

TURNBULL CREEK
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Turnbull Creek Community Development District was held Tuesday, September 11, 2018 at 6:00 p.m. at the Murabella Amenity Center, 101 Positano Avenue, St. Augustine, Florida.

Present and constituting a quorum were:

Brian J. Wing	Chairman
Lee Clabots	Vice Chairman
Chuck Labanowski	Supervisor
Wil Simmons	Supervisor
Aage G. Schroder, III	Supervisor

Also Present were:

Dave deNagy	District Manager
Jennifer Kilinski	District Counsel
Mike Yuro	District Engineer
Ernesto Torres	GMS, LLC
Mark Insel	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Lourens Erasmus	Vesta/Amenity Services Group
Michael Johnson	Duval Landscape Maintenance
Andy Howard	Ancient City Soccer

The following is a summary of the actions taken at the September 11, 2018 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Wing called the meeting to order at 6:00 p.m. and Mr. Torres called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Staff Reports (Part 1)

A. Landscape Manager (Presenter: Duval Landscape)

Mr. Johnson gave an overview of the work accomplished during the last month and presented a proposal to remove junipers at no cost and install sod and flax lilies in the circle area and this item was tabled until the November meeting.

Ms. Slevin stated listed areas of concern: making up for rainy days with cutting the grass and on the ponds and cleaning it up within two days; the pine needles have not been put down and it is supposed to be two times a year; no weeding being done around all the trees, no edging being done other than a line trimmer around the edge but all the mulch gets washed up in the roundabout; on Positano there are sticks that have been there and bramble for at least six months. These lilies are supposed to be cut down in order to come back. They have not taken care of any of the common areas, today they were here weeding and there was a guy on the phone and I see that all the time. Chuck talked about putting fish in the ponds because we have a lot of algae, we have mosquitoes because there are no fish in the ponds. Are we going to put more fish in the ponds to take care of these problems?

Mr. Wing stated that came up a few months ago and according to what we were told they would be back in two or three months, you don't need to restock.

Ms. Slevin stated in the contract it says putting down 2" of mulch and that is not happening because you can see the old mulch underneath the new. Who is responsible for the garbage pails at the mail kiosks?

Mr. Wing responded Lourens and his staff. This is a situation where no good deed goes unpunished. We talked about placing those there, the problems is they weren't designed for everybody to stand there go through their mail and put all the junk mail in. It fills up instantly when people do that and you have people who pull up to the mailbox and have three bags of trash in their car from McDonald's and everywhere else and they dump it in. It was not intended for that. We need community cooperation to keep the grounds looking good.

Ms. Slevin stated there are lots of magnolia leaves in the junipers. I don't know why they can't blow them out and clean them up.

Mr. Clabots stated I would appreciate at the next meeting as part of the landscaper's report that these issues be addressed.

Mr. Johnson stated I will do that. In all fairness Dave and Lourens met with Ms. Slevin and walked the area.

B. Engineer (Presenter: Mike Yuro)**1. Report**

Mr. Yuro stated the first item is 620 Porta Rosa Circle in response to a request from the resident at the last meeting. I met with the resident then reviewed the design plans and as-builts and it appears to me from the design plan that the common area behind those lots was intended to drain toward the lots and then the lot grading was to direct the water around the backyard around the house. The lot in question the way it is designed per the grading plan is everything runs away from the house but from the back of the lot it runs towards the house basically creating a swale in the backyard, which is then directed around the house towards the front. It does not appear that particular lot is functioning that way and the backyard does flood but from I could gather it appeared that is more of a lot grading issue than a CDD issue.

Mr. Schroder stated it is a beautiful backyard with landscaping and hardscaping but it was done without regard to the lot drainage plan and that has created the problem. It could be fixed with grading but it is not functioning the way it was designed.

Mr. Labanowski stated this is a new owner of the house and unfortunately the work done by the previous homeowner was done without going through the ARB.

2. Amenity Center Sinkhole Location

Mr. Yuro stated this came in a week and a half ago and there is storm drain that has a fairly significant sinkhole adjacent to it. I inspected it and there is a lot of dirt in the bottom of the box, which tells me that somewhere where the pipe is coming in it is not sealed tight and I recommend we get a contractor out here to look at it and give you a price to make the repairs. I don't think it would be more than a few thousand dollars to make the repair.

On MOTION by Mr. Wing seconded by Mr. Clabots with all in favor staff was authorized to have the pipe/sinkhole repaired in an amount not to exceed \$10,000 and the chairman was authorized to sign off on it.
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3. Future Pond Bank Repair Cost Estimate

Mr. Yuro stated you have seen this spreadsheet before and it is included for your records.

Mr. Labanowski stated we had one section of a pond bank was repaired three times. What is the status on that?

Mr. Yuro responded they were trying to time it to get out here during a storm to see what was causing the problem. I will continue to follow-up on that with the contractor.

FOURTH ORDER OF BUSINESS

Presentation for Use of Athletic Field by Ancient City Soccer (Presenter: Andy Howard)

Mr. Howard gave an overview of the proposal to use the athletic field by Ancient City Soccer for their various soccer programs; practice to take place three times a week on a trial basis until mid-November.

The board discussed, condition of the fields, use by Vesta for existing soccer teams for practice, monitor turf during trail period, parking issues, coordination between Vesta and Ancient City Soccer.

Ms. Kilinski stated if this is approved I suggest a license agreement that will wrap up all the terms discussed by the board and staff including a waiver and usual safety standards such as background checks.

On MOTION by Mr. Wing seconded by Mr. Clabots with four in favor and Mr. Labanowski opposed the request to use the district fields for soccer practice on a trial basis until mid-November by Ancient City Soccer was approved subject to a license agreement to be prepared by district counsel and coordination with Vesta.

FIFTH ORDER OF BUSINESS

HOA Contribution for Installing Key Card Access to Amenity Center Playground/Athletic Fields Gates (Presenter: Brian Wing)

Mr. Wing stated when we discussed putting the gate up along the berm, down the side for the playground we also talked about putting in an electronic lock and at the time we didn't have enough funds to do that. I don't recall in our discussions that we agreed to go to the HOA and ask them for money but at their August meeting Chuck brought it up and asked them to support it and they have contributed \$5,000 with a proviso that (a) we put in the rest whatever that amount is (b) we get it down quickly. What is the cost of putting in the key card access? Do we want to accept the contribution from the HOA and if we do how soon can we get it done?

Mr. Simmons asked do we have any idea of the total cost?

Mr. Insel responded \$7,748.69.

Mr. Wing asked does that include the wiring and everything?

Mr. Insel stated yes and we priced it back in June.

Mr. deNagy stated this is a capital expenditure and we can pull funds from the capital fund like we did for the fence.

Ms. Kilinski stated we need a short form agreement or some direction on that. The only challenge I have had in other districts when we have had this happen is that there is some sort of condition on the money, ownership, the access card, I would like to have clear direction from the HOA as to when the money is coming in that it is without stipulation and that the access card system would be owned by the district once it is installed. It doesn't have to be formal just make sure both entities are on the same page.

Mr. Labanowski stated in the past when the HOA has given money to the district it was done by invoice from the CDD to the HOA.

Ms. Kilinski stated that might be the right place to put that.

On MOTION by Mr. Labanowski seconded by Mr. Simmons with all in favor the contribution of \$5,000 from the HOA for the card access system was accepted and staff was directed to go forward with the installation of the system and invoice the HOA for those funds, the balance to be taken out of the capital fund.

SIXTH ORDER OF BUSINESS

**Discussion of UPS Pod for Holiday Deliveries
(Presenter: Dave deNagy)**

Mr. Wing stated once again UPS is requesting the use of our parking lot as a distribution center and will pay us \$1,000.

On MOTION by Mr. Simmons seconded by Mr. Clabots with all in favor the request of UPS to place two Pods on district property for holiday deliveries was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports (Part 2)

A. Attorney (Presenter: Jennifer Kilinski)

There being none, the next item followed.

B. Manager – (Presenter: Ernesto Torres)

Mr. Torres stated I did meet with Lourens and Michael Johnson and went over a list of deficiencies and I will provide that for the report for the next meeting. There is a handout for designation of officers for the district. As you know we are not meeting in October and our next meeting is in November and Dave is going to become part time district manager and is going to retire I want to make sure we are covered. I would like a motion if you so choose to add me as an assistant secretary.

Mr. Schroeder stated this is my last meeting, I'm going off the board.

Mr. deNagy stated we have to wait 21 days after the election to have the results certified and we meet November 13th and you will still be on the board.

On MOTION by Mr. Wing seconded by Mr. Clabots with all in favor Mr. Torres was appointed an assistant secretary.

**C. Operations Manager (ASG) (Presenter: Lourens Erasmus)
Report**

Mr. Erasmus stated I received a call from one of our residents and he offered \$250 for the pavers and if the board is okay with that I can contact him tomorrow.

Mr. Schroder asked how was that done?

Mr. Erasmus stated I put it in an email.

Mr. Wing stated I posted it on a Facebook page.

On MOTION by Mr. Labanowski seconded by Mr. Clabots with all in favor the offer of \$250 for the surplus pavers was accepted.

**D. Amenity Center Update (Presenter: Mark Insel)
Report**

A copy of the report was included in the agenda package.

EIGHTH ORDER OF BUSINESS

Approval of Consent Agenda (Presenter: Ernesto Torres)

A. Approval of Minutes of the August 14, 2018 Meeting

- B. Balance Sheet as of July 31, 2018 and Statement of Revenues & Expenditures for the Period Ending July 31, 2018; Month-to-Month Income Statement; Assessment Receipt Schedule**
- C. Approval of check Register**

On MOTION by Mr. Labanowski seconded by Mr. Clabots with all in favor the consent agenda items were approved.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor’s Requests and Audience Comments

Mr. Labanowski stated I would like to request that we revisit the pond spraying for 2019 at our next meeting.

Mr. Clabots stated for those of you who are running for the board, good luck.

A resident stated I would like to see a sign posted that if the container is full they can call a number to have it emptied. At this time it is spilling over the sides in front of the mail kiosk on San Giacomo.

Mr. Labanowski stated I agree they should be notified but the cans fill up over the weekends and they guys will get inundated with weekend information.

Mr. Erasmus stated our contract is for twice a week but we try to hit it at least three times a week but when we are out on the property and we see it full we do something about it.

Mr. Wing stated we need a reminder in the newsletter.

Mr. Erasmus stated people also use it for dog waste.

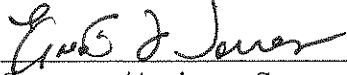
Mr. Schroder stated I would like someone to look into recycle bins to stop people from throwing their junk mail in the trash can at the mail kiosks.

ELEVENTH ORDER OF BUSINESS

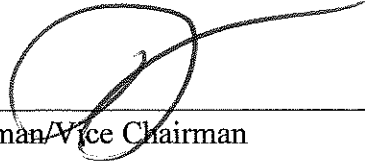
Next Scheduled Meeting – November 13, 2018 at 6:00 p.m.

Mr. Wing stated our next meeting is scheduled for November 13, 2018 at 6:00 p.m. in this location.

On MOTION by Mr. Clabots seconded by Mr. Labanowski with all in favor the meeting adjourned at 7:38 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman