

**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 **Tuesday, February 5, 2013 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, Vice Chairman</b>
Bill Boutin	<b>Board Supervisor, Assistant Secretary</b>
Mike Hicks	<b>Board Supervisor, Assistant Secretary</b>
Steve Simon	<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>Amenity Manager</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.

Mr. Colflesh noted that Mr. Boutin has several items that he wishes to add to the agenda and asked if the other Supervisors had anything to add. There were none.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the Board of Supervisors' Meeting held on December 4, 2012**

It was noted that on page five of the minutes a correction was made changing Mr. Boutin as having made a comment rather than Mr. Hicks.

On a Motion by Ms. Semple, seconded by Mr. Boutin, and followed by a vote of all in favor, the Board of Supervisors' approved the minutes of the meeting held on December 4, 2012 as corrected for The Groves Community Development District.

**THIRD ORDER OF BUSINESS**

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

Mr. Colflesh asked if there were questions on any of the expenditures. There were none. Mr. Colflesh asked that the December expenditures totaling \$79,770.72 be noted as received and filed.

**FOURTH ORDER OF BUSINESS**

**Discussion with Stantec Regarding Bridge  
Inspection Report**

Mr. Brizendine stated that Mr. Corsa is in attendance to address any questions the Board might have on the report that was distributed a little over a month ago. He noted that he brought copies of the report for reference today if needed. Mr. Corsa confirmed that the red dots placed on the bridges indicate boards that should be replaced; however, they did note that it might be possible to turn over some of the Boards and not replace them. He indicated that it might be possible to cut the boards that go under the curbing, seal the ends and then attach them to the stringers with screws if they are deemed usable. Although this process might be problematic unless there is enough room to secure the ends to ensure that they do not bow. Mr. Corsa stated that it would be his preference to use bolts to secure the blanks rather than counter sunk screws as this creates a pocket that allows moisture to get in or water to sit on the boards. He also recommended using an oil based stain and explained that the proper staining process would be to sand the bridge, pressure wash the bridge and then apply the stain.

A brief discussion ensued regarding the size of the bolts and what should be used for the repairs. Mr. Corsa explained that the size of the bolt depends on the size of the board and stringer and the strength of the bolt. He recommended that the residents replace the bolts with the same size and strength that was used in the initial construction.

Audience members raised questions as to why the bridges need to be sealed when bridges in other communities have never been sealed and are not showing the wear that these bridges are. Mr. Corsa stated that he can not speak to the quality of the wood used in the other communities.

Concerns were expressed by members of the Board regarding using the procedure to do boards under the curbing as it does leave the potential for the boards to bow if the ends are not secured correctly. Mr. Boutin stated that he would be looking at the option to see if it is feasible,

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and making a judgment call at the time and will only be the utilizing this process for the right situation..

*(Mr. Corsa left the meeting.)*

**FIFTH ORDER OF BUSINESS**

**Further Discussion Regarding ADA Chair Lifts**

Mr. Vericker stated that the deadline set by the ADA to have the chair lifts in place was January 31, 2013 and urged the District to take some action to come into compliance. A lengthy discussion ensued regarding the desire to come into compliance and meet the needs of the community by installing the lift at the pool. A desire was expressed to hold off on the spa lift until an opinion is obtained from the ADA specialist regarding the feasibility of operating a lift within the space restraints and if so which lift would be most suitable. Mr. Simon encouraged his fellow Board Supervisors not to invest the money on a lift, which he stated does not meet the requirements and will not bring the District into compliance. He stated that the lift is by definition a portable lift and that by not including the lift in the hot tub, the District would no longer be in compliance regardless of what was done at the pool. Therefore, spending additional dollars would prove to be wasteful. Mr. Simon stated that without a supervisory plan for training, the District would be vulnerable to litigation and liability.

It was ultimately decided to go with the SR Smith model at a cost of \$4,990 that was originally approved, as the mechanical issues have been resolved and it is already permitted which would speed up the installation process. The Board also asked that management contact the RGA Group to obtain an opinion on whether the SR Smith Model or any of the proposed lifts would work in the Spa before taking any action to approve a second lift. Mr. Brizendine noted that he would bring it back to the next meeting. A motion was made and seconded to install a lift in the pool and then later amended to include the permitted model.

<p>On a Motion by Mr. Boutin, seconded by Ms. Semple, and followed by a vote of four in favor and one against (Steve Simon), the Board of Supervisors' approved the purchase of the currently permitted SR Smith Splash model lift for the pool and authorized management to obtain an opinion from the ADA specialist at to whether the lift will work within the constraints of the spa for The Groves Community Development District.</p>
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**SIXTH ORDER OF BUSINESS**

**Further Discussion on Fencing Configuration between Pool and The Groves Grill**

Ms. Renner reviewed the two proposals that were received from two of the three firms asked to submit a proposal for the project. She noted that Bravo Fence is the least expensive of the two; coming in at \$1,848. Ms. Renner then reviewed the costs submitted by Envera to modify the security system based on the revised fence configuration, which totals \$4,817 bringing the total cost up to \$6,665. Mr. Boutin opined that the costs could be reduced by eliminating the motion sensor

and considering other fencing material. He reiterated his offer to donate a year's worth of his salary or \$2,400 as a Board Supervisor to cover some of the cost for the project as he feels strongly that

this is something that needs to be done. Mr. Brizendine clarified that the Board budgeted \$15,000 for Supervisor fees this year, so it would be closer to \$3,000.

Mr. Hicks stated that this matter was considered last year following a petition submitted by a resident group, but was not approved based on extensive feedback from other residents indicating that they did not want to see funds expended for this project. He stated that he was initially in favor

of the offer from Mr. Boutin as he felt it was a way to please both groups at not cost to the District. However, given that there will be costs above and beyond those to be paid by Mr. Boutin; he would not be in favor of moving forward.

Ms. Semple was of a similar opinion as Mr. Hicks, but did suggest that those in favor of the project collect donations to cover the expense and once the money has been collected the work could be done.

Mr. Boutin made a motion that the Board approve the project without the additional motion sensor and with the deduction of his Supervisor pay. The motion died for lack of a second. Ms. Semple encouraged those asking for the project to initiate the donation drive.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Vericker stated that at the last meeting he was asked to look into the issue of easements and deed restrictions within the community. He stated that based on his research he prepared a memo outlining the way the community was developed by a plat being presented to the County for approval according to the land development code, which includes a number of easements and setbacks, etc. He explained that in the case of The Groves, a large portion of the community was built on wetlands, so it was necessary to obtain an environmental resource permit, which required the HOA to include certain deed restrictions relating to wetland areas, conservation areas and buffer areas. Mr. Vericker noted that in 2010 SWFWMD did complete an inspection and contacted the HOA regarding some permit violations, but to his knowledge no enforcement actions were taken. He stated that he saw no issues with the easements or deed restrictions that were approved when the community was established and opined that it would not be appropriate to file deeds on private lots. He recommended that anyone who feels that they have title issues should contact a real estate attorney. A quit claim deed was suggested as a curative action, but no formal action was taken by the Board.

Ms. Semple inquired about the cost to prepare the memo and was informed that it will be between \$1,500 and \$2,000 as the research was time consuming. She

stated that in her opinion enough money has been spent on the matter and the individuals involved should contact SWFWMD going forward.

A brief discussion ensued regarding various opinions on the stand taken by District Counsel and Mr. Anderson asked for a copy of the memo prior to making any comments on it. Mr. Simon indicated that he would be recusing himself from voting on the matter when a vote is taken as he is Mr. Anderson's next door neighbor. Mr. Brizendine stated that he would provide Mr. Anderson with a copy of the memo.

B. District Engineer

Mr. Bell stated that BAES is coming out for the cleanup on February 11<sup>th</sup> and a brief discussion ensued regarding a request that was received by one of the residents asking that the District not utilize its easement to gain access to the pipes as they have planted landscaping in the easement area that they do not want damaged. The Board was in agreement that a letter be sent to the two residents in question asking them to sign a waiver that they will be responsible for any damage that occurs on

their private property in lieu of the District utilizing the easement.

Mr. Bell noted that there will be essentially no equipment on the property as BAES will be bringing a hose in by foot and vacuuming out the silt. It was noted that if the two residents are not willing to sign the waiver, The District would have to utilize its easement.

A brief discussion ensued regarding the status of discussions with Connerton West CDD regarding concerns with the drainage system in Wetland B. Mr. Bell stated that he received a copy of the drainage plans for the immediate area and the elevations are in line with the Groves plans, but he would like to review all of their drainage plans and elevations before concluding that there is or isn't a blockage somewhere. He stated that he has not had any luck reaching Mr. Rogers to discuss the matter. Mr. Brizendine stated that he spoke with the Connerton Board at their meeting yesterday and they offered to have their engineer complete an inspection with Mr. Bell at the expense of The Groves, since they are confident that there is no issue. Mr. Bell indicated that he did not feel this was necessary and stated that he could do an evaluation if he had a complete set of drainage plans from them. Mr. Brizendine stated that he would arrange for a PDF version to be sent to him. It was stated that the Board can determine its next move based on the results of Mr. Bells evaluation.

Mr. Boutin inquired as to the status of the grate being replaced and Mr. Bell stated that he checked with GA Nichols on this earlier and was told that they had not received authorization to begin the work. Mr. Brizendine stated that he would

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follow-up on the matter.

C. Clubhouse Manager

Ms. Renner asked if there were any questions on the report. There were none. She noted that she will be placing a notice on the TV channel and on the website informing residents that the wood being removed from the bridge is being stored by the maintenance building and is available to residents at no charge. She stated that she would like to see any remaining wood removed within thirty days. Mr. Boutin stated that he has volunteers that will take any left over lumber to the land fill providing the District covers the fees.

Ms. Renner stated that a few months ago the Board approved installing a beacon on the golf course irrigation system to signal any malfunctions and while this works well during the day, it falls short of its intent should the problem occur over night. She recommended that an auto-dialer be added to the system that would notify specific people should an issue arise. The cost of the auto-dialer is \$1,390. A brief discussion ensued regarding the possibility of sharing the cost with the HOA.

On a Motion by Mr. Simon, seconded by Mr. Colflesh, and followed by a vote of all in favor, the Board of Supervisors' approved the purchase of an auto dialer for use with the beacon system for the irrigation system and requested that Staff explore the possibility that the HOA cost share this expense for The Groves Community Development District.

*A brief recess was taken at 11:50 a.m. The meeting reconvened at 11:55 a.m. with all Board members and Staff in attendance at the onset of the meeting still in attendance.*

D. District Manager

Mr. Brizendine provided a brief listing of projects that were completed during the last fiscal year as well as scheduled events for the current year. Mr. Colflesh asked that Ms. Renner and Ms. Evans review the list of completed projects and add any that might have been missed and then post the list on the website and in the newsletter so residents are informed of how much was accomplished last year. He also asked that the Board review the upcoming project/event items and consider if there are any others they would like to see added, as well as start thinking about projects for next year that will need to be part of the upcoming budget discussions. Mr. Boutin asked that something be posted in the newsletter asking residents to provide input on budget items.

Mr. Brizendine reminded the Board that the next meeting will be held on March 5<sup>th</sup> at 6:30 pm.

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**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. Boutin led discussions on establishing a policy for resolving resident issues privately rather than addressing them at Board meetings and his desire to hold a resident forum where residents can address concerns or make suggestions that he can then present to the Board for discussion. It was stated that the current process to address resident issues is for the resident to take their concern to Ms. Renner as the Operations Manager and then to District Management if the issue has not been resolved and management will bring the matter before the Board if resolution requires a possible policy change. It was noted that Staff responds according to the existing policies and Board Supervisors should not, unless directed by the Board, get involved in resolving issues as no one Supervisor can speak for the entire Board. A request was made that an article be placed in the newsletter informing resident of the proper procedure to follow.

Concern was expressed with holding the resident forum as it has the potential of creating the appearance of a sunshine law violation, should more than one Supervisor decide to attend or opinions be offered by a Supervisor during discussions. It was ultimately decided that the best way to proceed would be to advertise the meeting as a community workshop.

<p>On a Motion by Mr. Boutin, seconded by Mr. Colflesh, and followed by a vote of all in favor, the Board of Supervisors' authorized District Management to submit the legal notice for a workshop to be held on March 22, 2013, at 6:30 p.m. for The Groves Community Development District.</p>
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Mr. Boutin led discussions on three Power Point presentations he prepared for the Board; one on the status of the Bridge Repairs, one on the history and current status of The Groves Water Permit and reclaimed water project, and one on security. Concerns were expressed with not being in compliance with the water permit and the potential for fines until the reclaimed water system is in place. Mr. Bell stated that he is actively working with SWFWMD on the permit and is reasonably confident that as long as the District is taking steps to reduce water usage it will not be taking punitive actions. They have already acknowledged that there is an issue with the current usage reporting. Mr. Colflesh reviewed various steps that have been taken to reduce water usage and concurred that additional steps need to be taken and noted that the HOA will not be cost sharing for the infrastructure of the reclaimed water just the usage.

Mr. Boutin asked that a discussion on District Security be on next month's agenda.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

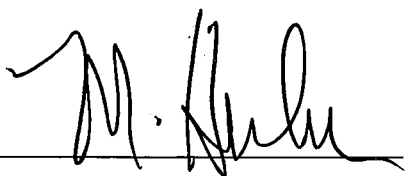
Audience comments were entertained regarding concerns with BAES using private property to access the pipe rather than the easement, with how the golf cart policy was established, recent break-ins and the procedure for obtaining copies of security film footage, and a request to obtain a barcode for a rental car. The following Board action was taken:

On a Motion by Mr. Simon, seconded by Ms. Semple, and followed by a vote of all in favor, the Board of Supervisors approved an exception to the barcode policy for a foreign resident who does not own a vehicle and rents one while in the community providing they remove the barcode when they turn in the vehicle and provide Ms. Renner with the dates they will be in town so the bar code can deactivated for The Groves Community Development District.

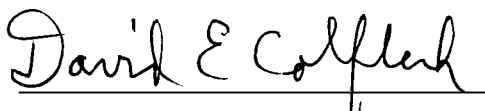
**TENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Simon, seconded by Mr. Boutin, and followed by a vote of all in favor, the Board of Supervisors adjourned the meeting at 1:55 p.m. for The Groves Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman