receive a call between 9:00 p.m. to 12:00 a.m., the off duty officer will respond to the call on our time.

Mr. Mendenhall stated I have been doing some research and looking at your coverage. There may be a potential concern with the off duty officer. Your current insurance policy does

not seem to cover worker's compensation. Hillsborough County off duty officers typically require it from anyone employing them and this will raise the price of your coverage.

Ms. Fiatoa stated the only concern I have with the quote is we do not know how much the installation will be. It will probably not be more than \$500 for installation. I am comfortable with going with the first option.

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the first option to install security cameras was approved.

Ms. Calloway stated maybe we can put a link to our webpage for the play equipment on our website.

Mr. Mendenhall asked do you want me to coordinate with your website person?

Ms. Calloway responded either way is fine.

Mr. Mendenhall stated we will figure it out.

A resident asked I browsed through the website briefly. Are all these topics being discussed listed on the website?

Ms. Calloway responded the website, RivercrestCDD.org, has the budget, the meeting dates and the meeting agendas.

A resident asked is the Activities Director's Report on the website?

Ms. Calloway responded they are not posted, but they always have a copy available here. They are usually not ready until the day of the meeting, but we can post them after.

Mr. Mendenhall stated there is a cost involved every time you post something. It can get expensive. If a resident wants to step up and help the Board by maintaining the website, you will save the community money.

A resident stated you can set it up so your Field Manager goes in at the end of the meeting and posts the documents. It is not difficult to do once it is set up.

Ms. Calloway stated unfortunately our Field Manager and Activities Director have dial up connection. We can see what we can do, but the financials and minutes are posted on the website. All the bond information should be on there as well.

Ms. Bryant asked can we strike Severn Trent Services from sending the agenda packages via Federal Express to me? That is costly and it can be mailed to me.

Ms. Calloway asked do you send it Federal Express because of the amount of time you want us to have to review it?

Mr. Mendenhall responded the idea is for you, as Supervisors, to have five to seven days to review it before the meeting. If you feel you need less time, we can mail them. I can even bring them here and distribute them. It all depends on how much time you devote to looking at the information prior to the meeting.

Ms. Calloway stated I devote a great deal of time.

Mr. Mendenhall stated I can also email them to you.

Ms. Calloway stated I prefer having them emailed to me so I can have them filed electronically. I will need it in the same amount of time.

Mr. Mendenhall stated you will get it sooner.

Ms. Bryant asked how do we know if the minutes are revised after the meetings?

Mr. Mendenhall responded after the minutes are approved, there are official documents done. It is considered an agency recording and it is filed with the official District records.

Ms. Calloway stated you always see the revised minutes with the corrections posted online after they are approved.

NINTH ORDER OF BUSINESS

Supervisor's Requests

Ms. Calloway stated it has come to my attention not all of the invoices are going through Ms. Bryant and Ms. Fiatoa. They need to have all invoices.

Mr. Mendenhall stated I thought we put this into place a long time ago. I am not sure why you have not been receiving them. I will make sure they send them to you.

Ms. Calloway stated I want to verify all the money used from the bond is taken out of the bond account. Please make sure this accounting is done carefully.

Mr. Mendenhall stated okay.

Ms. Calloway stated I previously touched on having a quarterly status of the budget. The financials are only giving a synopsis of how we are staying within our budget. It is difficult for me to see the big picture.

Mr. Mendenhall stated we are going into the budget season. I know we do a brief discussion on the financials, but I can give a synopsis of any concerns prior to approving them. We can briefly discuss a summary of where we are with the budget.

Ms. Calloway stated we pay for financial advice and I would like financial advice. We may want to look at the budget quarterly to see where we are at. It is important to see how the District is doing financially.

Mr. Mendenhall stated I concur. We should discuss these items, especially if it is not clear. We can talk about all the items we are potentially going over.

Ms. Calloway stated I need to see how we are doing with the budget at the next meeting.

Mr. Mendenhall stated you get this every month in your statement, but I can go into more detail.

Ms. Calloway stated our budget is larger than this. The budget has garbage in it, but the financials do not. This is only telling us what is being taken out of the accounts.

Mr. Mendenhall stated I will get with you on this.

Ms. Calloway stated I want something to show us how we are doing at the next meeting. The next item I have is a procurement policy.

Mr. Santiago stated I do not have this ready for you yet. I will have it ready for you next month.

Ms. Calloway stated I also wanted to tell people about Sessums Elementary School. They are proposing to redesign their drop off and pick up. I spoke to the principal about the drop off/pick up being inadequate. I took pictures and have an aerial of how it should be designed. I sent it off to the school board. They designed a drop off/pick up, which is close to my drawing. They put the entrance driveway too close to the intersection.

I have been going around and around with Ms. Valdes about this. She wrote me a letter thanking me for my concern, but they are going to keep it the way it is. I called our District Representative, Ms. Faliero. I told her I am a voter and voted for her. They are not listening to what I am saying. I am not a crazy person. I am a transportation engineer and am fully aware of all types of designs. I do not understand why they will not listen to me because they do not know the functionality of this intersection. She finally agreed to talk to Ms. Valdez. I have a meeting set up on Tuesday, April 10, 2007 at 2:00 p.m. with her and the engineer who did it. I am trying my best. You can email her and tell her how you feel the drop off/pick up is unsafe.

We already discussed items six and seven. Is there a monetary penalty for projects not being completed on time?

Mr. Santiago responded we do not have monetary penalties, especially because they are small contracts. We do have provisions requiring them to perform the work by a certain time. If they do not complete the work by a certain time, they do not get paid. We legally do not have to pay someone for them to perform.

Ms. Calloway stated we do not have to pay them ever.

Mr. Santiago stated you do not have to pay them if they never perform the work.

Ms. Calloway asked if they do not complete the work by day 10, but complete it by day 50, are we required to pay them?

Mr. Santiago responded if they complete the work significantly late, you will still be required to pay them. We normally try to get penalties in the contracts, but it was difficult. I was getting a great deal of resistance. In the contract with Play Nation they are getting a deposit equal to half of it. They have to perform and complete the work. If they are six months late and the job is not done correctly, you do not have to pay the balance because you will have to spend the money to have someone else finish the job. That is our standard contract.

Ms. Calloway stated if you are not done by day 10, we are calling contractor B to finish the work at your cost.

Mr. Santiago stated we have to make sure we proceed and have reasonable opportunities secured. If they have not finished the work by day 10 when they are supposed to, we need to advise them there is a breach.

Ms. Calloway stated I do not want to pay anyone who is behind. I want Severn Trent Services to make sure they are involved in this community. They should visit the property at least twice a month. They can set up a meeting with Ms. Bryant. It will be great to set up a meeting with Ms. Bryant and Ms. Fiatoa to see how things are going and if there are any issues. They should be regularly scheduled meetings.

Mr. Mendenhall stated my objective as the District Manager is to handle issues as they arise and speak with Ms. Bryant as well as Ms. Fiatoa on a regular basis. I speak with them approximately once to twice a week. We have a specific contract with the District and it has a scope of work. My concern is if I begins setting regular onsite meetings twice a month, my company is going to request being compensated for it. I come here informally when it is needed. If we try to set a policy, my company is going to say it is not in the scope of services of the contract. I informally do what I feel is needed to maintain contact and do what is necessary. I am concerned with the formalization of it.

Ms. Calloway stated I read your contract and it says, "General consultation and District representation that includes: consultation with District Board of Supervisors and its designated representatives, participation in discussions, site visits, project site visits and other activities related to the administration and fulfillment of the professional services set forth in the

management contract.” Do you feel asking you to have two set meetings per month, which will be phone meetings, is a good way to manage the District?

Mr. Mendenhall responded that is actually less than what I am currently doing. Although I do not have half hour to one hour meetings on the phone twice a month, there are various phone meetings throughout the month adding up to more time. There is no problem with me doing this; however, by formalizing the process you are speaking of things not laid out in the contract.

Ms. Calloway stated I understand the formality, but it is important to have scheduled meetings.

Mr. Mendenhall stated let me be more specific. If it is decided to have two set meetings a month and those expectations are not met, I am setting myself up to have this held against me or my company when it is not in the contract. This is how the company will look at it. The contract is specific in we will attend a certain amount of meetings.

Ms. Calloway stated your contract says attendance at up to 12 regular meetings and two special Board meetings. These will not be Board meetings. These are your employees. To effectively manage employees you need to have staff meetings. This will be a phone staff meeting held twice a month. This helps for our staff to plan for a meeting as well as for you to plan for a meeting to find out what the issues are.

Mr. Mendenhall stated I currently manage 11 districts. I have managed up to 25 different districts since I have been in this business. We have a situation where there are coordinated staff meetings as you described and there is an additional, nominal, charge.

Ms. Bryant stated since you have taken over you may have been here a total of five times. We have had conversations with you by phone, but nine times out of ten you are out of the office or unavailable.

Mr. Mendenhall stated I have been managing this District for four months and I have been here five times. That is more than once a month. I am telling you what the contract states.

Ms. Bryant stated I feel like we are on the back burner.

Mr. Mendenhall stated I have done nothing to give you this impression. I disagree with your analysis.

Ms. Calloway stated I was hoping Mr. Santiago can go through the contract to see if what I am asking is outside the scope of services. I feel he is required to participate in discussions,

site visits and project visits. I am not asking you to attend a Board meeting. I am asking you to attend regularly scheduled phone meetings. I want to know what my options are.

Mr. Mendenhall stated from my perspective there is no problem. I have no issue with the Board or their concerns.

Ms. Calloway stated it is important for the Board to have a common goal and to reach these goals. I wrote these goals so everyone is on the same page. We want to maintain high home values while keeping CDD fees reasonable. It is easier for a Board to make decisions if we are trying to go towards the same goals. The landscaping, the signage and the right-of-way monuments throughout the community are important. These are the first things people see as they drive through our community. It is important for these things to be maintained well.

The second thing is the maintenance of the pool, clubhouse and basketball courts. It is important for them to be clean, safe and accessible to our residents. The last thing is to keep the operation maintenance fee at a minimum. It is important we are on the same page to understand the budget. We need to question why we are having these expenses. We need to have more interaction from this Board. This Board needs to be involved in the community with regard to issues relating to the CDD.

Ms. Dunn who sits next to me is a renter. She is not a homeowner. I am a homeowner. She is allowed to be on this Board by State Law. As a homeowner, I do not feel she is an adequate representation of me and my personal investment in this neighborhood. She was also elected to our Security and Crime Watch Committee in November. She did not attend our January meeting. What is the status of our crime watch?

Ms. Dunn responded I sent two emails to Officer Services to find out when the signs were going to come for the crime watch. This happened in January and I have not received a response. I have also put two phone calls in and did not receive a phone call in return. I send emails frequently to see what is happening. The people who signed up for crime watch were here at the meeting on January 24, 2007. Other people have come to meetings to complain about crime in their areas. No one else can help and no one else is interested. I cannot force people to take interest in their sections.

Ms. Calloway stated my frustration with this Board is I do a great deal for this Board. This Board is paid \$187 for each meeting. I am on the Pool Committee. I have a meeting with Ms. Fiatoa and Ms. Bryant the Wednesday prior to each CDD meeting, which is the first Thursday of every month. Ms. Bryant and Ms. Fiatoa do not call me. I call them. I make sure I

know what is going on with this community and know what I need to do. I am up to date. I call Mr. Santiago and Mr. Mendenhall.

I am involved, but the other Board members are not involved with me. I am sick of being the only person doing something on this Board. Mr. Cruz has been on this Board for a year. I have not heard one comment from him except for voting “aye” and seconding a motion. He has not been involved and I would really like it for you to be involved. This is frustrating to me. I work more than 40 hours a week like everyone else and I need this Board to be involved. If you do not want to be involved, you do not need to be on this Board.

A resident asked is there an opportunity for special elections to change Board members?

Ms. Calloway responded I am glad you asked this. Board members can be asked to resign. There are several criteria our attorney has. One of them is neglect of duty. Mr. Carro and I were just elected in November. No one ran against us. Our terms are four years. Board members can resign at any time. Ms. Dunn took over an unexpired term. I believe she has two years left in her term. Mr. Carro is a neighborhood representative. His position is up for election this year. When you go through the election process with the CDD it is not like the HOA where people put in ballots. It is more complicated. You have to go to the Supervisor of Elections office and sign papers. You also have to get five signatures from residents.

Mr. Mendenhall stated I show everyone’s seat expiring in 2008, except for Mr. Cruz, whose seat expires in 2010.

Ms. Calloway stated that is not true. Mr. Cruz and I were elected at the same time. Our terms expire in 2010. You might want to check Mr. Carro’s seat because my recollection is he was elected to serve for one year.

A resident asked what is the process to have a Board member removed for lack of services?

Ms. Calloway responded there can be a petition.

Mr. Santiago stated there are approximately five criteria. It is not easy to have someone removed. You can have them removed by virtue of a petition. There is a process for it, which is handled by the Governor. These are governmental offices. There is a great deal, which goes into this. If you want to get with me after the meeting, I can forward you the information on the process.

TENTH ORDER OF BUSINESS

Audience Comments

Mr. Parker stated my first issue has to do with crime watch. I have done a great deal of up front work. I have been to a number of meetings. I have not heard anything.

Ms. Dunn stated I emailed you.

Mr. Parker stated I received it, but as a recommendation you wanted me to add the crime watch to one of the reports we have at our meetings. I went door to door to get names. I am getting emails asking me what is next. I need your help to piece this together. We talked about security at the clubhouse. If you are on a neighborhood patrol or have an active crime watch, we talked about this crime watch patrolling this area on Friday and Saturday nights. It is not something each block wants to do on its own. I recommend we itemize vandalism. I also recommend the crime watch report discuss what damage has taken place in the last week. It helps me to know what happened on other blocks to work together. I am starting to lose support from the neighborhood because we have not taken action. I believe the pool repairs were covered at the beginning of the meeting.

Ms. Calloway stated yes. It is being repaired and it should be running a week from Friday. We are going to have to shut it down again the week it needs to be retiled.

Mr. Parker stated I hope we are building a way so we do not have to close it until the next meeting the next time. I go to the HOA meetings and it does not seem any of the CDD Board members go.

Ms. Calloway stated I try to attend those meetings, but I have been unable to attend when they meet. I received a notice on my mail box about the HOA meeting being next Tuesday at 7:00 p.m. I have a meeting with the school board at 2:00 p.m. The school board has a meeting the same night at 6:00 p.m. If I cannot get anywhere with this person, I am going to the school board meeting. I will not be able to attend again.

Mr. Parker stated this may be something one of the other Board members will pick up for you.

Ms. Calloway stated that is a good idea.

Ms. Parker asked is there a way to make sure the pool is not closed for a month if there is ever a problem like this again?

Ms. Calloway responded this happened as we were refunding the bond and we did not get the money until last week. The pool broke a week before. After we had the money we needed to see if the contractor was ready for us.

Ms. Hernandez stated I am concerned with the amount of trash on Symmes Road. Who is responsible for picking up this trash?

Ms. Calloway responded our landscaper picks up the trash. Every now and then my daughter and I pick up the trash as we are walking the dog. Symmes Road cuts through our neighborhood and there is a great deal of traffic.

Ms. Sellent stated I want to discuss the park in Autumn Creek. It is my understanding the builders asked for an extension of six months to park their vehicles there. When are they coming to take the concrete out?

Mr. Santiago stated I heard there is an issue there. Some documentation was provided to me, but I have not had the chance to follow up.

Ms. Calloway asked can you follow up on this?

Mr. Santiago responded yes.

Ms. Sellent stated there are also problems with the gazebo.

Ms. Calloway stated we will look at it tomorrow.

Mr. Leventry stated the HOA referred me to the CDD on the semi truck, which is out in the parking lot by Symmes Road. It usually pulls in on Sunday night and leaves on Tuesday. It infuriates me every time I drive into the neighborhood.

Ms. Calloway stated I agree with you and I have the same frustration, but it is not a CDD issue either. I agree it is not an HOA issue. Our scope is landscaping and the pool activity area. These are our responsibilities. I spoke with a police officer about this truck last Thursday. It is parked on the right-of-way. He told me he can issue a parking ticket, but they are hard to fight.

Ms. Fiatoa stated the owner of the pasture located there gave him permission to park the truck. I understand your frustration. I am telling you what I was told.

Ms. Calloway stated that is not right. Most of his truck is on the public right-of-way. I am going to send an email to Sheriff Gee letting him know this truck is parked on a public right-of-way. I need to go out there and take pictures. I will see what I can do.

Mr. Leventry asked when is something going to be done about the parks?

Ms. Calloway responded these are pocket parks placed all throughout the community. As you can tell, there is no irrigation. We have an issue with planting anything there because we do not feel it is going to survive. The reason there is no equipment there is because of vandalism.

Mr. Leventry stated the other item I have is landscaping. They are not taking care of things. The mulch is probably a year old.

Ms. Calloway stated they just mulched.

Mr. Leventry stated I just walked by there on my way to the meeting and those beds have not been mulched.

Ms. Bryant asked where is this?

Mr. Leventry responded take a left from Ramble Creek Drive onto Laurel Brook Court. You will see it has not been mulched and the irrigation hoses are coming out from the ground.

Ms. Calloway stated Ms. Bryant is our Field Manager and she oversees the landscaping. We will check it out tomorrow.

Mr. Leventry stated it will be great if someone from the CDD can go to the HOA meeting.

Ms. Calloway asked is there an HOA meeting next Tuesday?

Mr. Leventry responded yes.

Ms. Calloway asked is it off their cycle?

Mr. Leventry responded yes. The HOA meeting next week is to discuss Section 8 Housing. The amount of Section 8 Housing coming into this community is going to lower our property value. There are CDDs in the State of Florida doing things about sexual predators living in our communities. There is a database with a list of sexual predators.

Ms. Bryant stated we do not have sexual predators in the community. We have sexual offenders.

Ms. Calloway stated I thought offenders were different, but I was told this is not true.

Ms. Bryant stated there is a big difference.

Mr. Leventry stated I travel and my wife is here by herself. There are things, which can be done by a community. We can draw a great deal of public attention to them.

Ms. Calloway asked can we pass distance regulations like the city commission?

Mr. Santiago responded this is a CDD. You have a jurisdictional boundary. You are not an HOA. This is why you will hear these comments, but this is not your job. You have a statutory limit of what your responsibilities are. This Board is responsible to maintain the infrastructure. You have a defined limit of what you can do, which is maintenance of the infrastructure. These issues need to go to the county commission.

Mr. Smith asked what are the prerequisites to be a Board member?

Ms. Calloway responded the Board turned over to residents last year in April. I submitted a letter requesting to be on the Board. It stated I was a resident and an engineer. I was the last one to come on.

Mr. Smith stated the last issue I want to discuss is the CDD fee. When I moved here I did not know what CDD fees were. I bought the house because my wife liked it. I was unaware of what a CDD meant. I was told these fees would not change when I closed. My mortgage went up and I was told it is because of the CDD fee. I spoke with a young lady from Rizzetta who said she was going to mail me information, which I never received.

Ms. Calloway stated this is why we fired them. I am not sure if you understand what a CDD is and what an HOA is.

Mr. Smith stated as of today I am learning.

Ms. Calloway stated the CDD was created because the developer took out a bond to pay for the infrastructure. We are paying this money back. We do not maintain the roads, sewer and water lines put in with part of the bond. The other part of the bond was used to build this facility, which needs to be maintained. There are maintenance fees to do this. When your assessment goes up it is due to maintenance costs.

We also pay for our street lighting. The county requires each community to pay for their lighting. We are in a contract with TECO for seven years. It would cost us \$150,000 to get out of this contract. We are going to wait for the contract to end and then we will renegotiate. Our previous management company under budgeted us for street lighting by over \$100,000. There always needs to be an incremental increase in fees. When the developer was still on the Board they would supplement any deficiencies. They are no longer here to supplement the deficiencies.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Ms. Dunn seconded by Mr. Cruz with all in favor the meeting was adjourned.

Andrew P. Mendenhall
Assistant Secretary

Melanie Calloway
Vice Chairperson