

TURNBULL CREEK  
COMMUNITY DEVELOPMENT DISTRICT

A special meeting of the Board of Supervisors of the Turnbull Creek Community Development District was held Monday, December 8, 2014 at 6:00 p.m. at the Murabella Amenity Center, 101 Positano Avenue, St. Augustine, Florida.

Present and constituting a quorum were:

|                       |                  |
|-----------------------|------------------|
| Aage G. Schroder, III | Chairman         |
| Kathleen Venezia      | Vice Chairperson |
| Joseph Quinto         | Supervisor       |
| Brian J. Wing         | Supervisor       |
| Chuck Labanowski      | Supervisor       |

Also Present were:

|              |                                   |
|--------------|-----------------------------------|
| Dave deNagy  | District Manager                  |
| Mike Eckert  | District Counsel                  |
| Preston Doub | District Engineer                 |
| Jeff Branch  | Vesta/Amenity Services Group      |
| Dan Fagen    | Vesta/Amenity Services Group      |
| Bob Gang     | Greenberg Traurig (by telephone ) |

*The following is a summary of the minutes and actions taken at the December 8, 2014 meeting and 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**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Motion to Ratify Board Actions Taken at  
November 25, 2014 Meeting**

Mr. deNagy stated at the last meeting I swore in Mr. Labanowski and Mr. Wing and I meant to swear in Mr. Schroder as well and I have since done that. Mr. Schroder had taken an oath of office when he ran unopposed and had filed that with the state so we don't have a

problem with any actions the board took but in an abundance of caution we are asking for a motion to ratify the actions taken at that meeting.

On MOTION by Mr. Schroder seconded by Ms. Venezia with all in favor the actions taken at the November 25, 2014 meeting were ratified.

**FOURTH ORDER OF BUSINESS                      Consideration of Resolution 2015-03 Election of Officers**

Mr. deNagy stated item four is consideration of Resolution 2015-03 election of officers. We did this at the last meeting with the change of board members and I serve as the assistant secretary and assistant treasurer, Jim Perry serves as secretary and treasurer and for purposes of the financing we are going to be doing I would like to serve as secretary and treasurer to expedite the paperwork so it would simply be changing my position from assistant secretary and assistant treasurer to secretary and treasurer.

On MOTION by Mr. Labanowski seconded by Ms. Venezia with all in favor Resolution 2015-03 designating Dave deNagy as secretary and treasurer and Jim Perry assistant secretary and assistant treasurer.

**SIXTH ORDER OF BUSINESS                      Consideration of RFP Committee Members**

Mr. deNagy stated at the last meeting we selected three people to serve on the RFP committee, Mr. Schroder, Mr. Labanowski and Mr. DeFranzo. In response to the e-blast I received three emails, one from Lee Clabots, Matt Durkee and Philip Sweeting and the recommendation was to have an odd number of members.

Mr. Eckert stated the reason for the odd number is so that you don't have a tie and the more people you add to that committee the less likely it is you are going to have a tie. It is an unpaid position, people are subject to the sunshine law so it is no pay and you might be subject to potential liability. The district manager will advertise the meetings and as long as people aren't talking about it outside the meetings it shouldn't be a problem for them.

Mr. Sweeting stated I retired as deputy chief of police in Boca Raton and I'm familiar with the sunshine law and public records law. Probably the best college course I took was policy analysis, early in my career I worked in construction in land development putting in sewer lines

and drainage systems. I'm new to the community and I live on one of the three ponds that are being repaired.

Mr. Schroder stated Mr. Durkee has some experience with specifications and plantings.

On MOTION by Mr. Wing seconded by Mr. Schroder with all in favor Matt Durkee was appointed to serve on the RFP committee.

On MOTION by Ms. Venezia seconded by Mr. Quinto with all in favor Mr. Sweeting was appointed to serve on the RFP committee.

Mr. Eckert stated once Preston has the finalized package he can provide access to the RFP documents to the RFP committee members and after they review it they can contact Preston to discuss it.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-04, Bond Resolution**

Mr. deNagy stated you should have a final copy of Resolution 2015-04, along with a red line version of that resolution and a red line version of the policies we will talk about later in the meeting.

Mr. Gang joined the meeting at this time by telephone.

Mr. Eckert stated Resolution 2015-04 is the first of two bond resolutions the board will be asked to consider. You are authorizing not to exceed \$2 million in aggregate principal amount of bonds to deal with the Phase 1 pond bank reconstruction.

Mr. Eckert reviewed each section of the resolution and stated this does not obligate you to issue bonds it just gives you the authority to do so in the future.

On MOTION by Mr. Wing seconded by Mr. Labanowski with all in favor Resolution 2015-04 was approved.

Mr. Gang left the telephone conference at this time.

**NINTH ORDER OF BUSINESS**

**Consideration of Proposal by Trustee for Bond Issuance**

Mr. deNagy stated this proposal was provided by U.S. Bank to serve as trustee for the bond issue. They have reduced their fees because of the anticipated size of the bond issue.

On MOTION by Mr. Wing seconded by Ms. Venezia with all in favor the proposal from U.S. Bank to serve as trustee was approved.

**SEVENTH ORDER OF BUSINESS                      Discussion Regarding Deferred Costs**

Mr. Eckert stated just to bring the board up to speed you asked me to reach out to the developer to talk to them about whether or not they would be willing to negotiate with us on the deferred cost issue. I do think they are operating in good faith with me and hopefully, by the time we get to our next board meeting I will have a little bit better clarity on what their number is. It is a process and they are engaging in it.

**EIGHTH ORDER OF BUSINESS                      Consideration of Requisitions**

**A.    Requisition 197A Series 2005**

Mr. deNagy stated we have two requisitions for the payment of deferred costs.

On MOTION by Mr. Wing seconded by Mr. Labanowski with all in favor requisition 197A in the amount of \$13,231.22 from the series 2005 bonds was approved.

**B.    Requisition 50A Series 2006**

On MOTION by Ms. Venezia seconded by Mr. Labanowski with all in favor requisition 50A in the amount of \$8,118.44 from the series 2006 bonds was approved.

**TENTH ORDER OF BUSINESS                      Discussion Regarding Amenity Facility Rental Rates**

The board and residents discussed the proposed changes to the amenity facility rental rates prepared by Mr. Wing and after discussion of the proposals and with resident input the decision was deferred to the January meeting to give staff the time to further research the issues raised.

Mr. Eckert stated I think a lot of the suggestions that Mr. Wing came up with were good suggestions to the policies and we have enough feedback and Supervisor Wing and I can come up with proposed amounts for those things and you can just cross through them at the next board meeting if you don't like it. I think in January when we come back we can have a better idea and you have already said it is not going to impact the organizational meeting of this group.

On MOTION by Mr. Labanowski seconded by Ms. Venezia with all in favor the fee was waived for the January 2015 meeting of the Murabella Women's Association but a deposit of \$100 will be required along with the application.

**ELEVENTH ORDER OF BUSINESS**

**Authorization to Publish Notice of Rule Development and Rulemaking**

This item deferred to the January 27, 2015 meeting.

**TWELFTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**


Mr. Quinto stated initially we are paying \$6,000 for these lights but that was to purchase the lights and next year it will only be about \$1,500 for the labor and maybe we could use a couple more dollars to get a few more lights around the area.

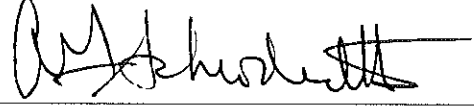
**THIRTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – January 27, 2015 at 6:00 p.m. at the Murabella Amenity Center**

Mr. deNagy stated the next meeting is January 27, 2015 at 6:00 p.m.

On MOTION by Mr. Labanowski seconded by Ms. Venezia with all in favor the meeting adjourned at 7:11 a.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman