

MINUTES OF MEETING
CAPITAL REGION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Capital Region Community Development District was held Thursday, November 10, 2011 at 6:30 p.m. at the Southwood Community Center, 4675 Grove Park Drive, Tallahassee, Florida.

Present and constituting a quorum were:

Wayne Toothman	Chairman
Eli Nortelus	Vice Chairman
Barry Brooks	Supervisor
Glenda Herrera-Gray	Supervisor

Also present were:

James A. Perry	District Manager
Joe Brown	District Counsel
Robert Berlin	Operations Manager - GMS
Norman Robertson	Atkins
Several Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Brooks called the meeting to order at 6:30 p.m.

SECOND ORDER OF BUSINESS

The Pledge of Allegiance

Ms. Herrera-Gray led the pledge of allegiance.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. **Approval of the Minutes of the October 13, 2011 Meeting**
- B. **Balance Sheet as of September 30, 2011 and Statement of Revenues & Expenditures for the Period Ending September 30, 2011**
- C. **Treasury Report – September 30, 2011**
- D. **Allocation of Assessments**
- E. **Check Register**

Mr. Brooks stated item three is approval of the consent agenda and it is my understanding that the manager would like to pull the financials from the consent agenda, there are some minor discrepancies he is working on between the St. Joe true up and what we have.

Mr. Perry stated that is correct. I would like to pull item B and we will have them on the next agenda.

Mr. Brooks stated also noted on item B it does show a significant balance in our check register but understand there is a \$317,000 item waiting to go to debt service.

Mr. Perry stated as you will recall the funds come into the general fund and we do transfers to the debt service funds for the different bonds. Out of the \$436,000 checks that are in the register \$317,000 is related to those transfers.

On MOTION by Mr. Herrera-Gray seconded by Mr. Toothman with all in favor the consent agenda items were approved excluding the financials, which we pulled from the agenda.
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FOURTH ORDER OF BUSINESS

Consideration of Resolution 2012-02 Election of Officers

Mr. Brooks stated item four is consideration of Resolution 2012-02 concerning the election of officers for the board.

Mr. Perry stated Resolution 2012-02 is a standard resolution that this board has approved in the past in regards to format. What the board has done previously is typically after the service of the chair, the vice chair will move up to be the new chair and we also have currently Eli Nortelus as secretary, David Ramba and Ms. Herrera-Gray as assistant secretaries, which is normal if you are not the chair or vice chair. In addition to that we have Rich Hans as treasurer who is an associate of mine out of Fort Lauderdale, assistant treasurer is myself and Patti Powers out of Fort Lauderdale, I am also an assistant secretary. The only thing we ask the board to consider in regards to the positions for chair, vice chair, etc. is that the positions that GMS currently has, treasurer, assistant treasurer and assistant secretary that those remain in place. We do sign the checks, there are two signatories on each check and that is why we have a treasurer and assistant treasurer staffed by GMS.

Mr. Brooks stated thank you. At our last meeting we established our slate of officers unless anyone wants to deviate from that I will identify what we did and Mr. Perry for the record again can list the GMS officers in the different slots and then we will entertain a motion for the

resolution. We identified our current vice chair, Wayne Toothman would move up to the chair, Eli Nortelus is our current secretary and will move up to vice chair, Ms. Herrera-Gray is currently an assistant secretary and will move up to secretary and Mr. Ramba and myself would be assistant secretaries.

Mr. Perry stated the others would be Rich Hans treasurer, Patti Powers assistant treasurer, Jim Perry assistant treasurer and assistant secretary.

On MOTION by Ms. Herrera-Gray seconded by Mr. Toothman with all in favor Resolution 2012-02 was approved as outlined above.

Mr. Toothman stated I appreciate Barry's efforts for what he has done; he has done a great job as chairman and I hope I can do as well as he has. I would like to go back to the way we did things when Ms. Kiracofe was here and that was where Jim tell us what is going to be presented then I will try to keep us on task if that is okay.

FIFTH ORDER OF BUSINESS

Consideration of Amended Park Facility Policies

Mr. Perry stated item five is consideration of amended park facility policies and the supervisors have in their agenda package a blue lined copy of the policies with the changes that are proposed and there is also a clean copy without the blue lines on it. There are also copies available for the audience.

If the board will recall we had adopted facility policies a few years ago and the changes that are being proposed really are adding onto these policies for common areas and conservation areas that the district owns; district lands. It provides for a maintenance policy in regards to those specific lands. It also has a policy on uses, which basically goes through that these are district properties and there is not to be personal property stored on there, etc. It also provides for enforcement of those items. Other than that I think the changes are pretty self-explanatory. I don't know if you have any questions on how we structured this. We discussed this at meetings in the past and this has been reviewed with legal counsel to try to shore up the policies and be pretty specific in regards to conservation areas and common area lands. Are there any comments from the audience in regards to these proposed updates to the park facility policies?

Mr. Brooks stated if there is a concern maybe we should let this float out there. This is the first time that it has been available publicly. I recommend that we pass it out and if people have any questions or issues with it they can contact any of us or Robert and maybe we can formalize it at our next meeting.

Ms. Smith stated dogs are running half a mile away from their owners at the lake. I don't know how to enforce that.

Mr. Toothman stated I think we are stiffening our enforcement ability with that.

Mr. Brown stated we included some language with respect to the reservation of rights to pursue whatever remedies we can but I don't know that that helps us. Your point is well taken; the issue is that is a hard thing to enforce for the district. You can't do it and it is not like we have our own police force. All we can do is if somebody is doing it and Robert knows, Robert can warn them. From my experience to give you some context a lot of districts have a big sort of fancy amenity like a huge clubhouse with a swimming pool and slides and in this case this district doesn't have those amenities it is the HOA. A lot of times what we have seen in other districts is if somebody is not abiding by the policies the district has the ability to control their key access cards and that kind of thing and if they can identify them they will say we are going to take your key access card away and here is your first warning. Unfortunately in our position even if Robert can warn somebody and even if we went through the process, the most likely process would be we would say we are restricting your rights to access the district parks or something like that, then how do you enforce that because you can't be out there all the time to keep them out. Your point is well taken I don't know if it is something we can talk about or think about for that particular issue how to go about trying to enforce it.

Mr. Brooks stated we experience the same thing and we are also guilty of it unknowingly because our dogs have dug out recently and I have since put them in doggie jail. I think it is more of an education approach is all we can do. It is a shame the dogs are smart enough to understand they ought to be on a leash it is the owner that thinks they don't need to have them on a leash and it ruins it for everybody but that is a city ordinance and it is enforceable by law but we don't have that police power authority in this district. It would be education and we should continue in our publications to make a note and maybe work with the HOA and make sure in everything they send out encourage people to leash their dogs.

Ms. Smith stated maybe signs to remind people.

Mr. Berlin stated we could put it under the one that says bicycles and pedestrians only.

Mr. Toothman stated whatever we do tonight we need to go back and revise this and clean up some of the language in it.

Mr. Howell stated I like Barry's suggestion about it being an education issue and if we can get something into the Front Porch News and the weekly Southwood email alert that comes out and on websites, as many places as we can to reinforce that. Other things are reinforced that the HOA wants to get out such as make sure your Christmas decorations are down or whatever. Things like this I don't feel like we are in a position to do it but if the CDD could write an article about this that would go in the Front Porch News such as why it is important to have people pay attention to these rules. I used to see fox squirrels out in the park on a nice sunny day and it was great to watch them but I haven't seen them in months now.

Mr. Berlin stated just for the record there is a description of the park rules and wildlife thing on the HOA site on the Southwood site. I can't tell you how to navigate to it but they do have quite an extensive thing about the conservation areas about dogs on leashes. It is out there you just have to look for it on the HOA site, on the Southwood.org site. I can have it thrown out on the blast and stuff the girls would be happy to do that. We can bring it back up again on a regular basis.

Mr. Brooks moved to approve the amended park facility policies and Ms. Herrera-Gray seconded the motion.
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Mr. Underhill stated I have an interest in learning a little bit more about this before you vote on it because I have a concern about the way it says minimum maintenance standards. It sounds like it is going to be less and that is a problem. I have a concern about that and would like to discuss this with some people before you pass it.

Mr. Brooks stated we are in discussion right now.

Ms. Herrera-Gray asked does it make a difference if you hold it off until the next meeting?

Mr. Perry responded it does not make a difference.

Mr. Brooks stated that is what I was trying to do, we will make sure that we can put it on our website and everybody has a chance to look at it and get some feedback. We are familiar

enough with it because we have been dealing with it for a while but from a notice purpose just to make sure that everybody has a fair say.

Mr. Toothman stated I agree.

Mr. Brooks withdrew his motion and Ms. Herrera withdrew her second.

Mr. Perry stated the motion and second is withdrawn and we will open it up for further discussion.

Mr. Rojas stated I heard you say you discussed it and pretty much know what you are voting on. Those of us that live on the lake there comes a point where our property actually ends but there is a little part that is part of the conservation easement and all of us that have mowed that not to the lake but it seems to me that by adopting this we won't be able to keep maintaining that property that we all have the maintaining of. I'm asking you because of the statement that you all know what you are voting on, what does it actually mean?

Mr. Toothman stated we have a responsibility for that conservation land. If it has been mowed and everybody agrees that that is a mowed area whether we mow it or you mow it that does not matter that much. If you are mowing all the way to the water's edge and removing the littoral shelf from the pond and we have the city come in and tell us we have to replant that and that is a cost to us that is the kind of thing we are trying to avoid with this policy. The CDD land we are responsible for. Your land you are responsible for. Whether we have an agreement on the level of maintenance that is supposed to go on between our property and your property I think we can work that out through our manager whether you mow it or All Pro mows it that is what I'm thinking.

Mr. Rojas stated the way I read this is it says we can't mow it. I understand what caused a problem was somebody said somebody went into the wetlands and I understand that is what created all of this but there are several people who live on the lake that have been mowing that section. I have someone mow my yard and he mows it to a certain point and if you read this literally it says from now on where that little stake is I have to stop mowing and you come once every six months and clean it out. I want to know if that is your intent or if that isn't your intent. This is the first time I have seen this but you obviously have discussed it.

Mr. Brooks stated you initiated this idea when you came to a meeting one time and mentioned the work you had done in that area and that basically the district really had not been fulfilling its responsibility to maintain what its property is back there. That really is the element you are hitting on. I think what we had talked about and what staff has brought to us is we acknowledge if it is district property we shouldn't be ignoring it we should be taking whatever appropriate maintenance should be performed on that property. The maintenance schedule, how frequently we go in there is something that is up for debate and Robert, myself or any of the supervisors would be glad to sit down with you but I believe you are reading it exactly right. That is one reason I wanted to make sure that everybody had a chance to read it, everybody had a chance to look at it before we consider it for any kind of adoption. That way we can have an open discussion about it. The point is that if it is district property, that is correct, a homeowner will not be allowed to be on that if it is conservation area the homeowner will not be allowed to go out there and make any type of impact to the conservation area but the district would begin maintaining it on an appropriate schedule that is consistent with whatever the City of Tallahassee and the Department of Environmental Protection authorizes. Go back and talk about it, digest it and talk with your neighbors would be my suggestion and maybe at our next meeting when we bring the issue back to the table that would be the time to start working through it.

Mr. Toothman stated if you have specific parcels that you want to talk about the level of service and the cost within this next month get with Robert and he should be able to tell you what we expect out of All Pro.

Mr. Perry stated just for clarification a lot of the properties that you have abutting your property are common areas of the district and then abutting that are conservation areas. There is a distinction too between all those areas; it is just not one conservation area.

Mr. Rojas asked regardless if you vote on this or not isn't there certain city conservation guidelines that deal with that anyway?

Mr. Toothman responded yes and when a homeowner goes onto CDD property and violates the city rules we receive a notice of violation from the city and that is what we are trying to avoid. This is conveying how we stay out of trouble is my understanding. We are trying to avoid the city coming to us saying we have done something wrong.

Mr. Rojas stated the other aspect is this document after reviewing it, it is nice reading with regard to the policies and all that; however, it appears that it doesn't have any enforcement.

I'm assuming the lawyer says we need some policies in place just in case something happens to protect the community but it comes down to an effective document with no enforcement.

Mr. Brown stated it is true the district as a matter of law doesn't have a whole lot of enforcement options. We don't have legal authority to impose fines on people or anything like that that a city could or the county could. Our options really are if somebody did something on district property that caused damage to district property or caused us to incur some costs then we could seek through the legal system to recover those costs. We can pursue trespass actions against people, we can attempt to tell people that we are revoking their rights to access district property but really those are the sorts of limited options available to us.

Mr. Rojas asked is the enforcement for our books that if something comes up we have something on our side or do we really want to make this effective?

Mr. Brooks stated I think you have hit it and captured exactly the kind of conundrum the CDD is in which is that we don't have statutory enforcement authority. However, we do have a responsibility and fiduciary relationship with the homeowners to make sure we are clear and I think what happened was when we had an issue that did occur on Lake Madura it was pointed out and rightfully so by the homeowners and Mr. Rojas that we are not in there maintaining that area properly so if you are going to have any expectation to keep the homeowners from maintaining it themselves then we need to get in there and maintain it. What we are trying to do is say we hear you, we understand, we are going to amend our park policies, we are going to tell you that we are going to go in there and start performing maintenance so we are all clear that the CDD now is going to assume that responsibility. As Mr. Rojas pointed out that with that assumption of responsibility it is our expectation it will no longer be necessary for the homeowners to go into those areas and do any mowing or maintenance. If they do, that is fine but if they get caught doing it or if the city comes to the CDD and says that you have violated you have gone into a wetlands area you created this havoc then we can say you are on adequate notice that that was something that you weren't supposed to do and that the CDD was going to perform those activities and hopefully we can come to a resolution that benefits all the neighborhood. If it continues to be a struggle the last resort is exactly what Joe was talking about would be at our disposal but I don't think we will ever have to worry about it. Thank you, you are exactly right we have zero enforcement.

Mr. Nortelus joined the meeting at this time.

Mr. Toothman stated we will bring this policy back next month. If you have property adjacent to CDD land I encourage you to speak with Robert to figure out what service will be performed within that area.

Mr. Perry stated we will also post the proposed policy on the website.

Mr. Brooks asked is there a schedule for the maintenance that is proposed by All Pro?

Mr. Berlin responded yes.

Mr. Brooks asked can that be posted on the website as well?

Mr. Perry responded we can do that.

SIXTH ORDER OF BUSINESS

Update Regarding Traffic Study

Mr. Perry stated the next item is the updated traffic study.

Mr. Robertson stated last month you asked us to take a look at the traffic around the two schools, Florida High and JP II. I wanted to give you a brief update on where we are. I'm sure several people have seen the cameras and we did have initial counts done on all the intersections we discussed and we have those counts and they are being evaluated. I met with Neal Trapper this afternoon to get a better understanding of their traffic circulation plan and get a little information based on their observation of the traffic during drop off and pick up time. We expect we will have the full report ready for you at the next meeting. I would be happy to answer any questions as to where we are between now and then.

Mr. Nortelus asked do you have any preliminary numbers?

Mr. Robertson responded I do have some draft exhibits that show some turning movements and numbers just giving an idea of where your heavy traffic is. I would be happy to show that to anybody who would like to come and take a look at it. We also have some preliminary thoughts on different ways to maybe slow down traffic and discourage people from utilizing the roads that are not ideal for dropping those kids off. Three way stops and things of that nature might slow traffic and we welcome any suggestions that anyone may have. I have already gotten a couple on different stop signs that might discourage people from using their rear access for dropping students off and I will proceed to request temporary stop signs that can be pulled out and used during the drop off and pick up times. Any other suggestions are welcome.

Mr. Nortelus asked how did the meeting go today?

Mr. Robertson stated I met with Neal Trapper, the principal today and it went really well. We discussed if he was able to give me some insight on how their circulation plan works and give me some history of why they are the way they are, why they have two traffic crossing guards at the location they have which is at Park Crossing Trail and Shumard and he was able to give me a little history on that and it will all be in the report but it was a good meeting. I think overall the traffic circulation plan that Florida High has in general is a pretty good plan the difficulty again is enforcing that plan. They do have quite a few that utilize it and they do get it out to the parents and the parents know what the plan is but the problem they are having is getting people to actually get back into the two circle drives that they have to drop their students off and pick them up.

Mr. Nortelus stated it sounds like Conley was totally different as far as their plan.

Mr. Robertson stated what I was able to observe today when I got there for the meeting it was right as parents were picking the students up and I was able to observe a little bit and everyday they select a different teacher who gets on the microphone and will actually call out and every parent has a different number associated with when they are to pick their kids up and they have that number. This isn't the exact way it works but they call out a number such as 351 come to Zone B and the parent knows to pull out and come over to pick their kid up. They do have a whole system worked out and it seemed to be working and it seemed to be pretty smooth at the time I was there whereas with Conley I didn't see that same method being used. They definitely have a plan and they were definitely implementing it. It was whether or not they could enforce that seemed to be the issue.

Mr. Toothman asked were you able to get with JP II and the pre-school?

Mr. Robertson responded I have not heard back from the pre-school I'm going to send them another email. I did receive some time to meet next week with JP II and I will see if there is any way to coordinate those meetings to meet at the same time. It is looking like Tuesday or Wednesday of next week I will be able to meet with them. As far as traffic concentration Florida High was really the one that with 1,700 students JP II is probably under 200 students and they are important as well and definitely has an impact on the traffic.

Mr. Toothman stated they are trying to scurry around Florida High's traffic.

Mr. Robertson stated absolutely and that is why we want their input, we want to know what are their observations are and the Child Learning Center is right in the middle of it and I'm sure they can point out some other things.

Mr. Toothman asked do you think the report will be done so that we can publish it with our agenda?

Mr. Robertson responded that could be our goal if I can meet with both the schools next week there will be no problem. We have all the data and have analyzed most of the data it is just any additional information that we can get from the schools and once we have that we should be able to put together a report and get it to you to put on the agenda.

Mr. Powell stated I was concerned about this safety issue with kids walking to school and had emailed Mr. Trapper about the problem. I haven't received a response from him but I requested the possibility of a crossing guard at Terrebonne because I see kids there all the time and there is not a lot of kids but most of the parents think it is too dangerous to have their kids walk or ride their bikes because of this issue. I see kids stopped there waiting for somebody to please let them cross and if any place needs a crossing guard that is a good spot for one and they have two at the other end where people are not supposed to be dropping their kids off and the crossing guard actually puts a pylon right in the middle of the bike lane and then the parents block the bike lane and I'm trying to commute to work on my bike having to negotiate all this. I mention that as well. I don't know if any of these things came up in your discussions with them. Do they acknowledge that these are problems that exist?

Mr. Robertson responded when I contacted him to meet with him he was very agreeable to meet. They see this as a problem as well and he had all sorts of different things that they were trying to look at internally. It is definitely something they are actively trying to get a better handle on. They have 1,700 students they are trying to get in and out in a very small window of time and they are definitely looking into it. They were excited when we contacted them from the standpoint of somebody else is taking a look at this as well. We did talk specifically about Park Crossing Trail and Shumard Oak I believe that is the intersection you are speaking of where the crossing guard is. To me this is my interpretation of it but it seems like they are in that location because of a lack of a better location for them to be and seemed to be the one that caused the least amount of problems if they are going to cause problems anywhere on Shumard Oak right there in front of the school and I think they use that as an ideal spot to cross rather than having it

at a busier intersection of Four Oaks and Shumard and it seemed to be one of the heavier spots that people are dropping kids off anyway. The Terrebonne and Grove Park Drive issue was brought up last month and we had counts done at that intersection and it is actually one that we are evaluating different options, potential three way stops.

Mr. Powell stated that would be nice because of the speeding issue too. There are a couple of blind corners there and I think you have to be a little careful because people coming down there are not going to see the stop sign until they are already there, they won't have a whole lot of time to stop, the ones that are going fast anyway.

Mr. Robertson stated I want to make sure it is clear that at this point we are just evaluating to identify where problems are and to see if there is any solutions that we see can be an avenue to that solution so these stop signs are not necessarily something we can implement these are still city roads. What we are looking to do is identify the problem then finding the entities that are in a position to take action and see if there is any way to move forward.

Mr. Powell asked I know the school has to pay for the crossing guard but can the HOA pay for that?

Mr. Robertson stated the school pays for the two crossing guards they are using right now.

Mr. Boulware stated I have two kids, one goes to Creative and one goes to Florida High. The biggest problem that I have noticed especially being a former police officer dealing with traffic is that in the mornings at that four way crossing is they control traffic inside that fence at Florida High very well the problem is when you get beyond the fence and get to the four way stop sign the first three days when they had Florida State Police Officers there controlling that traffic it was effortless traffic was moving it was great. When the fourth day came and nobody was there at the stop sign it was a disaster. If you ever get stuck in that traffic between 7:45 a.m. to 8:30 a.m. you want to pull your hair out because you would think you are in New York City. The traffic is crazy and people are doing whatever it takes to navigate and navigating through those cones is like navigating through a four way stop sign and it is very dangerous. I'm surprised that the school doesn't have more active control in that intersection based on that traffic flow because it would help them loosen up traffic in their driveways while the parents are picking up the kids. Have you evaluated that or did the principal have you come and see that?

Mr. Robertson stated I cannot speak for the school but I did ask the questions to him on what they were trying to do to control traffic and I could tell that it is something they are thinking about just based on him talking about if they ever find the funding another round about to bring cars in and he explained to me how they have to fund the two traffic guards. They are working within a budget. They are definitely looking into it he told me they are constantly trying to better the system that they have to encourage people to come use the circle drives that they have right now for pick up and drop off. One of the things that we were talking about was how many different entities are involved. It is not just something the school controls because they are also city roads out here as well and the school itself has its own rules it has to follow. It seemed that based on my observations and in speaking with Neal Trapper today it seemed like they are actively looking into internal things they can do to improve the traffic.

Ms. Herrera-Gray asked what about Florida State Police?

Mr. Robertson stated we actually talked about Florida State Police as well and Florida State Police do have jurisdiction on their property but they do not have jurisdiction on city roads.

Ms. Herrera-Gray stated just the flow of traffic.

Mr. Nortelus stated it is not Florida State Police it is Florida State University.

Ms. Bibler stated I'm wondering if your report will be looking into the affect because all the traffic now comes from either on Terrebonne or come to the four way stop and come in that way because we don't have the rest of School House Road going to Biltmore. I'm wondering whether because the school obviously has data about where people live and how many of them are coming from the east and coming down Biltmore to get onto Grove Park. Are you going to include anything in your report regarding that?

Mr. Robertson stated we don't have anything from the school's data on where their individual students are coming from. What we do have is traffic counts that show who is coming from Grove Park Drive it doesn't necessarily say who is going to school and who is not going to school and who is going to the state offices and who is not going to the state offices but it does have numbers on the roads that are being used coming from the east if that is what you are alluding to.

Ms. Bibler stated I'm wondering if that is one of the alternatives to fixing the problem whether the actual finishing School House Road is going to be part of your analysis.

Mr. Robertson stated at this point we can put these in there but what we are trying to do is identify and if we can identify that as a solution if it can be determined if it is a solution and I think any and all solutions we can put in there I think the intent of this was just to identify solutions that the district can help to implement today and ones like that would be cost prohibitive for the district, however, I don't think that our report will necessarily exclude that. I will specifically ask Wyatt when we put these together what he thinks on that and he can rerun the models and take a look at it and if it is a viable option to help relieve the traffic then we will absolutely put it in there as a solution that may be cost prohibitive for the district.

Ms. Bibler stated regardless of that it would be useful to have that information to possibly put pressure on the city to help St. Joe help us with some of this, that has been caused by the fact that St. Joe has not completed the road.

Mr. Robertson stated if we can determine one way or another whether it is within the constraints of the contract we have then absolutely I think it should be included and I think anything we come up with that is a real solution should be included. My big concern and the reason I'm hesitating on that is that the scope of our work was very specific and did not include a full broad traffic model. We don't know based on the traffic counts that we have where the people that are on Grove Park Drive are coming from, whether they are coming from Biltmore or not and we didn't have a full traffic study in here.

Ms. Bibler stated it would be easy to figure out where they are coming from just the way the roads are laid out.

Mr. Robertson stated I understand but what we are getting into here when we start looking at these other roads gets into a little bit larger traffic study than is in the outline of our scope. To the extent we can do it we will take a look at it. Wyatt has so much information it may not be a problem I just don't want to say absolutely yes it is something we are going to take a look into without having talked to Wyatt to see if it is something that can be put in since it is technically outside the boundary of our scope. If the board is willing to increase that scope that is different story.

Ms. Bibler stated really anyone coming down Biltmore going to school would just continue down to School House Road.

Mr. Robertson stated based on the previous study that we did when we were evaluating those two roads as well as Orange Avenue and Biltmore north when we were looking at that

eastern side it was not part of the recommendation. We recommended Orange Avenue be constructed from Mossy Creek to Biltmore then Biltmore be constructed north. We did not include that section based on what the models showed based on the information that we had at that time. That was something at full build out when all the schools that were planned were in place and Southwood was fully developed. What we found from the models in that previous study was that building School House Road and Biltmore down to it was not going to create a significant improvement in the overall circulation in Southwood because the preferred route was to take Biltmore to Hemmingway, Hemmingway to Grove Park Drive and around. That was how it was set up at the time and that is what the models showed. Wyatt could explain it better than I can but that was my understanding of what the models showed, that was the preferred alternative not that nobody ever used that other route but until that other school was built that was originally part of the plan that the preferred route was Grove Park Drive to Hemmingway.

Mr. Toothman stated what we asked him to do was try to find solutions to what we have right now with the road networks that we have right now with the traffic patterns that we have right now, can we do a three way stop sign and talk to the crossing guards and maybe improve the efficiency through the neighborhood as parents drop children off and that kind of thing. That is the task we have asked him to do.

Ms. Bibler stated what we can do to make up for the fact that School House is not there. That answered my question, my question really was are we looking at that and the answer is no we are not looking at it.

Mr. Toothman stated right we are not trying to solve those problems we are trying to solve right now traffic patterns.

Ms. Smith stated at the last meeting I told you about the StarMetro going to the city commission to take out the T Route. The city commission is going to vote on whether to take that out of Southwood on November 22nd and that is really going to increase your traffic. I get on at 7:45 a.m. at the Town Center and at the first stop about 20 kids get off at that one stop on that one bus and it is a 30 minute route so in the morning they start in a little bit late. A lot of bus riders are fighting that because we will just have the R Route but it will increase your commute if you are leaving from Southwood because you have to take the R Route to Koger Center and catch the T Route and then it starts getting outrageous.

Mr. Robertson stated based on your request to take a look at that we did and I talked to Mr. Trapper about that this afternoon as well. He informed me that between 25 to 50 students do take the bus. I mentioned that some of these routes were going to be removed and he said he heard that as well and there is a strong pull to keep those routes and he is hopeful that the vote will be a positive. We did look at that and did ask the question and it sounds like you are right there are a decent number of students taking the bus.

Ms. Smith stated I think there would be more if we still had the AEX but that went away and more uncertainty happened with putting kids on major roads to catch a bus I think that has made a huge impact on traffic.

Mr. Robertson stated it was a concern of traffic and also a concern because that is a way these kids can get to school.

We will bring it back next month and should have a full report at that time. If there is a change I will let you know it depends on if we can meet with all the schools.

Mr. Toothman stated ultimately I would like to get it published before the meeting.

Mr. Robertson stated absolutely.

SEVENTH ORDER OF BUSINESS

Update Regarding Connelly School Traffic Issues

Mr. Robertson stated we are still in the process of coordinating with Leon County School Board.

EIGHTH ORDER OF BUSINESS

Discussion of Potential Capital Projects and Estimated Costs

Mr. Perry stated item eight is discussion of potential capital projects and estimated costs.

Mr. Robertson stated I passed out before the meeting some alternative construction costs to finish up some projects in Southwood as an alternative to any trail improvements, to take another look at things that are out there that still needs some funding. The following items are ones that definitely need to be addressed. Most of them are overlays of asphalt on various roads, we have some thermoplastic striping that is needed on Biltmore north of Tremont and that is going to be around \$21,000. There is Ivy Green Trail overlay and striping if you will notice from Ivy Green on Grove Park Drive up through Town Center still needs to have a second lift and thermoplastic put on there and the estimate was around \$40,000.

Mr. Brooks stated I think we have heard this for the past couple of meetings about what we could do with the funds remaining in the bond account. There was roughly \$72,000 and we asked Norm to bring this list of things in case we couldn't do that extension to the trail if we haven't heard back from St. Joe on the easement. Have we heard back from St. Joe on the easement?

Mr. Robertson stated I have not received any letters from St. Joe.

Mr. Brooks asked staff?

Mr. Perry responded no and the letter to them had a time certain, it asked for a reply by a specified date.

Mr. Brooks asked has it lapsed?

Mr. Perry responded yes.

Mr. Brooks stated I would like to offer a motion based on the recommendations of the engineer that we go ahead and pursue these different projects with the funds that are available out of the remaining bond balance and it looks like he has a 15% contingency so even though it is \$74,000 I will say a not to exceed amount. How much do I need to leave in there to close it out, \$5,000?

Mr. Brown stated I think that would be plenty.

Ms. Herrera-Gray asked do they know what they are?

Mr. Brooks stated we will say about \$5,000. The motion would be up to \$68,000 to complete the projects that our engineer has brought to the table today. Biltmore Avenue striping there is a section of Biltmore Avenue at the north end that never got its thermoplastic striping so that would be to do that. Ivy Green Trail overlay and striping Ivy Green Trail has not received its second lift of asphalt so that is what this contemplates and the appropriate striping for Ivy Green Trail. Alcott overlay and striping same thing. Alcott Drive sidewalk, there is a little section of sidewalk that has not been completed and Alcott Drive is near Town Center by the Y. Schoolhouse Road overlay and striping, there is a very small section of Schoolhouse Road by the three way stop that for whatever reason did not get a final lift at the time they did the final lift so it would complete that. Those are the projects that if you look at the total they allow us to expend these funds that are remaining in the bond proceeds and they are limited to being used for capital projects. This is stuff we need to do in Southwood. Since we don't have the easement

from St. Joe to build the extension to the bike trail then my motion is that we proceed with this with all due speed.

Mr. Toothman stated we have X amount of dollars and we are X amount here.

Mr. Brooks stated I said up to \$68,000.

Mr. Brooks moved to approve the expenditure of up to \$68,000 from the bond proceeds on the projects outlined in the engineers update being Biltmore Avenue thermoplastic, Ivy Green Trail overlay and striping, Alcott Drive overly, striping and sidewalk and Schoolhouse Road overlay and striping and Ms. Herrera-Gray seconded the motion.

Mr. Toothman asked can you explain the contingency?

Mr. Robertson stated putting the total like that may not have been the most appropriate thing. These are the prices I have in there for each individual job, each one of them has a much bigger breakdown and I can provide that at the next meeting if you wish or between now and then but each one includes mobilization charges, each includes 15% contingency and it may be possible that that \$74,000 for each one of them could come down if they are all done together as a single job. The thought of breaking them up was so you could see what each one was going to cost and if there was a priority that the board wished to have I just wanted to give a little bit more information than these are the jobs for \$74,000 so you have them broken down.

Mr. Toothman asked can you get all five of these jobs done with the money that we have?

Mr. Robertson asked can you? I don't know if I can answer that.

Mr. Toothman asked or do you need these ranked?

Mr. Robertson stated I think if I could get a recommendation of a ranking of some sort a priority and then we provide bids to various contractors that have alternates on there so if all the alternates come in under that threshold we can get the whole thing done.

Mr. Brooks asked what is your recommended ranking of the projects?

Mr. Robertson responded the rankings would be Ivy Green Trail overlay and striping, followed by Biltmore Avenue striping, followed by Alcott Drive overlay and striping, followed by Alcott Drive sidewalk, followed by Schoolhouse Road overlay and striping.

Ms. Herrera-Gray asked when does it have to be spent by?

Mr. Brown stated we have been talking about it for a while.

Mr. Perry stated it is the 2002 bond issue it doesn't have to be done within the next two or three months.

Ms. Herrera-Gray stated I'm not saying we don't need it but I think we need input on it too since it is a lot of money. What happened with the playground idea that we were talking about, is that a consideration?

Mr. Berlin stated not with these funds.

Ms. Herrera-Gray asked this fund is for what?

Mr. Brown responded capital improvements.

Ms. Herrera-Gray asked what about having a bench there? Can it be spent for that kind of thing?

Mr. Brown stated it depends on if it is part of our capital improvement plan or not.

Mr. Perry stated I think we went through that question previously and recreation was excluded from this component. It was really roadways, infrastructure and things of that nature.

Ms. Herrera-Gray stated that was my question because it seemed like we were rushing to get a check signed and I wanted to know what we were doing.

Mr. Boulware stated at home with my budget I would never do that. However, I feel as a taxpayer that you are writing a blank check without actually getting bids, without any prioritizing them you don't even know what the cost is actually going to be in regards to the bond. I'm not on the board but I live in the neighborhood and I would not pull something like that at home. In regards to those projects I think you would want to know the exact amount of each project before you vote on it.

Mr. Perry stated let me give some clarification here. The motion was to allow funds up to \$68,000. The engineer has provided estimates, which are probably pretty close to what the actual bids will be with these projects. We will bid those out, get quotes and if there is any deviation from what he has provided here that is material he will bring that back to the board for consideration. There are a lot of processes that go on.

Mr. Boulware stated I agree with you, however, when the question was posed will this amount cover all these projects his response was I don't think so or I'm not sure. With that uncertainty wouldn't you think it would be a good idea to try to get a hold on what these projects are?

Mr. Perry responded we are not going to go and spend staff time and resources and dollars with the District Engineer unless the board wants us to move forward with a project like this.

Mr. Brooks stated the issue here is budget versus actual accounting. What we are doing as a board is authorizing up to a certain level to be spent for these projects. We would hope with the bid process it would come in even under this amount. That is why when the chairman asked me why would I limit all these projects to \$68,000 when the engineer is saying it is probably going to cost \$74,000 you heard his explanation he has a 15% contingency fee in there, he has mobilization costs but the point is we are not writing a check tonight. We are not writing a check based on this motion. We have to follow statutory procurement process.

Mr. Boulware stated I understand all that but the way the motion and the response was more in line of you have an idea about each individual project and it may exceed the amount that is available. You are saying it exceeds the amount that it will come back before the board for consideration before those expenditures are spent. I will withdraw my concerns.

Mr. Brooks stated if you have that concern other people probably have that same concern. My point is exactly what the manager said that we are going to follow every legal requirement that any public government follows.

Mr. Boulware stated I don't have any doubt about that so I withdraw my concern. I have an understanding of what you are saying.

Mr. Brooks stated we had several things that the supervisors were thinking about funding with this money that was left in that bond fund and we have already had staff say to us these are legitimate uses for it because you can only use it for capital. We have had a lot of this discussion already and this is what has been raised. St. Joe has not given us the easement so that is why I brought the motion tonight to say let's not sit around and wait anymore let's move ahead and do some projects that we are responsible for so let's use the money and build it.

Mr. Berlin stated you might add that the first item on the list, Biltmore has been brought up by the homeowners as a concern, the striping because it is fading out there. It is not something that is just thrown out there. It does need restriping.

Mr. Toothman asked is everybody okay with the way that Norm considers the ranking?

Mr. Brooks asked should I amend my motion to accept the rankings of the engineer as he is looking through these projects and finalizing them?

Mr. Perry responded yes and I believe the rankings were Ivy Green Trail overlay and striping no. 1, Biltmore Avenue striping no. 2, Alcott Drive overlay and striping no. 3, Alcott Drive sidewalk no. 4 and Schoolhouse Road overlay and striping no. 5.

Ms. Herrera-Gray moved to amend the motion to rank the projects with Ivy Green Trail overlay and striping no. 1, Biltmore Avenue striping no. 2, Alcott Drive overlay and striping no. 3, Alcott Drive sidewalk no. 4 and Schoolhouse Road overlay and striping no. 5 and Mr. Brooks seconded the amendment.

Mr. Perry stated we have a motion on the floor that has the rankings with an amount not to exceed \$68,000, the engineer will bring back and discuss with the board the bids he gets.

On voice vote with all in favor the amendment to the motion was approved.

On voice vote with all in favor the amended motion passed.

NINTH ORDER OF BUSINESS

**Policy on Conservation and Common Areas
Abutting Private Property**

Mr. Perry stated item nine we have already discussed in regards to the common areas.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney - Memorandum

There not being any, the next item followed.

B. Engineer – NOPC Update

Mr. Robertson stated the NOPC is in the exactly the same place that it was last month and is in St. Joe’s hands and has not moved.

C. Property Management Report

1. All Pro Reports

Mr. Berlin stated the All Pro reports are in your package.

Mr. Toothman stated on some of the repairs we are doing I saw construction damage for \$2,000. Are we going after the builder?

Mr. Berlin responded I don't know if we have to take it to the next phase. The first phase is a call and talk to them to see what kind of response we get back before we push. If I don't get a check or some sort of commitment then I will bring it in front of the board and that will happen next month if I haven't heard from them. Then we can make a decision as to the next step you are going to try. So far we call it lip service but they have been very receptive to it but I haven't seen any silver yet. We had a series of them all by the same builder and all along that section of Goldenrod. The main is very shallow there and we are having quite a deal with it.

2. Operations Memorandum

Mr. Berlin stated my monthly report is also enclosed

Lake maintenance 253 I still haven't received that operating permit there is no reason to think that we wouldn't get that one. That ties into the work that you see around Madura, part of it was to expose the drainage ditch that runs out there that was all overgrown along with some other things. 160 is in our hands so we are good for that. Infrastructure is the usual stuff. Some of the response has slowed down a little bit we had to do some follow-up calls and we had a couple of alleyway lights that have been hit. We had a little vandalism around 040 somebody decided to cut down one of the trees with a hatchet. We had the breast cancer walk but other than they walked in the park we haven't had any other requests for anything. A lady from the Parkson Foundation came into HOA this week and I was able to meet with her and they are looking possibly to do something out here in the spring. The big open item is the drinking fountain. It is all in place we have a signed agreement the survey is done I just need to get the paperwork and will have that on Tuesday from counsel, get the signatures from St. Joe and that will go in and we will mount the fountain but with the board's approval there is no need to put the fountain up now since we won't have a water source until we get this signed and then we will set it right up. I don't think we want to leave it out there until connected because the phone is going to ring and people are going to say the fountain doesn't work.

Mr. Toothman asked are we replacing the tree on 040?

Mr. Berlin responded right now we have not.

Mr. Toothman asked are we going to?

Mr. Berlin responded I'm not sure that if I put it up that the same person might not cut it down again. I guess we could put a pine tree there. We had not thought about that. I would guess that if we put something in the place we would probably do it in the spring. It doesn't really affect the overall look. I hate to say it but I'm awfully proud of that lake even though I didn't have a whole lot to do with it. It looks really nice.

3. Variance Report

Variance report included in the agenda package.

D. Manager

There not being any, the next item followed.

ELEVENTH ORDER OF BUSINESS Other Business

There not being any, the next item followed.

TWELFTH ORDER OF BUSINESS Supervisor's Requests

Mr. Nortelus stated just to piggyback on everything I have heard with the conservation and cutting down the things. At the last HOA meeting there was a big issue with security and although that took place as far as whether or not this community should have security and I know some of the concerns that some of the neighbors didn't want security they are worried about their assessment, but some of the residents who live around Avon Park they have been noticing some suspicious activities. In addition to that with some of the conservation problems we have been having I wanted to bring it up to the chairman to see if there was a way we can team up with the HOA or assist the HOA and maybe look at the situation to see if there is an avenue we can take to try to maybe bring some type of security function back into our neighborhood. I have seen some communities that have successfully implemented some type of security patrol and I can bring them to the next meeting. It seems like every month we are hearing something new it is becoming a free for all and I would hate for something bad to happen and then people to say we need security. I know Mr. Ramba isn't here but I wanted to see if we could even do anything. If we can't if it is not in our purview that is fine but if we can assist the HOA and not raise anybody's assessments do something within the existing budget I would like to explore that.

Mr. Toothman asked is this something we can coordinate with Eli to flesh it out?

Mr. Perry stated most districts have a different asset base for the districts than what you typically have here. You have a lot of common areas, green areas. A lot of other districts have amenities and they do have onsite security and a lot of them also have off duty sheriff deputies or police officers to supplement their onsite security but they are delegated with not really patrolling the neighborhoods because those are not district properties it is the assets of the district. In regards to this district I think you are going to be kind of limited as to what you can do but we can discuss that with counsel.

Mr. Brooks stated early on in the process on a prior board this issue had been raised numerous times, the board had assigned me to look into the feasibility of providing security. There are several options that we can go with, obviously private security, you can do contract security and Robert had arranged with getting Fish & Game to address the issues in our lakes. We as a CDD have done something. I met with TPD and the sheriff's office, TPD committed to actually patrol the neighborhood, they have to be reminded about that periodically. The sheriff's office did the same thing but one of the options the sheriff's office did provide us, which they have done with Leon County Schools and somewhere else but they will actually for the right price sell us a deputy meaning that the CDD could pick up the total cost to outfit a deputy, salary, expense and everything that would be a small position responsible to the Leon County Sheriff's Office so that way he would have authority over anything in this neighborhood and he could be solely assigned to Southwood. The question being what happens if there is an incident at Kmart on the parkway would he be called away from Southwood and he said no, he is your Southwood Deputy. He would become almost a community police officer for Southwood. We would have the ability of that so there are options available. There has already been some work done I even had the numbers provided by the Sheriff's Office. I think the board took the approach last time that the real concern we were having was the lake usage, the fishing, more of a hunting and fishing aspect so that is why we decided to put some funds in our budget and Robert at appropriate times contracted with Fish & Game and the board elected not to pursue a uniform patrol, which I understand because I informed the Sheriff's Office and TPD that we pay city taxes and we pay county taxes and they have to be reminded periodically. Maybe that is a call that needs to be made by the chairman to the Sheriff's Office and also to TPD. They have a

district captain and maybe get a meeting with them again. They would be glad to come and talk to us if you have some concerns, Eli.

Mr. Nortelus stated it is good you have this report. If there is an opportunity to get those figures and I can talk with the HOA because I know they would love to do something on their own but they don't have the budget to pursue this but if we can work hand in hand we have our things that we have to protect and they do and we live in one community. It seems like everything continues to escalate and it is not slowing down.

Mr. Brooks stated I'm with you because I have been down this road. I'm okay with doing something more progressive in that area for security whatever it is. I know we only have a small assembly of homeowners in the room but I want to hear what your thoughts are, is it an issue to you. Is it an issue significant enough that you would be comfortable with the CDD spending your tax money when you are already paying for those services from the Sheriff and TPD? That would be my question I would like to see if we get some answers.

Mr. Nortelus stated and not to increase.

Mr. Toothman stated I think this is going to be a big debate.

Ms. Herrera-Gray stated when I moved here in 2003 we had security. Who paid for that?

Mr. Perry responded St. Joe.

A resident stated we have been to the HOA a couple of times to talk to them about getting "no soliciting" signs put up and we were told that Tallahassee doesn't allow that. We are also very aware of another homeowners association in Tallahassee that does do that. We put up our own little sign on our front door and it has cut down on knocking on our door during the day. Because we are retired and are home during the day we have seen cars driving by real slow kind of scoping out the neighborhood and I know they don't live on our street. Maybe that would be an alternative instead of spending a lot of money on a person by making this a no soliciting community.

Ms. Herrera-Gray stated I believe it is.

A resident stated I went to the homeowners association because they knock on your door and they walk around your house and the homeowners association told me that we do not choose to be that kind of an area. That might be a start to put some teeth into who is walking around who is in our neighborhood, no you are not soliciting that kind of thing and I was told if you really have a problem with this call the police department.

Mr. Toothman stated this is something that a lot of people have an opinion about and I would like Eli to meet with out attorney and kind of flesh it out a little bit and figure out where we stand first then you can come back next month and let's debate it and see if we can figure out an answer.

Mr. Boulware stated before you close the door I want full disclosure here, I own a security company and I live right here in the community. As a resident it would be one thing I would be willing to do to help with a problem. I will volunteer some of my officers during peak times to assist in a park area or whatever area at no cost just to donate some time back to the community. In South Carolina there is a small area that we are policing and I believe as an owner of a company as well as a resident it depends on the type of service you get because all security companies are not good. You can get a police officer but stuff like this right here, it is not going to get enforced but when it comes down to the quality of your neighborhood, I'm sure Mr. Perry manages several communities and you can tell us a story better than anybody of what you experienced with it but I think for Southwood even if you just do the common areas because at night what I see on the weekends that goes on in the park area from my window, high school students going into the park I don't know what they do but busting glass in the driveways those types of things that happen on a routine basis where the police drive by he is not going to go into the park to actually investigate anything if he doesn't get a call. I call, however, I'm pretty much the only one able to see in the park area. I think security would enhance the money we pay in taxes additional taxes in regards to the service as well HOA, we live in a nice community because of that. Something you expect in a community that you pay extra to live in you expect to get your services. I can't compare it to the general community asking for TPD or a police officer but those are things that a lot of us and the neighbors I have spoken to expect that type of service.

Ms. Herrera-Gray asked are you going to approach the HOA about doing that also?

Mr. Boulware responded the HOA approached me. They asked for a proposal and we submitted a proposal and when they got everything back with regard to the numbers they had other projects they were doing that it would raise their assessments \$6. Well it wasn't bad for a lot of people in the general area but the individuals who live in the townhomes did not want the assessment raised \$6 for any reason because they said they are already paying enough and that it

may cause them in some cases to lose their property. It wasn't the idea of security they loved the idea of security it was more of the fact that they did not want to pay that extra \$6.

Mr. Brooks stated that sounds like a familiar refrain, we want it but we don't want to pay for it.

Mr. Boulware stated I did advise that during certain events, especially when kids are involved, we would volunteer some of my people to come out so they wouldn't have to pay for police officers.

Mr. Perry stated we will put that as an agenda item for the next meeting.

THIRTEENTH ORDER OF BUSINESS Audience Comments

There not being any, the next item followed.

**FOURTEENTH ORDER OF BUSINESS Next Scheduled Meeting – December 8, 2011
at 6:30 p.m. at the Southwood Community
Center**

Mr. Perry stated our next scheduled meeting is December 8, 2011 at 6:30 p.m. at this location.

On MOTION by Mr. Brooks seconded by Mr. Toothman with all in favor the meeting adjourned at 8:08 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman