

The Crossings at Fleming Island CDD
Board of Supervisors Meeting Minutes
Thursday, November 19, 2020
1880 Eagle Harbor Parkway
Fleming Island, Florida

(Please note: This is not verbatim, a CD recording of the board meeting is available on file for review).

Board Members Present

John Tabor, Chairman
Mike Bruno, Vice Chairman
Tom Burt, Supervisor
David Herold, Supervisor
Laurie McIntyre, Supervisor

Staff Present

Sam Garrison, District Counsel, Kopelousos, Bradley & Garrison
Steve Andersen, District Manager and Operations Manager, Eagle Harbor
David Plevin, Hampton Golf
James Perry, District Administrator, Governmental Management Services, LLC

I - Roll Call

Chairman Tabor called the meeting to order at 6:00 p.m. and Mr. Perry called the roll.

II - Pledge of Allegiance

III - Public Comment

IV - Consideration of Resolution of Appreciation for Robbin Rush

This item was deferred.

V - Consideration of Resolution of Appreciation for Zane Butler

This item was deferred.

VI - Organizational Matters

A. Oath of Office for Newly Elected Supervisors

Mr. Perry being a notary public of the State of Florida administered the oath of office to Ms. McIntyre and Mr. Herold.

B. General Information for New Supervisors

A copy of the general information for new supervisors was provided at the meeting and Mr. Garrison gave an overview of the sunshine amendment.

C. Consideration of Resolution 2021-03 Designating Officers

Supervisor Herold moved to approve Resolution 2021-03 reflecting the following officers: John Tabor chairman, Mike Bruno vice chairman, Steve Andersen secretary, James Perry treasurer, Patti Power and Jim Oliver assistant treasurer, Tom Burt, David Herold, Laurie McIntyre, and Rich Hans assistant secretaries. Vice Chairman Bruno seconded the motion. Motion passed 5 - 0

VII - Approval of Consent Agenda

A. Approval of the Minutes of the October 15, 2020 Meeting

B. Financial Statements

C. Check Register

Supervisor Herold moved to approve the consent agenda items. Supervisor Burt seconded the motion. Motion passed 5 - 0

VIII - Discussion of Excess Utility Funds

Mr. Andersen stated we discussed this at the last meeting.

IX - Management Team Reports

A. District Counsel

Mr. Garrison stated last month I informed you about one open item of pending litigation. We have an administrative hearing set in that case to go over some objections to affirmative defenses that we previously listed. We did have an hour plus conference call with the newly installed counsel for the plaintiff that was very productive and hopefully we can get this resolved in a manner without expending further funds in litigation. I have a follow-up call scheduled for tomorrow and will keep Steve and GMS in the loop.

The county is in the process of doing due diligence on the purchase of three-quarters of the existing commercial/office space north of the Fleming Island Library, for the health department and emergency management. There are some financial consequences for the county and the district. There is a substantial amount of 2014 infrastructure bonds allocated to those parcels and the county will need to pay off that portion of the bonds prior to purchase. The portion of the property that will be sold generates approximately \$31,000 a year in annual O&M payments, which at the end of this current year if purchased by the county will no longer be paid; the county would be exempt from paying the O&M.

B. Tree Amigos - Report

A copy of the report was included as part of the agenda package.

C. Hampton Golf - Report

Mr. Plevin reviewed the performance report for October 2020 was included in the agenda package.

D. District Manager & Operations

1. Report

A copy of the monthly facility report was included in the agenda package.

2. Birds Eye Court Easement Encroachment

Supervisor Herold moved to approve a 10-foot encroachment into a 20-foot easement on Birds Eye Court subject to the continued recommendation of the district manager. Supervisor Burt seconded the motion. Motion passed 5-0

3. Swimming Pen Creek Land Purchase/Easement

Vice Chairman Bruno moved to deny the request for the construction of a boardwalk to Swimming Pen Creek through the conservation easement. Supervisor Herold seconded the motion. Motion passed 5 – 0

X - Supervisor's Requests and Audience Comments

A resident asked are the positions of secretary/treasurer designated or nominated positions?

Mr. Perry responded they are designated.

A resident asked in regard to the discussion about the sunshine law, am I to understand that any and all discussion and any and all decisions between the two positions will be discussed only in this forum?

Mr. Garrison stated there are five supervisors. If more than one of you are together or on the phone or whatever it is and you are communicating regarding matters which would reasonably come before the board, you need to not talk about that business unless you are in a forum like this where the public can see it, or you can always contact staff and we will facilitate a public notice of the meeting. Public notice generally needs 48 hours, we can notice it on our website and post it at Talons and wherever you elect to meet or communicate, do it in such a way that the public has an opportunity to be present and have minutes taken. If you are at Talons and say, do you like the wings, that is not something that would reasonably come before the board. However, if you are talking about Talons budget that is reasonable to come before the board. My advice as always is if there is anywhere close to the line, if you have to even ask the question, it is probably not worth it.

A resident stated a conversation between the secretary and treasurer does not fall under sunshine based on the fact that they are neither of these five people that were elected?

Mr. Garrison responded that is correct.

Supervisor McIntyre stated thank you for going over things that everyone else here knows inside and out and I will play catchup as best as I can.

Supervisor Burt stated I would like to make a motion that the board and district manager and district counsel prepare a social media policy for the board's consideration as soon as possible.

Chairman Tabor stated I believe that is already in process. When do we expect to see a draft?

Mr. Garrison stated as far as I'm concerned, we can have one at the next meeting.

Supervisor Burt stated the commitment is that we will have one at the next meeting.

Chairman Tabor stated we will have a draft.

Mr. Garrison stated any policy comes before the board. My recommendation is always to bring it to the board first for input. There won't always be consensus, but if there are things the board as a general rule sees that need to be fixed or tweaked that are not consistent with what the board wants let's do it on the front end and make sure everyone is on board with it.

Supervisor Burt asked with the new treasurer and secretary, does that change the reporting structure? If I wanted information up until this point I would have to go to Steve, I couldn't go directly to GMS. GMS reports to Steve. Does anything change?

Mr. Perry stated it is still the same, he is the district manager.

Supervisor Burt stated in order to get any information related to your position as the treasurer, I would go to Steve?

Mr. Perry stated as a matter of policy all information should flow through the district manager.

Chairman Tabor stated if you have a specific concern let us know what it is. I think what we are talking about is a matter of expediency and making sure consistent information is being distributed to us.

Mr. Garrison stated in this form of government whether you are talking about a district manager or county manager or town manager, if you are talking about a matter related to operations and I would say the budget as well, it should flow through the district manager. What I sometimes see people do is they have a question of the district manager and email the district manager, copy Jim on it but the way it is structured, that is the point of contact in terms of direction and operations. I will also point out that there is an exception to that and that is my role. I work with Steve, but I don't report to him, I work with Jim, but I don't report to Jim, I report to you. If there is ever an issue you can also reach out to me at any time. If there is an issue related to GMS sometimes it is easier to go directly there but my recommendation would be to always copy the district manager.

The district manager is the individual accountable to get you that information. He is accountable for it.

Supervisor Burt asked did that change when Steve became a government employee or was that the case when he worked for GMS?

Mr. Garrison stated it doesn't change one bit depending on if you have a full-time employee or contractor, it is the position of district manager, which is accountable to the board and the board to the district manager.

Chairman Tabor stated if you ever have an issue receiving information then we need to know about that, because that is a problem. If there is a specific problem or complaint, we are the board. If it is a concern from a legal standpoint that is what we pay counsel for.

We have people coming back on the board and we have new people on the board and as a reminder our appropriate role is, we set policy. We set the strategy; we give the vision of what we want things to look like here in the long run. It is inappropriate to direct staff to do anything individually outside of the action of this board. We have one employee, and we can hire or fire him at will and there is a chain of command that needs to be respected.

Supervisor Herold stated it is an honor and privilege to be back.

Vice Chair Bruno stated I wanted to congratulate David; the member/guest function was fantastic. I was very impressed with the awards dinner as well. I heard a lot of great comments about it and it also creates a great value for our members. I appreciate that other people are interested in seeing a dog park.

XI Next Scheduled Meeting – December 17, 2020 at 6:00 p.m.

XII – Adjournment

Hearing no objection, the Chairman adjourned the meeting at 7:39 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman