

TURNBULL CREEK
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Turnbull Creek Community Development District was held Tuesday, May 9, 2017 at 6:00 p.m. at the Murabella Amenity Center, 101 Positano Avenue, St. Augustine, Florida.

Present and constituting a quorum were:

Chuck Labanowski	Chairman (by telephone)
Brian J. Wing	Vice Chairman
Lee Clabots	Supervisor
Wil Simmons	Supervisor
Aage Schroder	Supervisor

Also Present were:

David deNagy	District Manager
Michael Eckert	District Counsel (by telephone)
Clark Gates	District Counsel
Mike Yuro	District Engineer
Mark Insel	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Lourens Erasmus	Vesta/Amenity Services Group
Daniel Laughlin	GMS, LLC
Brian Moore	Duval Landscape Maintenance

The following is a summary of the actions taken at the May 9, 2017 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Audience Comments

Mr. deNagy stated I have a comment card from Kathy Venezia, why not consider funding the pond bank reconstruction by taking out a new 30-year bond that also incorporates other needed repairs thereby lessening the financial burden of a large assessment to residents?

I have a comment we received on the CDD Facebook page from Chris DelBene, I would like the CDD to create an agenda item to review the contracts of both GMS and our CDD law firm and shop those contracts prior to budget creation and review to receive more favorable contracts for the CDD and its members, preferably not a meeting set for 2:00 p.m.

Mr. Schroder joined the meeting at this time.

Mr. deNagy stated I would like to take item four out of order if we could. Chuck is on the phone and I know he is traveling and Chuck did a lot of background work on this item.

FOURTH ORDER OF BUSINESS

Consideration of Proposals for the Installation of Playground Shade Structures (all 3 playgrounds) and Basketball Court Resurfacing to be Funded by the HOA

Mr. deNagy stated item four is consideration of proposals for the installation of playground shade structures that is for all three playgrounds and basketball court resurfacing to be funded by the HOA. Some time ago the district did a survey and it was determined by virtue of the survey that most people wanted shade over the playground structures. The basketball resurfacing was another item that was talked about in addition to some possible improvements to the basketball courts that were never decided on but there was a decision made that we did need to have the courts resurfaced. You should have in your agenda package behind Tab 4 an outline of the proposals that were actually approved by the HOA. First are the three proposals for shade structures and the HOA had approved a proposal from Southern Recreation for \$44,785 and for the basketball court resurfacing the proposal was \$5,800. What we are looking for tonight is approval to let the HOA go ahead and pay for these once we get board approval to proceed we will simply invoice the HOA they will reimburse the district and we will move forward and have the work done.

Mr. Labanowski stated the HOA board got three bids for the project and as you can see by cost the least expensive one was \$44,785.

Mr. Simmons stated the backboards and hoops are \$2,780 even though it appears it has been approved for HOA funding actually it is coming out of the reserve fund.

Mr. deNagy stated that is correct.

Mr. Clabots asked on the basketball court, are we being asked to approve the \$5,800 and \$2,780?

Mr. deNagy stated right now just the \$5,800, we will do the basketball hoops by themselves since it is already part of the study.

On MOTION by Mr. Clabots seconded by Mr. Simmons with all in favor the proposal from Southern Recreation for shade structures at all three playgrounds in the amount of \$44,785 and the proposal from Premier Surface Solutions to resurface the basketball court in the amount of \$5,800 were approved.

THIRD ORDER OF BUSINESS

Staff Reports (Part 1)

A. Landscape Manager

Mr. deNagy stated you may have noticed that Duval Landscape put some new flowers in front of the amenity center and that was at no cost to the district and I want to thank Duval Landscape for that, we appreciate it.

Mr. Moore gave an overview of the landscape maintenance done over the past month.

Mr. Clabots stated I also sit on the HOA appeals committee that looks at architectural standards and ask our residents to keep their properties up to par, etc., and one of the committee members asked us why should we as residents keep a nice lawn when the common area lawns don't look any better or worse than our lawns.

Mr. Moore stated we are in a very severe drought right now. There are certain areas that have adequate irrigation and there are others that do not.

Mr. Schroder stated two meetings ago someone raised an issue about the clover. When will that be subsiding? I think we were told it was more of a winter weed/plant that would decline as the weather gets hotter. Have we had any more complaints about the clover from residents?

Mr. Clabots stated it is still there.

Mr. Labanowski asked in regard to the fertilization of the pond banks when is that scheduled?

Mr. Moore responded next week pond banks 6 and 10, the same ones we did in the fall.

Mr. Clabots stated there is little to no grass on the banks and the top is bare.

Mr. Labanowski stated a lot of the residents are still not irrigating.

Mr. Clabots stated in walking around that pond bank there are a lot of areas that are pretty bare, some are completely bare and one heavy rain and it is all going to be washed down the banks. I know that is not your fault but I'm concerned about the areas that are bare.

Mr. Wing stated the only solution is to irrigate it properly.

Mr. Clabots stated we have no authority to enforce that. A number of people were irrigating but the sprinkler heads were set incorrectly and they were irrigating the pond. People need to irrigate and make sure the sprinkler heads are adjusted correctly.

Mr. Wing stated the pond bank behind my house is irrigated because it is common property and that pond bank looks pretty good. Maybe we need to start thinking about irrigating the pond banks and that is not a cheap proposal but in the long run it would be cheaper than having to replace those banks and re-sod the banks every year you have a dry season.

Ms. Venezia stated the soil is too sandy so grass will not grow.

Mr. Schroder asked would it be prudent to wait on the fertilizer until we get more rainfall?

Mr. Moore stated the idea behind organic fertilizer is that it needs microorganisms to help break it down and we get more activity in the cooler months. Between now and September is the optimum time to get your best performance out of the fertilizer that is organic. We always run the risk if we wait until September that is our wettest season and the opportunity for it to move down into the roots is minimal it has been washed away from our target site. Chuck had asked that it be done in March and I asked for his patience for a little bit warmer temperature and this is where we are.

Ms. Cotter stated I live on a pond as well and hired someone to make sure that I could irrigate my bank because it was required and not something that I had originally. However, the sod is dead, so my issue is that my sod is too far gone for watering to help it. When the lawnmowers go through there are track marks and dust blowing up and cutting it so short that anything that was there is now gone.

Mr. Durkee stated there used to be shrubs and knock out roses going down the entire way. Are there plans to replace any of that? Why was it taken out and nothing put back in its place?

Mr. Erasmus stated we cut them and fertilized them and they have been doing that for a couple of years trying to get them to come back and they did not. So instead of having one

pretty one and 15 dead ones they decided to make it uniform and removed them. Hopefully, we do have some money in our reserves we would like to put some new plants in there. At this time we don't have the money.

Mr. Schroder asked is there any possibility we could hire someone to do hydro seeding and hydro mulching in those areas where we have bare ground to hold it until grass gets established?

Mr. Moore stated yes.

Mr. Moore left the meeting at this time.

B. Engineer

1. Engineer Report

Mr. Yuro gave an overview of the engineer's report, copy of which was included in the agenda package.

2. Pond Banks

Mr. Yuro stated I also agree that the sandy soil is one of the contributing factors to the grass not growing. It is great for drainage but as soon as it rains the moisture is gone. I'm making sure that these plans call for A3 material. The other plans called for clean sand and I'm going to be more specific with the type of material and A3 material is a clean sand but it is what you would call clean dirt it is not clay but it holds the moisture and grass should grow on it but it is also good for drainage. I also tried to provide a cost estimate for each individual area using unit prices from the previous efforts and I would ask if the board has any comments or specific area they want me to look at or include and then I can wrap up these plans and the board can make a decision on how they want to move forward.

Mr. deNagy asked how much do we have left?

Mr. Yuro stated it is in the neighborhood of \$45,000.

Mr. Wing stated to complete these eight urgent repairs we need roughly another \$100,000.

Mr. Yuro stated that is based on my estimate. Pond 14 is probably the most expensive one and that is one that is not in front of any homes and I don't know if that makes a difference to the board or not.

Mr. Wing asked no reasonable expectation that there would be any pond bank failure or damage to the pond by not doing anything with that for another year or so?

Mr. Yuro stated I wouldn't expect anything catastrophic.

Mr. Clabots stated we need to figure out a way to come up with \$100,000 to do that. That doesn't preclude us taking on another bond issue if that is what we need to do but some people have pond banks behind their homes that are slowly going into the pond. I'm more than happy to approve this, but I want to know how we come up with \$100,000. I know our capital reserve is allocated for certain purposes and some things are coming up that we just approved such as an irrigation pump for \$50,000. We have re-marcing of the pool so what does that leave in capital reserve that we could tap now and get some things done now rather than just talking about it?

Mr. deNagy stated on the balance sheet we have \$254,000 we are going to fund another \$60,000 so that moves it to \$314,000 and we are going to spend \$50,000 on the pump. The quote we have on the pool is just north of \$190,000, which I think is extremely high. We also have the slide refurbishment coming up. I'm thinking the pool will be around \$150,000 but we are trying to get more proposals in.

Mr. Clabots stated we are looking at \$136,000 and if we have \$45,000 left over and we are going to have a capital reserve of \$310,000, \$50,000 for a pump another \$150,000 for the pool that leaves another \$110,000. I propose that we take the leftover \$45,000 and we take \$55,000 out of the capital reserve fund at this point in time and fund as much of this as we can and start looking at this seriously for the 2018 budget and how we address it. I don't want to keep talking about this and leave little room to get this done before the rainy season.

Mr. Clabots moved to use the leftover \$45,000 plus \$55,000 taken out of capital reserves to do as much pond bank restoration as possible as defined on page one of the Engineer's Report and Mr. Wing seconded the motion.

Mr. Wing stated I suggest because these are immediate we try to do those in back of houses first. Is this too small for Besch & Smith?

Mr. Yuro stated I don't think it is too small. I think there are several contractors like Besch & Smith and Vallencourt and Jax Utilities, there are a few of them out there who do this kind of work that we would probably get at least three or four competitive bids.

Mr. Wing stated the last time we only received one bid.

Mr. Clabots stated I appreciate Mr. Wing's comments but the area behind the tennis courts if we don't fix that we will soon be repairing tennis courts. I wouldn't take that off the list, I would start with that as number one and move down the list as much as we can.

Mr. Labanowski stated there is also an irrigation box by the tennis court area.

Mr. Schroder stated keep in mind the smaller the contract the higher the bid per unit. In these types of contracts the mobilization costs is going to be the greater percentage of the cost. Before we had three ponds and three staging areas now we are talking about more staging areas. We need to do something even if it is just part of the list.

On voice vote with all in favor the motion passed.

Mr. Yuro stated for my own clarification that this amount is low enough that I can reach out to contractors this doesn't have to be bid in the newspaper.

Mr. deNagy stated we are okay.

Mr. Yuro stated then I can reach out and I think that will help.

3. Consideration of Requisitions 58 and 59

On MOTION by Mr. Clabots seconded by Mr. Labanowski with all in favor requisition No. 58 payable to Hopping Green & Sams in the amount of \$3,828.00 was approved.

On MOTION by Mr. Wing seconded by Mr. Clabots with all in favor requisition No. 59 payable to Yuro & Associates in the amount of \$10,952.50 was approved.

FIFTH ORDER OF BUSINESS

Discussion/Consideration Topics

A. Reducing the Number of Allowed guests to the Basketball and Gym Facilities

Mr. deNagy stated included in the agenda package is a copy of the amenity policies with the sections highlighted with how many guests are allowed and I believe they are all five guests. The only exception is the fitness center, which is two and there was no need to talk about that one.

Mr. Simmons stated the concern is the basketball courts and the young ones are allowed five guests and if two kids have five guests each and they are on the basketball courts all day long. Your family and friends can't get to play because the teenagers are monopolizing the court. I would like to change the number of guests from five to three for those patrons who are 18 and younger and hopefully, that will alleviate some of the issues.

Mr. Simmons moved to reduce the number of guests of patrons 18 and younger from five to three for everything except the pool area and fitness center and Mr. Clabots seconded the motion.

Mr. Schroder stated I follow the logic but I want to ask Mr. Insel based on your experience do you think that will make any difference?

Mr. Insel stated it will reduce the number of people. We talked about managing that about how to go about doing that and the toughest part is when you change your policies make it so that everybody that needs to come up here either have their access card for a form of ID with the name and address. Right now these kids don't carry ID or access cards. If we have that in place signage would have to change. It will reduce the numbers and we are going to police it the same way we do now and kick them out the best we can with the staff that we have.

Mr. Wing stated the basketball court is a singular facility and we have a lot of people who live here who may want to use it and I suggest that the tennis court is the same way.

Mr. Insel stated we discussed everything out there because everything is five right now anyway.

Mr. Wing stated I think you can reduce the number of guests at the tennis courts to three and I don't think you want one resident with five guests tie up the entire facility so no one else can use it.

Mr. Insel stated if you are going to do it for one you are going to have to do it for everything because I can go out there and say you can only have three guests on the basketball court and they can say I'm playing volleyball.

Mr. Wing stated maybe the pool and field is different. If you want to play baseball that is different because you need nine on a team but these are very limited facilities. There are only two tennis courts and one basketball court.

Mr. Gates stated on the tennis courts no matter how many guests you have you are only allowed to use one court, one patron and their guests can only use one court.

Mr. Labanowski asked how are we going to be able to enforce a new policy if we can't enforce the one we have in place now?

Mr. Simmons stated I guess we have to be more diligent in terms of addressing it but the objective is that you want to limit the number of incidents. Also, we want to be sure that the residents and their families have access to those facilities.

A resident stated I hear that it is an issue, but it seems that the people who follow the rules are rule followers and why would we not make everything be the same rule all across the board then it would be easy to enforce it and have people know and understand. I do recognize that there may be a time when I wanted to have four tennis people with me instead of two, which is the rule and if for any reason you need more just contact the amenity center and give them a heads up.

Mr. Abush asked is there any merit in having a time limit on some of the facilities for example the tennis court, basketball court and it would rotate around how much time you have been on that court?

Mr. Labanowski asked why don't we have the basketball court rule be the same as the pool rule?

Mr. Simmons stated at least it would be consistent at any point. I'm good with that amendment.

Mr. deNagy stated the number of guests at the pool would apply at the basketball court as well.

Mr. Simmons stated yes but I think it would have to be across the board.

Mr. Gates stated so everything is going to be from five to three it is going to be from five to two.

Mr. deNagy stated it would follow the guidelines of the pool. Then the motion would be to reduce the number of guests in accordance with the swimming policies.

Mr. Simmons stated correct.

Mr. Gates stated we are going to have to clarify further, the swimming policies are from 14 to 17 so if we follow 17 we are now changing the rules for instances basketball is 12 years and older. Do we want to go to each area and make a separate motion for each one? That way we will be exact and staff can clearly point back to the minutes if anyone had any questions on what happened at the meeting.

Mr. Wing stated I think you have a general idea of what we are trying to do. Can you take a shot at redrafting it and we can then do it all in one motion?

Mr. Gates stated then we can bring it back next time, that sounds like a good idea.

Mr. Schroder stated if we are going to do it that way I think the English is incorrect. It says at any given time a patron may accompany up to X number of guests. The guests are accompanying the patron and I think that needs to be changed.

Mr. deNagy stated we can change that. I will bring that back to the June 13th meeting and we will table it until then.

As to the question about the time limit on the facilities that a resident brought up is that something the board wants staff to look at as well and we bring that back to the June meeting.

Mr. Wing asked Mark does that seem to be an issue?

Mr. Insel stated I don't know that with our present staffing that would be possible unless you had somebody out there all day to enforce it. Nobody has had an issue at the tennis courts and basketball they come and go. Other than T-ball and soccer things that we don't have leagues for that would be the only issues and we go by the policies with that, which is you can rent a split portion of the fields for a three hour period.

Mr. deNagy stated we will leave that open for now.

SIXTH ORDER OF BUSINESS

Staff Reports (Part 2)

A. Attorney

There being none, the next item followed.

B. Manager

1. Discussion of Fiscal Year 2018 Budget

Mr. deNagy stated I have put in your agenda package a draft of the operating and maintenance budget. The only things that have changed are the actuals through March 31st, which is the six month actuals.

Mr. Clabots stated based on the comments on the webpage and I also have a comment about the budget when I was on the HOA board I found it prudent for the board to rebid the contracts at least every three years. The CDD has rebid the landscape contract, engineering contract, the two biggest contracts left are the management services and attorney services and I think we should bid these every three years. I say three years because that provides some overlap and consistency because I wouldn't do all the contracts in one year to be renewed in one year. I think you need some overlap in the service contracts to provide some continuity. The first part of my motion on this would be that we go to three year contracts and bid those out. The second portion of that is that I think we should start with legal services and be prepared to bid that out for 2018 and then go to management services and be prepared to bid that for 2019. I'm not saying that people are doing a bad job, I think it is prudent to do that I think it is potentially cost saving to do that. But, before we bid that out the third part of my motion is I would like both legal counsel and management services to delineate the services we receive from each of you because I seriously doubt that any board member could define all the services that we receive but if we go out for a request for information, RFI, or request for proposal, RFP, we ought to have those in writing so people can adequately bid on the services that we think we need and are looking for. That is rather a long motion but that is where I think we ought to be going.

Mr. deNagy asked is the motion to bid legal and management services for three year contracts starting with legal and moving to management services.

Mr. Clabots stated I don't know that you could get it bid out fast enough at this point in time to make a decision for the 2018 budget. Maybe everybody else thinks that we could but at least put the bid out for legal services in 2018 and bid out the management services in 2019.

Mr. Clabots moved to bid out the legal services in 2018 and management services in 2019 for a three year contract and Mr. Wing seconded the motion.

Mr. Wing stated all of our contracts even for example Duval we can terminate at any time.

Mr. Gates stated any contract the district has, has termination provisions there are certain time constraints or with cause it could be immediate.

Mr. Wing stated even without cause most of them have a 60 or 90 day notice.

Mr. Gates stated we can get back to you but there is something like that typically.

Mr. Eckert stated most of them are 30 day termination provisions without cause.

Mr. Clabots stated then I think we should bid the contracts.

Mr. Wing stated I agree but I wonder if we wouldn't go to five years. You have been here since day one so that is from 2005 so that is 12 years. I think the longer term contract will probably get us better pricing and we could always get out if we need to if for some reason we are not happy with service. That said I think it would be easier to do a new RFP for legal services than for general management service at this point. What would be a normal response time if we were to do something if we were trying to do it this year?

Mr. Gates stated if you were trying to put an RFP out I don't think it would take that long to get an advertisement together. We could bring the criteria back to the next meeting, Dave can run the ad we will get responses and it would probably be a three month turn around and that will put you in line before the budget.

Mr. deNagy stated assuming you get a bid that is less than the budget we can always reduce the budget.

Mr. Gates stated the budget is a tool, we have certain flat fees for meetings but the budget is a guide for the hourly rate and there could be a lawsuit and you can't budget for that. There are always contingent things and we make an effort to keep costs low.

Mr. Wing stated that would be the case with any firm if you sue somebody there are more costs.

Mr. Eckert stated you can go out and do whatever you want to do that is fine but I hear talk about RFPs and bids but understand that under state law you are not bound for legal services or district management services to do a formal RFP. If you do a formal RFP under your rules of procedure you could be opening yourself up to protests. I'm not saying that I have ever seen a protest from a district manager or district counsel but you are approving a process that the law does not require you to go through and there are downsides of doing that. From an appropriate protocol perspective, your district manager ought to be the one to run the process of getting additional proposals for district counsel services and vice versa district counsel is usually the one

that runs it for receiving district management proposals. I just want to throw those things out there so you understand if you come back with a criteria and misapply the criteria you create a liability for yourself that the law doesn't even require you to go through that type of a process.

Mr. Clabots stated having been in state government, we do that two ways, to solicit proposals that is an RFI, a request for information you are not bound by any particular format to evaluate those proposals. An RFP you are right they are much more structured. It may be more correct to say a request for information for people to submit proposals.

Mr. Eckert stated I think the direction you need to provide your district manager is do you want him to place a public advertisement and get people's qualifications and pricing information in terms of hourly rates either through an advertisement or do you want him to reach out to people in the community. You just need to give him that direction how you want him to do that.

Mr. Clabots stated my concern is if we don't put something in some kind of notice to people quite honestly for as long as both of you have been here a lot of people would say they have been there for a long time why am I going to bother but if you put out public notice that said would you be interested in bidding on this line of business then it would reach a lot more people.

Mr. Simmons stated you said reach out to people in the community. What is the definition of community? What are you specifically saying?

Mr. Eckert responded what I'm suggesting is the legal community that does this type of work throughout the state. That is what that means; I don't mean the neighborhood. As to the comment on the advertisement that is fine but whoever writes your advertisement should make it clear that it is not a competitive solicitation under your rules of procedure because all you are doing is tying your hands for no good reason.

Mr. Schroder asked under the law is there a difference in the two types of services? Is one a professional service and one a contractual service or are they both the same?

Mr. Eckert stated they are contractual services that are not required to be bid.

Mr. deNagy asked going back to what Mr. Wing said earlier, Mr. Clabots do you want to change your motion to rebid legal and management at every five or do you want to leave it at three years?

Mr. Clabots stated I prefer three years but I'm comfortable with whichever way the board members would like it.

Mr. deNagy stated I'm asking do you want to amend the motion?

Mr. Clabots stated I'm not amending the motion.

Mr. Wing asked can I offer an amendment?

Mr. Gates stated if you want to rescind your second then we could vote on a new motion.

Mr. Wing stated I will rescind my second and I think five means a little more continuity as far as board member overlap.

Mr. deNagy stated we will start with the first motion, which was to rebid legal and management services every three years starting with legal in FY 2018 and management in FY 2019, you have a motion by Mr. Clabots is there a second to that motion? Hearing none, the second motion was the same motion except we would rebid every five years.

Mr. Wing moved to rebid the legal and management contracts every five years starting with legal in 2018 and management in 2019 and Mr. Clabots seconded the motion.

Mr. Simmons asked what is the motion?

Mr. deNagy stated the motion is to rebid legal and management contracts every five years starting with FY 2018 doing legal and in FY 2019 management services.

Mr. Labanowski stated I agree with the five years, that will give you continuity and you should be able to get a better price by doing it for five years.

On voice vote with four in favor and Mr. Simmons voting no the motion passed.

Mr. Clabots asked do you think we can get this done in time for 2018? My question to both you and Mike is could you provide us with a list of services that you really think you provide us?

Mr. Gates stated we really do provide everything that is in our contract and we can absolutely provide you a copy of it.

Mr. Eckert stated hold on a second, just to be clear we can provide a list of services that we currently provide you. However, as legal counsel we do not want to draft whatever bid document you are coming up with for legal services and then later be accused of making that to somehow steer you towards us.

Mr. Clabots stated I agree with that comment, Mike. All I'm asking for is if you have that list because I think if we go out, if Dave goes out and looks for proposals we ought to know exactly what we are looking for. My second comment to that, is once we have that list and that gets developed then I'm going to start looking for measures for those items going forward so we can evaluate our contracts rather than just saying, Mike, you are a nice guy. Maybe that is in the proposal that we would evaluate those but I would like to see what kind of proposal you come up with and we would look at it.

Mr. deNagy stated I want to be clear on how that process works. Am I bringing that back to you at the next meeting?

Mr. Clabots stated yes, Clark seems to indicate it will get done.

Mr. Gates stated that was before Mike had accurately stated that we don't have to go through the rules of procedure RFP process like we did with the landscaper. To advertise there is no timeline you can advertise for a month, two months, or two weeks. The only time constraint you should be concerned about is that seven days for the agenda. Whatever you want to advertise you want to bring back to the next meeting you want the ad for a month or two months or whatever the board decides to do we are not following the rules of procedure because we are not required to.

Mr. Clabots asked Dave can you advise on timing? Do we have enough time or do we wait?

Mr. deNagy stated I don't think it is going to have an impact on your budget. It is going to have an impact on your actuals. I don't know what impact it would necessarily have on your budget.

Mr. Clabots stated I would like to see what we put out before we put it out.

Mr. deNagy stated if we defer it to June we may be able to have it back for adoption of the budget.

Mr. Labanowski stated in regards to the current contract we have with legal doesn't that define those services now?

Mr. Gates responded yes.

Mr. Clabots stated then all we need is a copy of the contract.

Mr. Eckert stated it does but I would say it is probably a little more general than I thought what was being asked for and we can try to provide something that is a little more specific. We understand what the board is looking for there and in terms of the term of the contract I will remind the board that a professional services contract is different than a landscaping contract and there are different consideration in terms of who you select to do that work and quite honestly our contract is basically if the board is ever dissatisfied with us we will work with the board to transition out of that role and the board will get somebody new in. I just want you to understand that whether it is five years or 50 years or one month the point at which the board says they are unhappy with us is when the relationship ends and that works fine.

Ms. Cotter asked are you talking about bidding contracts for management services hopefully by the 2018 budget and if it doesn't work then you do it for the 2019 budget or are you talking about putting it off until 2019 for management services? I understand what you are talking about for legal but I'm trying to clarify the management.

Mr. Clabots stated I was talking about separating the two. I would not want to do legal and management services at the same time and potentially change both players at the same time. I would like to have a little bit of overlap so if we start with legal it is simpler and if we were going to make a change that contract would be in effect for that year while we are bidding management services. I'm looking for some continuity and that is all I'm looking for.

Ms. Cotter asked if this is decided could you set a timeline now as to when you are going to start working towards the management services as well because you are already talking about whether you have enough time for legal services now if you start that timeline today for the next year?

Mr. Clabots stated I suggest starting early into the fiscal year.

Mr. Simmons stated I want to make sure I'm very clear. Do we know that we could get other contracts with GMS or management services or legal at any point in time? Basically we need a certain criteria. What are we really thinking because we know we can get out whenever we need to get out? I think it occasionally makes sense to shop around and make sure we get a bang for our buck but essentially in terms of getting in and out that exit door is always open to us.

Mr. Clabots stated the door is always open but I think we ought to have a regular process by which we say we are going to evaluate things on a regular basis. Quite honestly these legal expenses as an example you are one of the top legal firms for working with CDDs in the State of Florida. Is that correct?

Mr. Eckert stated that is correct.

Mr. Clabots stated I wonder from time to time if we are mature enough that maybe we don't need that level of legal counsel but maybe we need something simpler that can meet our needs and therefore, be less expensive. That is really why I want to look at this. There are folks and they came to the HOA that want to bid on the HOA.

Mr. Simmons stated I agree it is the right thing to do. I'm not disagreeing from that respect. I'm just want to note the fact that we can always get out.

Mr. deNagy stated back to the budget the only change you see in the budget would be the actuals through March. I'm not recommending any changes in assessment levels for O&M for FY 2018 at this point in time.

Mr. Wing asked telephone, Comcast?

Mr. deNagy stated we still pay for internet and phone the only thing we get free from Comcast is cable but we do budget for those two items.

Mr. Wing stated there is a large bump in irrigation repairs.

Mr. deNagy stated correct and we are keeping an eye on that. You can see the first six months you spent quite a bit more than what is in our budget. It is something we have to keep tabs on.

Mr. Wing asked do we expect we are going to have to continue or will by fixing them this year we won't have to fix as many next year?

Mr. deNagy stated I asked Lourens to put together an inventory of all our irrigation lines. We will have the new Hoover Pump installed and we are hoping that will have an impact on our irrigation repairs so we will have consistency there. I'm not recommending at this point that we stay at \$27,000 for FY 2018 but we are going to take a look at it.

Mr. Clabots asked related to capital reserve funding what is the timeframe on the capital reserve study?

Mr. deNagy stated we should have numbers back for our June meeting and I should be able to tweak this budget.

2. Report on the Number of Registered Voters (2,039)

Mr. deNagy stated the only other item I have is the report on the number of registered voters we are required to report that every year and you can see in your agenda package as of April 24, 2017 there are 2,039 registered voters in the Turnbull Creek CDD.

C. Operations Manage (ASG)

1. Report

2. Vandalism Report

Mr. Erasmus stated as noted in my report the graffiti is getting difficult to remove and is very time consuming and time wasting. I want to try a concrete stain on the pillars so in the future if they do write on those pillars I could paint over it instead of having to waste hours with all the things we have been trying to remove it. If that is successful I would like to do the same with the two pillars here.

It was the consensus of the board to try the product on the bandstand.

D. Amenity Center Update – Report

Mr. Insel gave an overview of the amenity center report.

SEVENTH ORDER OF BUSINESS

Approval of Consent Agenda

A. Approval of the Minutes of the April 11, 2017 Meeting

B. Balance Sheet as of March 31, 2017 and Statement of Revenues & Expenditures for the Period Ending March 31, 2017

C. Month-by-Month Income Statement

D. Assessment Receipt Schedule

E. Approval of Check Register

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

EIGHTH ORDER OF BUSINESS

Acceptance of the Minutes of the April 11, 2017 Audit Committee Meeting

On MOTION by Mr. Clabots seconded by Mr. Simmons with all in favor the meeting minutes of the April 11, 2017 audit committee were accepted.

NINTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Wing stated I'm finding it very comfortable working with Mike Yuro. I find his reports easy to understand he seems very approachable and I'm very satisfied with his work.

Mr. deNagy stated I will let him know.

Mr. Simmons stated I would still like to address the pool being closed on a holiday. We seemed to have shelved that topic and I would like to address that at the next meeting.

Mr. deNagy stated we can make that a topic for the next board meeting.

ELEVENTH ORDER OF BUSINESS

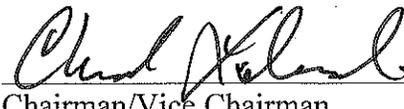
Adjournment (Next Scheduled Meeting – June 13, 2017 at 6:00 p.m.)

Mr. deNagy stated the next meeting will be June 13, 2017 at 6:00 p.m. at the same location.

On MOTION by Mr. Wing seconded by Mr. Clabots with all in favor the meeting adjourned at 7:47 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman