

**MINUTES OF MEETING  
GOLDEN LAKES  
COMMUNITY DEVELOPMENT DISTRICT**

A meeting of the Board of Supervisors of the Golden Lakes Community Development District was held on Tuesday, November 3, 2009 at 10:00 a.m. at the Club at Eaglebrooke, 1300 Eaglebrooke Boulevard, Lakeland, Florida.

Present and constituting a quorum were:

Rich Weaver	Chairman
John L. Knapp	Vice Chairman
Patrick M. Adams	Assistant Secretary
Corey Miller	Assistant Secretary
Michael Turner	Assistant Secretary

Also present were:

Gary Moyer	Manager
Scott Clark	Attorney
Steven C. Shealey, PA	Engineer
Lou Ellen Wilson	LE Wilson & Associates, Inc.

*The following is a summary of the minutes and actions taken at the November 3, 2009 Golden Lakes CDD Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Moyer called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the August 4, 2009 Meeting**

Mr. Weaver stated each Board member received a copy of the minutes of the August 4, 2009 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Knapp seconded by Mr. Turner with all in favor the minutes of the August 4, 2009 meeting were approved.
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**THIRD ORDER OF BUSINESS**

**Manager's Report**

**A. Consideration of Engagement Letter with Berger, Toombs, Elam, Gaines & Frank to Perform the Financial Audit for Fiscal Year 2009**

Mr. Moyer reviewed the proposed engagement letter. The fee will be \$6,675, which is the amount budgeted for the audit.

On MOTION by Mr. Turner seconded by Mr. Knapp with all in favor the engagement letter with Berger, Toombs, Elam, Gaines & Frank to perform the financial audit for fiscal year 2009 was approved.

**FOURTH ORDER OF BUSINESS**

**Discussion of FHP Road Issue**

The following was discussed:

- Mr. Shealey stated he emailed a report. The last couple of inspections have shown improvement. He has no recommendations at this point.
- The extended warranty expires at the end of February 2010.
- Mr. Weaver noted this issue needs to be officially closed. The Board has to decide whether it is contempt with the road, what corrections, if any, FHP will be asked to make and make a decision on the discussion regarding making a change at the swing gate where the right side says 'yield' and whether or not to move the 'yield' to the left side to give people with barcodes priority in entering the community.
- Mr. Turner questioned about the reflectors that were supposed to have been done and were not.
- Mr. Shealey suggested directing FHP to come back and touch up the worst areas and re-roll everything. He believes they are willing to do that. Mr. Weaver requested this to be done before the warranty expires. Re-rolling will help spread out some of the bumps created where there are gauges. Engineering will have to coordinate with FHP on the problematic areas which need to be touched up. There was Board consensus to do this.
- There was Board consensus to direct staff to have the word 'yield' painted over at the entrance.

On MOTION by Mr. Turner seconded by Mr. Knapp with all in favor Mr. Clark was directed to write a letter to FHP instructing them to have an onsite meeting with the District engineer to touch up the problem areas, re-roll the entire job and replace any missing or broken reflectors.

**FOURTH ORDER OF BUSINESS**

**Attorney's Report**

**A. Notice of Fee Changes**

Mr. Clark reviewed his reasoning for increasing his rates and does not plan to request another increase next year. This should not affect the budget.

On MOTION by Mr. Turner seconded by Mr. Knapp with all in favor the increase in fees for Clark & Albaugh, LLP as identified in the letter presented to the Board was approved.

**B. Status of Developer Agreement(s) for Irrigation and SWFWMD Permit Transfer**

The following was discussed:

- Mr. Clark had discussions with the developer's attorney.
- He ultimately had to write a letter as directed by the Board because no action was being taken.
- The developer's new attorney, Mr. Appel, sent three agreements. They include revisions to the irrigation agreement and the stormwater easement agreement as well as a new agreement he is proposing with regard to the maintenance assessments the Board voted to impose for that section this year.
- Mr. Clark has no issues with the changes proposed to the reciprocal stormwater drainage agreement and recommended moving forward. Those changes include:
  - Designation of permits.
  - They want to have a limitation on work the District felt was necessary on the golf course which would not interrupt with golf operation.
  - There was a provision that the District could remedy work they did not do, which is a violation of permit on their property. They want that provision to be reciprocal.
- Mr. Moyer noted he had discussions with Mr. Jacobs, which resulted in the two revised agreements Mr. Clark received. Mr. Moyer, Mr. Clark and Mr. Weaver had a

telephone conversation last week to go over the proposed agreements. Some changes do need to be made to the irrigation agreement and they agreed there should be a term limit on the forbearance agreement. At the end of the conversation Mr. Weaver asked about the sidewalk easement. Mr. Moyer talked to Mr. Jacobs about it and subsequently sent out an email about it. Mr. Jacobs requested a three year term on the forbearance agreement. With regard to the sidewalk easement he does not have a conceptual problem with it, but he wants more information before committing to it. This can be incorporated into one of the proposed agreements with a legal description to do a legal easement. The sidewalk easement should not be a problem. With regard to the forbearance agreement Mr. Moyer suggested the developer agree to pick up the maintenance costs on the irrigation system for three years, the District would agree to pay the 9% for the actual water usage and Mr. Jacobs agreed. Mr. Weaver clarified the maintenance was for the pump house and not maintaining the irrigation system in the common area.

- Mr. Weaver asked if there are still areas where water is being pulled from the core system, which are not being metered. Ms. Wilson clarified that everything is metered. There was discussion regarding changing the provision for the District to pay a fixed 9% rate to pay for actual usage.
- Mr. Clark suggested the Board approve the irrigation agreement subject to final approval by the Chair and counsel with the direction of strengthening the language with reasonable discretion, inserting provisions which will allow the District to adjust its cost based on actual use and the indemnification waiving the District's sovereign immunity being removed.

<p>On MOTION by Mr. Turner seconded by Mr. Knapp with all in favor the Board approved the irrigation agreement as amended with the recommendations made by District counsel and with final approval by the Chairman.</p>
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- The Board discussed the length of time for the District to forgive assessments on the remaining lots owned by the developer in Eaglebrooke with regard to the maintenance special assessment agreement.

On MOTION by Mr. Turner seconded by Mr. Miller with Mr. Turner, Mr. Miller, Mr. Knapp and Mr. Weaver voting aye and Mr. Adams voting nay the forbearance agreement was approved with a three year term contingent upon the sidewalk easements and waiver of the pump house maintenance.

**SIXTH ORDER OF BUSINESS**

**Engineer’s Report**

Mr. Shealey reported the following:

- He had a request to look at the storm system out front and determined it was not the District’s responsibility.
- He has not heard back from the city with regard to the drainage and erosion issue by the intersection, which has been repaired.
- Mr. Weaver requested Mr. Shealey come up with the legal description easement language on the sidewalks.

On MOTION by Mr. Turner seconded by Mr. Miller with all in favor the stormwater drainage easement agreement was approved.

**SEVENTH ORDER OF BUSINESS**

**CAM Report**

**A. Tree Trimming**

**B. Mowing of Dry Retention Area in Preserve**

Ms. Wilson submitted her status report and the following was discussed:

- The storm drain wash out repair at the northeast intersection of Eaglebrooke Boulevard and Osprey Landing Drive was completed at a total cost of \$5,694.04.
- The control panel on Reflection Lakes Drive is rusted and water leaks in when it rains causing a short circuit. A quote was submitted to replace it for a total of \$1,100.

On MOTION by Mr. Turner seconded by Mr. Miller with all in favor the Board approved replacing the control panel on Reflection Lakes Drive for a cost of \$1,100.

- Mr. Weaver clarified Ms. Wilson is authorized to spend up to \$1,500 on repairs without Board approval as long as it is approved by the Chairman and the District manager.
- A quote was obtained to clean out the bush hog retention area for a total cost of \$440. There is no additional charge for mowing.

- Two quotes were submitted to trim the trees. Raymow quoted \$6,150 for 75 oak trees. B&G Tree Service quoted \$4,800 for 69 oak trees and 11 maple trees.

On MOTION by Mr. Turner seconded by Mr. Miller with all in favor the Board approved the quote from B&G Tree Service for trimming the trees at a total cost of \$4,800.

- Raymow submitted quotes for replacement of landscaping. Ms. Kiehl and Ms. Wilson will review proposals and obtain additional ones for the next meeting.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Requests**

There not being any, the next item followed.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

There not being any, the next item followed.

**TENTH ORDER OF BUSINESS**

**Approval of Financial Statements**

The Board briefly reviewed the financial statements. Mr. Moyer noted the fund balance will be increased by approximately \$72,000, which is revenue over expenditures. Mr. Weaver stated at the next meeting the Board should discuss any capital improvement projects and the possibilities of using funds for those projects versus taking some of the funds and placing them into the reserves.

On MOTION by Mr. Turner seconded by Mr. Knapp with all in favor the financial statements and invoices were approved.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Turner seconded by Mr. Knapp with all in favor the meeting was adjourned.

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Gary Moyer  
Secretary

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Rich Weaver  
Chairman