

**MINUTES OF MEETING**

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.

**THE GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of The Groves Community Development District was held on **Wednesday, November 7, 2012 at 10:00 a.m.** at The Groves Civic Center, located at 7924 Melogold Circle, Land O' Lakes, Florida 34637.

Present and constituting a quorum:

Dave Colflesh	<b>Board Supervisor, Chairman</b>
Sally Semple	<b>Board Supervisor, Assistant Secretary</b>
Mike Hicks	<b>Board Supervisor, Assistant Secretary</b>
Don Osborn	<b>Board Supervisor, Assistant Secretary</b>
Jane Thompson	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Scott Brizendine	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
John Vericker	<b>District Counsel, Straley &amp; Robin</b>
David Bell	<b>District Engineer, Landmark Engineering</b>
Dawn Renner	<b>Operations Manager</b>
Kelly Evans	<b>Rizzetta Amenity Services, Inc.</b>
Rolando Corsa	<b>Representative, Stantec</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order and Pledge of Allegiance**

Mr. Colflesh called the meeting to order and Mr. Brizendine performed roll call confirming that a quorum was present.

Mr. Colflesh led all those present in reciting the Pledge of Allegiance. He then read a statement provided by District Counsel explaining the Florida Statute that mandates the timing of when the newly elected Supervisors take their seats on the Board, which provides a two week period for the Supervisor of Elections to certify the election results. District Counsel confirmed that should an emergency meeting be necessary after November 20<sup>th</sup> the new Board members would be sworn in and sit on the Board; otherwise the first meeting would not be held until December 4<sup>th</sup>.

Mr. Colflesh asked the Supervisors if they had any items to add to the agenda and Mr. Hicks stated that he had one item to present to the Board.

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**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the Board of Supervisors' Continued Meeting held on October 3, 2012**

It was noted that Ms. Thompson was not in attendance at this meeting and therefore could not have seconded the motion to adjourn. Mr. Brizendine stated that he would research the matter and make the necessary correction.

On a Motion by Ms. Semple, seconded by Ms. Thompson, and followed by a vote of all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting held on October 3, 2012 as amended for The Groves Community Development District.

**THIRD ORDER OF BUSINESS**

**Presentation of Operation and Maintenance Expenditures for September 2012**

There were no questions regarding any of the expenditures and Mr. Colflesh accepted the expenditures, totaling \$115,336.30, as presented.

**FOURTH ORDER OF BUSINESS**

**Update of Natural Design's Withheld Payment**

Mr. Vericker stated that he has not been contacted by anyone relative to this matter. He confirmed that there is a four year statute of limitations on this type of case, but given the amount of the claim it is unlikely that they would wait four years to respond.

**FIFTH ORDER OF BUSINESS**

**Consideration of Proposals for Sidewalk Repairs**

Mr. Brizendine provided a brief synopsis of the events leading up to the Board's request that he obtain additional proposals to complete the repairs to the sidewalks noted in the District Engineer's report that are less than one inch in height. He reviewed the proposals to grind the remaining 81 sites obtained from Central Concrete (\$12,360) Cornerstone (\$16,530), Driveway Maintenance (\$15,440) and GA Nichols (\$17,095). Mr. Brizendine stated that he has experience working with all of the firms and they are all capable of completing the project. A brief discussion ensued regarding the need to have the project completed, funding for the project, and four additional locations where the sidewalk needs to be replaced. Mr. Vericker stated that while there is no guarantee that a lawsuit will not be brought against the District for a trip and fall incident, addressing issues brought to the Board's attention by the District Engineer as recommended does provide a reasonable defense for the District and negates any claims of negligence that could arise should those recommendations not be completed.

Mr. Bell stated that his firm recommends that any variances in the height of the sidewalks one inch or greater be replaced and those between ½ inch and one inch be ground down to create a smooth transition. He verified that grinding down variances of one inch or greater can create structural damage to the sidewalk.

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It was noted that funding for the project would be out of the reserve account and would not impact the general account. It was also noted that GA Nichols provided pricing (\$1,390) to replace four sections of sidewalk that they originally bid to be ground and it's staff's recommendation that these sections be replaced since the displacement is one inch or greater. The following Board action was taken.

On a Motion by Mr. Osborn, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors accepted the proposal from Central Concrete to grind the sections of sidewalk noted in the inspection and authorized District Management to obtain pricing for them to replace the additional four sections of sidewalk and assign the contract to either GA Nichols or Central Concrete based on pricing for The Groves Community Development District.

Mr. Brizendine stated that he would notify the Board and Staff of his decision once pricing information is obtained.

#### **SIXTH ORDER OF BUSINESS**

#### **Further Discussion on the Bridges**

Mr. Colflesh led discussion regarding the concerns that have been expressed by members of the Board and residents about the condition of the communities four golf cart bridges, a bridge formerly known as the fishing pier, and a conservation bridge. He stated that a desire to have an independent inspection completed and recommendations made on the best way to proceed with any required repairs and ongoing preventive maintenance has been expressed. With this in mind, a representative from WilsonMiller/Stantec is in attendance this evening to clarify the scope of service the District is looking for in hiring a structural engineer to inspect the bridges. Mr. Colflesh stated that he would like to hold a public workshop in conjunction with the inspection, so that interested residents can ask questions of the engineers and the engineers can garner exactly what the District is looking for in terms of actual work product and recommendation.

Mr. Corsa, from WilsonMiller/Stantec, introduced himself and stated that the proposal that was submitted is to provide a detailed inspection of the six bridges and provide recommendations to the Board regarding repairs and/or replacement. He sought and received confirmation that the main concern is the top decking of the bridges as the bridges were all deemed structurally sound by Warlick Hall five years ago. It was stated that the railings should be inspected as well as the life expectancy of the bridges determined. Mr. Corsa stated that the proposal provided includes inspecting not only the top of the decking, but the structural components of the bridges as well. Concern was expressed with having residents present and asking questions during the inspections as it could make the work more difficult and take longer. A recommendation was made that the firm complete the inspection and then provide the information to the Board prior to holding a workshop. Mr. Colflesh stated that he would like to see the workshop held at Bridge number 13 as it is the most contentious of all the bridges.

A brief discussion ensued regarding Mr. Corsa's qualifications, the timing of holding the public workshop, and the reason for hiring a different firm for this inspection. It was noted the Warlick Hall has not responded to numerous recent requests to provide any recommendations regarding the bridges.

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Ms. Semple recommended that they approve the proposal for the inspection and then have him provide the report prior to assigning a workshop date. Mr. Corsa verified that they would be marking areas of concern and including recommendations in the report. It was noted that there would be a separate charge for the inspector to attend a workshop at bridge 13 at an hourly rate of \$142 per hour and an estimate made that the workshop would last approximately three hours.

On a Motion by Ms. Semple, seconded by Mr. Osborn, and followed by a vote of all in favor, the Board of Supervisors approved the proposal totaling \$7,500 from WilsonMiller/Stantec to complete the inspection of the six bridges and a not-to-exceed amount of \$500 to attend a workshop on a to be determined date at bridge 13 for The Groves Community Development District.

Mr. Corsa stated that he would attempt to have the report completed by the December meeting but it would depend on scheduling by his Supervisors. Dawn stated that she would coordinate the inspection with all of the parties involved and would be present during the actual inspection itself. Mr. Brizendine stated that he would make every effort to be present as well. Mr. Colflesh emphasized the need for the report to include comments regarding preservation of the bridge as far as timeframes and products.

#### SEVENTH ORDER OF BUSINESS

#### Staff Reports

A. District Counsel

Mr. Vericker reminded the exiting Board Supervisors of the need to submit the form 1-F to the Supervisor of Elections within 60 days of leaving the office. Mr. Brizendine provided the forms to Ms. Thompson and Mr. Osborn and those in attendance thanked them for their service to the community.

B. District Engineer

Mr. Colflesh stated that at the last meeting the Board asked that Mr. Bell do further survey work to ascertain if there are drainage issues in the northeast section of the community. Mr. Bell stated that the survey focused on wetlands E, F, & B stating that they should all be equalized in that they should all be at the same water level and they are not. The areas were cleaned out, but the condition still exists and they have determined that the issue lies within the 48" pipe between wetlands E & F. He presented a proposal from Bay Areas Environmental Services (BAES) in the amount of \$3,150 to remove any sediment that may be in the pipe. Mr. Bell stated that he has requested that the proposal be revised to read a not-to-exceed amount of \$3,150. He also reviewed the process that will be used to flush out the pipe and confirmed that they would not be using a camera do inspect the pipe during the work. Following a brief discussion, a request was made the Mr. Bell be present during the work.

On a Motion by Mr. Hicks, seconded by Ms. Semple, and followed by a vote of all in favor, the Board of Supervisors accepted the proposal from BAES to clean out the pipe between wetlands E & F for The Groves Community Development District.

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C. Clubhouse Manager

Ms. Renner presented her recommendations for revisions to the Golf Cart policy and the Facility Policy and Guidelines to address issues relative to golf cart use on the sidewalks. A brief discussion ensued regarding the proposed revision and a request made that an exception be made to the sidewalk along Festive Grove over to Publix.

On a Motion by Ms. Semple, seconded by Ms. Thompson, and followed by a vote of all in favor, the Board of Supervisors accepted approved the revisions to the golf cart policy and guidelines as amended to permit use on Festive Grove for The Groves Community Development District.

Ms. Renner stated that the Board budgeted \$10,000 for tree replacement and asked that she be authorized to work with Mr. Hicks and Cornerstone to initiate the project focusing on the Melogold Circle area first. Mr. Hicks stated that Ms. Renner has been negotiating with Cornerstone and obtained better pricing. A brief discussion ensued regarding ensuring that they consider the amount of ongoing maintenance that will be required as well as they take into consideration the proposed reclaimed water program. The Board indicated its approval to move forward.

Ms. Renner stated that \$4,500 was also budgeted for pool furniture and she has obtained pricing to replace 9 lounges and possibly 14 chairs that falls within that budgeted amount. She explained that the plan is to sell the old furniture to cover the shipping and handling fees which would allow her to purchase two additional chairs.

Ms. Renner requested that the Board consider updating the copier to one that can handle color imaging and fold documents that would greatly assist with the production of the newsletter. It would require a new 60 month lease at a total cost of \$172.84 per month, which includes the toner and maintenance contract. The HOA has agreed to pick up the additional \$54.30 per month and to continue to supply the paper. She stated that the cost per color copies would be \$.045 per page and would be an additional fee if utilized. The copy does record how many copies are made by each entity and should the additional cost for color copies become excessive the District would have the option to charge extra for them; however, the initial plan is to have the District cover this expense as the HOA provides all of the paper. It was also noted that there would be no fee to remove the old copier.

On a Motion by Mr. Osborne, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors approved the leasing of a new copier as discussed for The Groves Community Development District.

Ms. Renner stated that there is a walk-in cooler in the restaurant that is in desperate need of repair and she asked CGM to look at the cooler and they provided an estimate to rebuild it at a cost of \$2,454.80 and there are also repairs required to the beer cooler that will cost \$757.35.

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A brief discussion ensued regarding the contract with Vesh and the possibility of postponing the decision until next month. It was noted that the unit will most likely not last another month and it is ten years old, with a maximum life of expectancy of ten to twelve years. It was also noted that Mr. Vesh has a lucrative business here and should be sharing that expense given that the contract specifies that he bear the cost for repairs. Ms. Renner stated that he has spent approximately \$700 on repairs to date. Further discussion ensued regarding the fact that this is a food safety issue and the walk-in cooler should be repaired sooner rather than later. It was also noted that the walk-in cooler stays with the property. Ms. Semple made a motion that the District pay the costs to rebuild the cooler due to safety concerns with the food and Mr. Vesh pays for the beer cooler and further discussion ensued. A recommendation was made that the costs be a 50/50 split. Mr. Brizendine stated that the cost would be \$1,606.07 if it is split. A request was made that Mr. Vesh contribute \$1,000 towards both repairs.

Mr. Vesh joined the meeting and presented his case to the Board, stating that he has expended a great deal of money on the outside compressor and the coils on the cooler were severely corroded when he took over the grill. Mr. Vesh agreed to contribute \$900 towards the cost of the two repairs. Ms. Semple amended her motion to state that the District would pay for both repairs and Mr. Vesh would be contributing \$900.

On a Motion by Ms. Semple, seconded by Ms. Thompson, and followed by a vote of four in favor and one against (Mike Hicks), the Board of Supervisors approved the repairs to the walk-in cooler and beer cooler at a cost of \$3,212.15 with Mr. Vesh contributing \$900 towards the cost for The Groves Community Development District.

D. District Manager

Mr. Brizendine stated that the Dianthus will be installed this week by the landscaper and the September financials are available for Board review. He stated that he would get with accounting should the Board have any questions on the report.

Mr. Brizendine stated that he spoke with Peninsular Aquatics regarding the ADA pool lifts and was informed that the permit with Pasco County is ready, but the vendor is now recommending that the District consider going with another model as there have been issues with the circuit boards in the model approved by the District. He explained that changing the model would require updating the permit and delay the project a while longer. It was noted that the current deadline is March 15, 2013. While no formal Board action was taken, the Board indicated its approval to change the lift model.

Mr. Brizendine stated that the auditor has begun work on the 2011/2012 audit and Mr. Osborn requested that management provided copies of the audit to the outgoing Supervisors once completed.

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**EIGHTH ORDER OF BUSINESS**

**Audience Comments**

Ms. Renner reviewed various projects that have been completed with the help of a resident volunteer (Mr. John Hess).

Audience comments were entertained regarding usage of the conservation bridge and whether the District is obligated to maintain it. Mr. Vericker stated that while there is no legal requirement to keep the bridge as an amenity, there is a legal requirement to maintain it to safety standards as long as it remains an amenity. It was noted that it has always been presented as being part of the amenity package and the District has only spent approximately \$1,400 on the bridge over the past twelve years. Cornerstone is keeping the area mowed and trimmed back nicely now, so it does provide for a very pleasant walking area.

**NINTH ORDER OF BUSINESS**

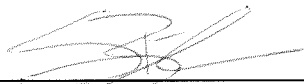
**Supervisor Requests**

Ms. Thompson stated that it has been a pleasure serving on the Board and wished the new Board much success.

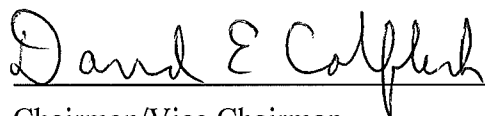
**TENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Osborn, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors adjourned the meeting at 12:05 p.m. for The Groves Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman