

Minutes of Meeting
Durbin Crossing
Community Development District

The regular meeting of the Board of Supervisors of the Durbin Crossing Community Development District was held Monday, February 26, 2018 at 6:00 p.m. at the Durbin South Amenity Center, 145 South Durbin Parkway, Jacksonville, Florida.

Present and constituting a quorum were:

Peter E. Pollicino	Chairman
Tim Brownlee	Vice Chairman
Sarah Gabel Hall	Supervisor
Jason Harrah	Supervisor
Debbie Driscoll	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	Hopping Green & Sams
Michelle Kim	Hopping Green & Sams
Dave deNagy	GMS
Stephen Howell	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
David Gutknecht	Resident
Len Rucker	HOA
Residents	

The following is a summary of the minutes and actions taken at the February 26, 2018 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Pledge of Allegiance

Mr. Laughlin called the meeting to order at 6:00 p.m. and led the pledge of allegiance

SECOND ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the roll.

THIRD ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

**Consideration of Easement Encroachment at
1753 Pennan Place**

Ms. Kim stated Mr. Gutknecht is asking for the district to release a portion of the easement that runs along the back end of his lot so he will be able to build a pool in his backyard. First the board will consider approving the release request and if the board approves then Mr. Gutknecht will be responsible for obtaining the metes and bounds legal description describing the exact portion that the district will release, not necessarily the entire three foot easement that he asked for in the application but the exact portion he needs released in order to build a pool. From there we will draft the release agreement and have it recorded with the county.

Mr. Pollicino asked Margaret and Steve have you had a chance to review this?

Mr. Howell stated I did, I went back today and met with the resident, took a few pictures and the left side of his property is on the drainage easement, which we do use to access the pond. It will not be an issue and we did look at the specifics and there is no problem.

Mr. Pollicino asked did you run this past George?

Mr. Howell stated George is aware of it and I don't think he had any problem.

Mr. Brownlee asked is there a slope on the property that is going to require a retaining wall of any type?

Mr. Howell stated from what I could tell it looks like the beginning of a slope starts at the rear of where his construction will end.

<p>Mr. Harrah moved to approve the release of a portion of the easement (up to three feet) at 1753 Pennan Place subject to the property owner providing a metes and bounds legal description of the exact portion needed for the construction of the pool, district counsel drafting the release agreement and recording same in the county records the resident bearing the costs of the transaction and Mr. Pollicino seconded the motion.</p>
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Mr. Brownlee stated I can't read the dimensions on the drawing for the pool size. How wide is this pool?

Mr. Gutknecht stated we don't have a lot of room and it is around 14 feet wide, it goes from our patio to the edge of our home.

Ms. Kim stated he will get a metes and bounds description describing the exact portion that he needs us to release and not necessarily all three feet.

On voice vote with all in favor the motion passed.

Ms. Hall joined the meeting during discussion of this item.

FIFTH ORDER OF BUSINESS

**Discussion of Matters Related to U.S. Bank
Litigation**

Mr. deNagy stated nothing has changed since our last meeting, our mediation hearing is still scheduled for March 14, 2018. Your chairman is planning to attend the mediation. At your next meeting in March we may have a shade meeting.

SIXTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of Minutes of the January 22, 2018 Meeting**
- B. Balance Sheet and Statement of Revenues and Expenses**
- C. Assessment Receipt Schedule**
- D. Impact Fee Summery Report**
- E. Check Register**

On MOTION by Mr. Brownlee seconded by Ms. Driscoll with all in favor the consent agenda items were approved with the minutes amended under item ten changing south amenity center to Woodcross.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2018-01
Confirming the District's Use of the St. Johns
County Supervisor of Elections to Conduct
the District's General Election**

Mr. Laughlin stated we have seats that are expiring that will be filled in the general election and if there are residents who are interested in running you can go on the supervisor of

elections website and it will tell you how to qualify to be on the ballot. We have three seats that will be up for election, seat 1 Mr. Pollicino, seat 3 Mr. Brownlee and seat 5 Mr. Harrah.

Mr. deNagy stated we usually publish notice of the open seats in the newsletter or e-blast to let the residents know there is going to be a general election in November and we would like to get that out prior to June.

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor Resolution 2018-01 was approved.

EIGHTH ORDER OF BUSINESS

**Ratification of Quit Claim Deed Transferring
Ownership of Properties from Aberdeen
CDD to Durbin Crossing CDD**

Mr. deNagy stated as a reminder there were two ponds that were owned by Aberdeen but were located in Durbin Crossing and this quit claim deed will transfer that ownership to Durbin Crossing. We have always maintained those ponds and will continue to do so.

On MOTION by Ms. Driscoll seconded by Mr. Pollicino with all in favor the quit claim deed transferring ownership of properties from Aberdeen CDD to Durbin Crossing CDD were ratified.

NINTH ORDER OF BUSINESS

Consideration of Drainage Easement

Ms. Kim stated Durbin Station has requested a drainage easement to be able to drain into the district's master retention ponds. I have been working with Durbin Station's counsel to finalize the agreement that is in your agenda.

Mr. Eckert stated we talked to George and he said the pond will accommodate the drainage and it makes sense from an engineering point for that to be the conveyance area from that property to the district's system.

On MOTION by Ms. Driscoll seconded by Mr. Harrah with all in favor the grant of a non-exclusive drainage easement agreement from the district to Durbin Station, LLC was accepted.

TENTH ORDER OF BUSINESS

Ratification of Letter to JLAC

Ms. Kim stated last month we received a letter from the Joint Legislative Audit Committee asking us to explain whether corrective actions are being taken to replenish the depleted funds in the 2006-1 debt service reserve account. From my understanding those reserve accounts have been depleted to bring claims against a landowner who was delinquent in paying its debt service assessment and our trust indenture does not require that we actively seek to replenish the depleted funds. We explained those historical developments that resulted in the depletion.

Mr. Eckert stated you submit your audit to the state within nine months of the end of the fiscal year and they review it and you also have the Joint Legislative Audit Committee reviewing them and they send the letters out; we get this every year and we have to explain it every year.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the letter to JLAC was ratified.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Kim stated there was a proposal to the Florida Constitution Revision Commission that has been withdrawn but it would have affected the potential existence of all special districts'.

B. District Engineer

There being none, the next item followed.

C. District Manager

Mr. deNagy stated I received an email from Peter who received it originally and in follow-up there is a group that is interested in acquiring the storm water management pond at the north end of 2209 on the left hand side just before you get to Racetrack Road, it is pretty isolated. The pond has quite a bit of acreage around it that the person wants to develop so he expressed some interest in acquiring that from the district. I have asked for a proposal but have not received anything. I would like to get authorization for staff to take the necessary measures to proceed with the request and bring back whatever is presented to the board.

Mr. Pollicino asked Dave we will have him come up with fair market value of the asset?

Mr. deNagy stated correct.

Mr. Eckert stated there is a list of due diligence items we are going to have to look at and I didn't want to spend the resources if it came to the board and you said we have no interest in this but if you have an interest in exploring it then you can authorize staff to perform that due diligence. There is a permit issue, is that draining the road or is there some other drainage here, are there other water surface area requirements that we have to maintain? So there are a lot of things we have to look at but we didn't want to go down that road until we talked to the board. I would make sure that when you go down that road in terms of determining value that you are determining the value, they can make an offer and then you independently determine value.

It was the consensus of the board for staff to do the due diligence necessary to make a determination on the possible sale of the pond.

D. General Manager - Report

Ms. Alfano reviewed her report, copy of which was included in the agenda package.

E. Operations Manager - Report

Mr. Howell gave an overview of the field operation manager's report, copy of which is attached hereto and made a part hereof.

On MOTION by Mr. Pollicino seconded by Ms. Hall with all in favor the expenditure of \$5,000 to run new conduit for the north pool was ratified.
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TWELFTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Ms. Driscoll asked do we have to do the ethics training?

Mr. Eckert responded not yet, not until the law goes into effect if it actually is signed by the governor. We will brief you on the most efficient ways for you to take care of that training if in fact it does apply to you.

Mr. Harrah stated April would be the time for wish list items we want in the budget. Are we including the north and south parking lots in the budget for next year?

Mr. deNagy stated that was the plan.

FOURTEENTH ORDER OF BUSINESS


**Next Scheduled Meeting – March 26, 2018 @
6:00 p.m. at the Durbin South Amenity
Center**

Mr. Laughlin stated the next scheduled meeting is March 26, 2018 at 6:00 p.m. here at the Durbin South Amenity Center.

On MOTION by Mr. Brownlee seconded by Ms. Hall with all in favor the meeting adjourned at 7:11 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman