

**LONGLEAF
COMMUNITY DEVELOPMENT DISTRICT**

February 18, 2010 Minutes of Meeting

Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors for Longleaf Community Development District was held on Thursday, February 18, 2010 at 6:30 p.m. at Longleaf Town Hall, located at 3141 Deland Street, New Port Richey, Florida 34655.

1. CALL TO ORDER/ROLL CALL

Ms. Johnson called the Regular Meeting of the Board of Supervisors of the Longleaf Community Development District to order on February 18, 2010 at 6:30 p.m.

Board Members Present and Constituting a Quorum:

Paul Jenkins	Chairman
Jonathan Brewer	Vice Chairman
David Reid	Supervisor
Joanne Rein	Supervisor (via speaker phone)

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Anthony Canorro	District Manager Assistant, District Management Services, LLC
Patrick Dooley	Community Manager
Steve Shaw	District Engineer, Johnson Engineering

Audience Members:

Residents

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited

3. RESIDENT COMMENTS ON AGENDA ITEMS:

4. STAFF REPORTS:

A. District Counsel

1. Update on Collections and Developer Foreclosure Proceedings

Mr. Vericker was not present at this meeting. Mr. Altman stated they have been processing the foreclosure complaints and just received the funds transferred from the bond holder's control funds. Mr. Vericker informed Mr. Altman the complaint is being filed. It was questioned if we have gotten any information from Crossland letting them know they know we are ready to file. Mr. Altman stated there has been no communication.

B. District Engineer

1. Update on Records Transfer and Wetlands Coordination

Mr. Shaw informed the Board they have finally received the records. He suggests having the documents scanned at the Ft. Myers office for everyone to have an electronic copy. The Thompson Company has pushed the wetlands coordination off until March to coordinate the permit. The question of how much it will cost to scan the documents was raised. Mr. Jenkins stated it would be approximately \$200. The question do you have the ability to place those on an FTP site was raised. It was clarified they could be

52 place on an FTP site. Mr. Shaw will be responsible for having the records scanned at the Ft. Myers
53 office.
54

55	MOTION TO:	Scan records at cost NTE \$200.
56	MADE BY:	Supervisor Jenkins
57	SECONDED BY:	Supervisor Brewer
58	DISCUSSION:	None further
59	RESULT:	Called to Vote: Motion PASSED
60		4/0 - Motion Passed Unanimously (0:05:23)

61 Mr. Shaw stated, additionally, on the wetlands I asked Steve to do a little research to plot the containment
62 ponds along Starkey Blvd. and near the commercial area. While they are showing out of CDD ownership
63 they are still a part of our permit. Now that Steve has the records, it is possible to get the O & M permit
64 responsibility taken away from us.
65

66 2. Discussion of TBE Group Meeting and Outstanding Invoices (Tab 1)

67 Mr. Jenkins gave an overview of the two meetings held with TBE. Mr. Jenkins stated he presented TBE
68 with a list items he felt harmed the CDD with their transaction and representation of District. The major
69 complaint was TBE did not perform their function properly. TBE's position regarding the situation is the
70 Board had approved their transactions. Mr. Jenkins stated it is the opinion of Bob that TBE will pick up
71 some of the cost for one cul-de-sac, which is approximately \$4,500. There has been no definite
72 agreement but a consensus to meet to recommend a sharing of the cost. TBE is to be working with
73 Johnson Engineering to come up with cost estimates and the final engineering design and what it will take
74 to finish the road project. Mr. Jenkins stated we still have funds left in the budget and we should get as
75 much accomplished as possible and plan for future years. It is Mr. Jenkins impression that TBE will be
76 turning over their survey work to Johnson Engineering. The goal for the next meeting is to come up with
77 a solution for the problem areas and identify cost estimates.
78

79 Mr. Jenkins stated his goal is to have a meeting with TBE and Mr. Shaw to come up with some type of
80 settlement, prior to the next Board. Discussion ensued regarding TBE's responsibility with respect to the
81 project, their acknowledgement of fault and a legitimate offer from TBE to make the District feel whole
82 and the content of the meetings Mr. Jenkins had with TBE. Further discussion ensued regarding the
83 survey offer from TBE or getting a survey from a third party. Mr. Brewer stated at the last meeting the
84 Board authorized Mr. Shaw to get bids for a survey. It was clarified by Mr. Jenkins what was stated at the
85 last meeting, "TBE was going to work with Johnson Engineering at no additional cost to the District and
86 make the survey is available to us". Mr. Brewer also stated the cost of the survey is still in dispute just
87 like the whole \$30,000.
88

89 Mr. Altman read the motion from the previous minutes which stated, "Reject TBE's survey, DMS to
90 complete construction engineering accounting and Johnson Engineering to resurvey the road project".
91 Mr. Altman also stated because these negotiations are going on, until we get their proposal back for the
92 Board to take action, we are going to be prepared to do survey work as the motion directed us and we are
93 prepared to tell them (TBE) we are not going to pay for the survey work, because that was the action of
94 the Board and if there's a proposed negotiated settlement it may well be agreed, we will take the survey
95 but we are not paying for it and you're going to do it because it is what was initially negotiated. Mr.
96 Altman stated it's distasteful to talk about using the rest of the money, over and above a contract that was
97 already agreed upon to get the product that we've already paid for. Mr. Altman stated we really can't
98 respond again until Mr. Shaw comes up with a proposal.
99

100 Ms. Rein questioned how did TBE restore their faith to the point were we would feel comfortable using
101 their survey. Mr. Brewer responded, five days prior to their meeting, the State of Florida filed a
102 complaint against Mr. Fluty of TBE and he feels this would make TBE want to get something
103 accomplished. Mr. Brewer stated by the next meeting we will have a clearer picture as to where we stand
104 with TBE; we should also have TBE willing to donate some engineering time. The cost of the survey will
105 be discussed once we reach a settlement. Mr. Brewer stated, what we could do is put them (TBE) on
106 notice so there is no misunderstanding to clarify all conversations at the last couple of meetings, that
107 Longleaf is in no way employing them for any services, no bills will be accepted. Further discussion
108 ensued regarding the complaint the District filed against TBE. It was concluded to table this discussion
109 until the next meeting. DMS and the District Engineer will be responsible for coordinating a
110 memorandum to TBE regarding the Districts expectations moving forward with TBE.

111
112 C. Irrigation Manager's report
113 The Irrigation Manager addressed the Board. He stated we are working well with DMS and OLM to
114 move this project forward. Seems like one the biggest concerns taking over, was the Bermuda turf,
115 something we are moving forward with. Any questions you have about that can be referred to Juan and
116 irrigation questions can be referred to with Wayne. It was questioned, where are we as far as getting our
117 irrigation system into the shape that you now accept everything as being your deal. It was clarified we are
118 not that far off, as you can see we provided the Board with a map, they are not to scale, we had to take a
119 bunch of Google maps and glue them together. Dock Bittle Park has a Motorola controller, we were never
120 issued the face plate that is compatible with it, we did propose a battery operated control. It was
121 questioned if that a temporary solution. It was clarified we can definitely look into another solution if
122 that's the direction the Board wants to take. It was questioned do they have a solar type controller? It
123 was clarified yes, they do, they are very high end and expensive. It was questioned are we still under a
124 drought condition? It was clarified right now we are; the reclaimed water is restricted to two days per
125 week.

126
127 Discussion ensued regarding how to proceed with the mulching program and the billing process. Further
128 discussion ensued regarding tree removal and planting, the location/placement of the trees to planted, the
129 type of trees to be planted, the cost of the trees and the proposed plan/layout for the trees. Mr. Canorro
130 stated there are 28 oaks in total, 21 to be placed in the median and others will be placed in some of
131 smaller parks in neighborhood three and there are seven cypress trees. Mr. Brewer noted prior to trying to
132 plant trees in the median the County would probably want to enter into a maintenance agreement. It was
133 suggested to donate some of the trees to "the Friends of Starkey" so they would be responsible for the
134 maintenance. It was concluded the residents would provide input regarding the tree placement/layout
135 then the Supervisors would provide their input regarding the tree placement/layout and DMS will be
136 responsible for producing a finalized incorporated plan for the tree placement/layout to present at the next
137 Board meeting.

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139 **5. BUSINESS ADMINISTRATION:**
140 A. Consideration of the Minutes of the Board of Supervisors Meeting on December 17, 2009
141 (Tab 2)
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143	MOTION TO:	Approve Minutes of the Board of Supervisors Meeting on
144		January 21, 2010.
145	MADE BY:	Supervisor Jenkins
146	SECONDED BY:	Supervisor Reid
147	DISCUSSION:	None
148	RESULT:	Called to Vote: Motion PASSED

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4/0 - Motion Passed Unanimously (1:27:01)

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151 B. Consideration of Operation & Maintenance Expenditures February 2010 (Tab 3)

152 The Board reviewed the operations and maintenance expenditures for February 2010, it was noted the
153 total expenditures were \$77,342.64. The pool expenditure was questioned and why it wasn't a part of the
154 capital expenditures. It was clarified the pool expenditure has always been apart of the operations and
155 maintenance expenditure.

156

157 Mr. Altman also addressed the financial expenditures (*located behind Tab 9*), stating the depiction in
158 what has occurred in the first quarter we have 81% of budget remaining; about 10% of the budget is
159 capital reserve. We are on track for the first quarter for our expected spending. We have \$80,000 of our
160 budget that we were planning not to spend and utilized to fix the roof at some future time. Our discussion
161 at the next meeting will consist of zeroing in on that a bit more. It was noted the anniversary date
162 between DMS and the Longleaf District is in April. We are now entering into a period were will be
163 looking at next year's budget and looking at projections of expenditures for the current.

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MOTION TO:	Approve the Operations and Maintenance Expenditures for February 2010.
MADE BY:	Supervisor Rein
SECONDED BY:	Supervisor Brewer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	4/0 - Motion Passed Unanimously (1:34:11)

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C. Consideration of Construction Requisitions (Tab 4)

There were no construction expenditures for this month.

6. BUSINESS ITEMS:

A. Review of Himes Electrical Meeting (Tab 5)

The Board reviewed the memo from Mr. Canorro regarding "Discussion of Himes Electric Meeting". Mr. Jenkins stated in meeting with Himes Electrical, I may have been wrong. I was thinking they hadn't done all the hand-holes. They claimed they had done all that they could find. Following the meeting I couldn't find any objection to what they were saying and I believe their billing is correct. No action is required.

B. Discussion of Bridge Restoration (Tab 6)

The Board reviewed the memo submitted by Mr. Canorro regarding "Discussion of Bridge Restoration. Mr. Canorro highlighted, the total cost of the work will be less than \$1000 and will be deducted from the Trail and Bike Path maintenance line item. This line item has a \$3,500 budget that has not been utilized to date this fiscal year. Management requests the work be postponed until the average temperature exceeds 65 degrees in order to allow the weatherproofing product to better adhere to the bridge. This could also coincide with the use of the subsidized labor employee the District will be utilizing from Mar 1, 2010 through Sept. 30, 2010.

C. Discussion of Starkey Blvd. Fence Repair (Tab 7)

The Board reviewed the memo from Mr. Canorro regarding "Discussion of Starkey Blvd. Fence Repair". The District Manager, Patrick Dooley and the Starkey's have met and discussed the maintenance of the split rail fence bordering the entrance to the District. The Starkey's would like to be 50-50 partners

197 regarding the fence. The Starkey's have agreed to supply lumber and other materials for the restoration of
198 the fence. The only thing in question now is the paint for the fence. The management company feels the
199 Starkey's should be responsible for the paint and more of labor costs. The Starkey's have agreed to allow
200 the District's staff to maintain the fence, but requested that the District sign a "hold-harmless" agreement
201 indemnifying the Starkey's. Management would recommend authorization of the agreement and request
202 to work further with the Starkey's to maintain the fence to a level commensurate with the high standards
203 of the District. Mr. Altman informed the Board he's received applications from the perspective
204 employees of the subsidize labor program that could probably coincide with the repair of the fence and
205 interviewing/hiring is scheduled to commence next week.

206
207 It was questioned how the wetlands maintenance program is going. Mr. Canorro responded its going well
208 and as of the last meeting we have been working with Johnson Engineering to develop a task list for the
209 new employee.

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211 D. Review of draft Amenity Reservation and Security Deposit Policy (Tab 8)

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213 E. Update of Subsidized Employee Augmentation

214 The Board reviewed the memo from Mr. Canorro regarding the "Review of Draft Security Deposit Policy
215 for Rental of District Amenities". Mr. Altman stated when speaking with Mr. Vericker, he's very careful
216 to point out when the District imposes a fee there has to be a Public Hearing regarding the establishment
217 of the fee, we would need approximately 60 days to prepare for the hearing.

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219 The new employee, Residence Services position, could be responsible for developing some summer
220 programs; if we decided to pursue this avenue fees would be imposed. Ms. Rein questioned Mr. Altman
221 regarding is he thinking a long the lines of a summer camp type program. Mr. Altman replied, I thinking
222 about anything like a one or two hour story telling or small programs you wouldn't charge for, but yes I
223 am thinking about a sports camp and may be a third party could assist. Ms. Rein expressed her
224 apprehension with respect to liability issues that might be ensued for those types of programs. Mr.
225 Altman stated let me get the person hired and I'll introduce them to you at the meeting; then at that point
226 we'll know who we've got and what their capabilities are. Discussion ensued regarding implementing
227 programs and possible liability issues. Mr. Canorro will be responsible for forwarding third party
228 "summer camp" type organizations that are already licensed, bonded and insured that have been vetted by
229 other Districts. Mr. Altman stated we going to take that matrix (referring to the Schedule of Rental Fees
230 for Facility Usage), we going to put it on next month's agenda, with Mr. Vericker's blessing to cause us
231 to have a hearing in the following month to adopt it. In the meantime, we will go ahead and establish a
232 procedure for people without a deposit to secure the facility in the interim. We tell those who want to
233 secure the facility there is no fee until the public hearing. Ms. Rein reiterated you should hire someone
234 that would willing to supervisor kids and their sporting or extra curricular activities. Mr. Altman
235 responded that is exactly what we plan on doing it was my mistake to mention a third party individual.
236 Mr. Altman also requested the assistance of Ms. Rein when he gets down the final candidates for the
237 Resident Services position. Ms. Rein informed Mr. Altman to also ensure that an additional
238 fingerprinting and background check is done on the employee, which is required for an individual who
239 would be working around children.

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241 F. Demonstration of Pool Security System

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243 G. General Matters of the District

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245 **7. STAFF REPORTS:**

246 A. District Manager

247 1. Financial Statement, Period Ending December 31, 2009 (Tab 9)

248 Ms. Leah Johnson will be invited to attend the next Board meeting to explain the cash flow analysis.

249 2. Operations Report (Tab 10) –

250 a. OLM Inspection Report (Tab 10i)

251 Mr. Canorro stated when we talked about the maintenance of the bike path along Starkey Blvd., I got
252 pushed back from County about maintaining the bike path even though it is clearly their right of way and
253 not owned by the District or covered by licenses and/or maintenance agreements in the name of the
254 District. I spoke with the County again today and they have no intention of maintaining the bike path.
255 Discussion ensued regarding the ownership and maintenance of the bike path. Mr. Altman recommends
256 not fixing the bike path because if the District does it opens up liability issues. Mr. Altman also stated in
257 looking at the map, Commissioner Hilderbrandt is our County Commissioner and we've talked about
258 inviting her to one our CDD meetings. It was concluded for Mr. Canorro not proceed with fixing the bike
259 path and Mr. Altman to invite Commissioner Hilderbrandt to the next Board meeting.

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261 Mr. Canorro informed the Board he has come across a new technology for web casting of the Board
262 meetings where residents could go to view the meetings.

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264 It was clarified the pool should be ready for use by the end of the week.

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266 **8. SUPERVISORS REQUESTS AND AUDIENCE COMMENTS:**

267 A. Communications

268 Ms. Rein had no comment.

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270 Mr. Brewer stated the long standing problem with the sound wall and entry wall at Marsha and Starkey; I
271 had a conversation with Dean Barbie with Crossland who TBE was supposed to contact and follow up on
272 the issue. I spoke to Mr. Barbie they had a minor conversation about it, they never presented the building
273 plans and he wishes that district management services would submit plans to them regarding what the
274 issues. Today, he met with Mr. Altman took him up to review the files at the County Administrative
275 Building and the building permit and he can attest the wall one is not there, secondly the building permit
276 for the wall was signed by Crossland and they were supposed to install it. Now CRS building corporation
277 is to install it, it was signed off by TBE to be installed and that it is concurrent with the permit to release
278 the bond payment. Patrick and I went out there today and measured it and we are missing a 112 feet of
279 concrete block wall that was permitted to be put in. With that in mind, TBE signed off on it and signed
280 off on the bond payment and made several misstatements of fact regarding that wall. I sent some
281 additional complaints/issues to Tony regarding TBE not looking out for our best interest and blindly
282 signing off on projects for bills that they didn't supervise during construction, they didn't supervise after
283 construction. Even when we brought the problem to them they never followed up appropriately as
284 directed. I prepared a letter that I submitted to Tony to add those seven conditions, Mr. Altman has
285 verified the conditions are valid. As we received our documents from TBE that conditions should be
286 added to the complaint as well, that they violated their fiduciary responsibility by basically trying to
287 extort the District. Mr. Canorro verified that was already in the complaint. Discussion ensued regarding
288 the complaint, the permit, payments and construction of the wall. Mr. Altman has verified the building
289 plans that I have for the wall are correct, I'm going to give those to Peter to give to Dean Barbie with
290 Crossland so that Crossland can take under consideration of doing what they need to do. Mr. Jenkins
291 recommended presenting this to Mr. Vericker because this is negligence on the part of the license.

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293 The Chairman of the Crime Watch addressed the Board. He spoke on the issue of a maintenance ticket
294 and that no one had any idea of how to do it. He suggested communicating to everybody how to find it
295 on the website. Ms. Rein stated it has been in my reviews but I will put it in again.

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297 The Board member adjourned to view pool security.

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ADJOURNMENT:

MOTION TO:	Motion to adjourn the meeting of the Board of Supervisors for February 18, 2010.
MADE BY:	Supervisor Jenkins
SECONDED BY:	Supervisor Reid
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously (2:19:04)

**These minutes were done in summary format.*

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on _____.

Signature

Printed Name

Title:
 Chairman
 Vice Chairman

Signature

Printed Name

Title:
 Secretary
 Assistant Secretary

Recorded by Records Administrator

Signature

Date

