

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, July 22, 2019 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 by telephone
Debbie Driscoll	Supervisor

Also present were:

Daniel Laughlin	District Manager
Dave deNagy	GMS
Mike Eckert	District Counsel
Stephen Howell	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Joel Cameron	Vesta/Amenity Services Group
Lauren Eggleston	Vesta/Amenity Services Group
Buddy Tate	Down to Earth Landscaping
Mike Wooldridge	Down to Earth Landscaping

The following is a summary of the discussions and actions taken at the July 22, 2019 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

Approval of Consent Agenda

- A. Approval of Minutes of the June 24, 2019 Meeting**
- B. Balance Sheet and Statement of Revenues and Expenses**
- C. Assessment Receipt Schedule**
- D. Check Register**

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

FIFTH ORDER OF BUSINESS

Acceptance of the Fiscal Year 2018 Audit Report

Mr. Laughlin reviewed the fiscal year 2018 audit including the opinions on page 2, the report on internal control over financial reporting on page 26, and the compliance section on page 31.

On MOTION by Mr. Pollicino seconded by Ms. Driscoll with all in favor the fiscal year 2018 audit was accepted.

SIXTH ORDER OF BUSINESS

Discussion of the FY20 Budget

Mr. Laughlin stated this is a placeholder for discussion of the fiscal year 2020 budget.
Mr. Brownlee stated we can't do anything now except shift money around.
Mr. Eckert stated you can't raise the total amount that you are going to get through your assessment levy because you have to go through a notice process to do that.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal from Environmental Services, Inc. for Water Quality Monitoring Services

Mr. Laughlin stated I received this proposal from George and he said we are getting close to not having to do the monitoring anymore but we currently still do.

On MOTION by Mr. Brownlee seconded by Mr. Pollicino with all in favor the proposal from Environmental Services, Inc. for water quality monitoring services for fiscal year 2019 in the amount of \$1,500.00 was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Eckert stated we will be bringing some revised rules of procedure to you at your August or September meeting.

There is a piece of legislation that really doesn't change how we practice with our audit committee, but it changes the requirements that you have to have a board member and that board member has to be the chairman of the audit committee. We never had that before and you have to have at least three people.

Also the majority of Florida voted for Amendment 12, which deals with disproportionate benefit and basically a board member can't abuse their office to obtain a disproportionate benefit and right now the commission on ethics is trying to define disproportionate benefit as well as set forth the standard of intent that is necessary to violate amendment 12. You will see that over the next six months, we will have some guidance for the board, but again, we are pretty conservative in our advice and the board is pretty conservative in their actions so we don't anticipate it is going to change your behavior but you ought to know that is being heavily debated in Tallahassee right now in terms of what does disproportionate benefit mean.

Amendment 12 also applies to employees and we are trying to figure out what that means. Does that mean the umpire who is umpiring a baseball game and calls balls and strikes if they are paid by the county, are they now a county employee subject to these ethical requirements that amendment 12 has. It is pretty broad right now.

Mr. Brownlee asked was there anything more about training to be required of the supervisors?

Mr. Eckert stated it is not required for community development district board members and I think you are talking about the ethics training that is applicable to county commissioners and city council people. I think it did get extended to another type of district and it could have been the water management districts, but it is not extended to community development districts.

B. District Engineer

There being none, the next item followed.

C. District Manager

There being none, the next item followed.

D. Down to Earth Landscape

This item taken later in the meeting.

E. General Manager - Report

Mr. Fagen stated I want to introduce a couple of new faces in the room. Lauren Eggleston is the manager at Aberdeen and she is here to watch and be exposed to a new operation.

Mr. Howell introduced Joel Cameron and stated he is an assistant here and the one who receives all the daily maintenance stuff and performs the tasks as far as the pool. He is the pool guru.

Ms. Alfano stated initially we brought you a part-time maintenance position and the more we went through this and the more things we added to each position it became more obvious that we were teetering more toward full time. Vesta added that person for the remainder of this fiscal year. We are talking about \$18,000 for the 20-hour week, year-round employee to be added to the maintenance staff.

After discussion of the need for this part-time position, the duties of staff as outlined in the RFP and the work presently being performed and that the funds would come out of the capital reserve the board took the following action.

On MOTION by Mr. Pollicino seconded by Mr. Brownlee with four in favor and Ms. Hall opposed the additional 20 hours for a part time maintenance tech position was approved with the funds coming from the capital reserve account.
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Ms. Alfano reviewed the general manager's report, a copy of which was included in the agenda package.

The next item was taken out of order.

D. Down to Earth Landscape

Mr. Tate stated at the last meeting we talked about weed issues and we have put in more crews on the weekend doing detail work on the islands, around the amenity centers and I have noticed a difference in the last couple of weeks. We put together a few proposals for some of the areas to convert them to mulch.

Mr. Pollicino asked Steve, have you seen improvement or responsiveness since the last meeting?

Mr. Howell stated since the last meeting they have been doing the irrigation reports, they are thorough. Our biggest issue aside from irrigation issues were the weeds in the beds. They assured me they will be doing that and they informed us they would be changing their agronomic program to what Down to Earth proper has been doing, now that they are going back to that family. He feels confident that will be a more effective program. We had specifically asked if the contract price in place now would facilitate their ability to enhance the quality and he assured me that it would. Their responsiveness has been good.

Mr. Pollicino asked are you satisfied with the response to our letter?

Mr. Howell responded yes, so far.

F. Operations Manager - Report

Mr. Howell gave an overview of the field operation manager's report, a copy of which was included in the agenda package.

NINTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Ms. Dirks stated we have a small yard and would like to put in a small splash pool. The HOA architectural review committee said I would have to come to this board for approval since it would encroach into a drainage easement. There is a drawing of what we propose to do, we have a bumped out lanai, we want a small splash pool in the corner and it runs across that drainage easement but it would be inside our existing fence. It is not going to impact access to the lake.

Mr. Howell stated we have three access easements to that pond, one is on the very end of the road on the right, which is the primary access for the mowers and there is another one across the pond.

Ms. Driscoll stated I don't think we have a problem with that.

Mr. Eckert stated from an engineering perspective George should look at that and make sure there is no concern there. I can't imagine he is going to have one, but he ought to look at it. When you say you are okay with it, that is fine, but we need to have some sort of agreement if we have bank failures the board is not responsible for the loading on the bank and things like that. It is a little more complicated than that and I would be happy to help the board however you want to do this. You are giving up a property right and you have done that before and you have denied some before, but engineering is important and making sure that in the event you have to get access later on is important as well. In the past we released part of the easement, not allowed an encroachment when it is something of a permanent nature.

Mr. Pollicino stated share this with George and then bring it back to us at the next meeting or can we defer?

Mr. Eckert stated you can allow it subject to final legal and engineering approval and if we can get it done before the next meeting great and if we run into issues and it can't get done we will bring it before the board at the next meeting. Somebody from my office will work with the applicant. If we are releasing the easement someone is going to have get a metes and bounds legal description from a surveyor of the area of the easement we are releasing. We can't do it based on a picture. Typically, the board has said if you are going to be releasing an easement and engineering is okay with it that the resident would pay the professional fees associated with that.

Ms. Tabor stated I have a concern with the landscaping, the bushes and trees when you are coming out of Patriot Oaks on the left side there is a fence, a sign and four bushes on a curve that is impeding the line of sight.

Mr. Howell stated we will take care of that.

Ms. Tabor stated my husband and I wanted to thank Durbin Crossing. Our son was the one involved in the golf cart accident two weeks ago and the community has been very supportive and we are happy to be a part of this community.

Ms. Hope asked what is the status of getting a crosswalk between south and north?

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Durbin Crossing CDD

Mr. Howell stated the approval came after the county finalized the budget for 2020 and they are going to put a traffic light with crosswalks in the budget for the following year, 2021 and it could conceivably be constructed next November.

TENTH ORDER OF BUSINESS

**Next Scheduled Meeting – August 26, 2019 @
6:00 p.m. at the Durbin South Amenity
Center**

Mr. Laughlin stated the next scheduled meeting is August 26, 2019 at 6:00 p.m. here at the Durbin South Amenity Center.

On MOTION by Mr. Brownlee seconded by Mr. Pollicino with all in favor the meeting adjourned at 7:24 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman