

**MINUTES OF MEETING**  
**CELEBRATION COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Celebration Community Development District was held Wednesday, February 15, 2006 at 6:00 p.m. at Celebration Town Hall, 690 Celebration Avenue, Celebration, Florida

Present and constituting a quorum were:

Richard Quinn	Chairman
Peter Crow	Vice Chairman
Steve Katz	Secretary
Linda James	Supervisor

Also present were:

Gary Moyer	District Manager: Severn Trent Services
Tom Lang	Attorney: Shuffield, Lowman
Colt Little	Attorney: Shuffield, Lowman
Larry Walter	Engineer: Hanson, Walter & Associates
Matthew Forbes	Walt Disney Imagineering
Brian Smith	District Manager's Office
Rick Woodville	District Manager's Office
Brenda Wright	District Manager's Office
Alex Morton	
Charlie Eldredge	CROA
Dan Tomsick	Resident
Members of the Public	

**FIRST ORDER OF BUSINESS**

**Pledge of Allegiance**

Mr. Quinn led the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**

**Roll Call**

Mr. Quinn called the meeting to order.

Mr. Moyer called the roll and noted a quorum was present

**THIRD ORDER OF BUSINESS**

**Public Comments**

There being no public comments the next item followed.

**FOURTH ORDER OF BUSINESS**

**Approval of the November 30, 2005  
and the January 18, 2006 Meeting  
Minutes and acceptance of the**

**January 18, 2006 Audit Selection meeting.**

Mr. Katz stated I would like to move to accept the minutes, but I have not had a chance to go through them, so I would ask the Board to provide comments post-meeting and give us until the end of the month.

Mr. Crow stated my understanding was that we were not going to have workshops until summer. Also on the second paragraph from the bottom on page 15 regarding the interconnect, I am opposed to anything going on right-of-way at the interconnect. There is extra property there that could be used for ball fields or soccer fields.

Mr. Quinn asked which set of minutes are you referring to?

Mr. Crow stated my comments on the workshop is in the January 18, 2006 minutes, page 12, the first paragraph about the workshops and also on page 15, second to the last paragraph on the bottom is in regards to the interconnect. I want to make it clear that I am opposed to anything being placed on the right-of-way on the Celebration Boulevard interconnect. I am not opposed to using adjacent land on the right-of-way.

Mr. Katz asked why are we doing verbatim minutes?

Mr. Moyer stated there were meetings in the past in which Supervisors asked for various sections to be verbatim and instead of trying to determine what you thought should be verbatim, it was just easier for staff to go ahead and type them verbatim. We can certainly do summaries again if that is what the Board desires to do.

Mr. Quinn stated the meeting tapes are available in the District Office should anyone want to go there and listen to them.

Mr. Crow stated my understanding is that those tapes are kept for a certain amount of time.

Mr. Moyer stated we do keep tapes for a long period of time.

On MOTION by Mr. Katz, seconded by Mr. Crow, with all in favor, approval was given to accept the minutes of January 18, 2006 Audit Selection Committee minutes and to revise the minutes of the November 30, 2006 regular meeting minutes and the January 18, 2006 regular meeting minutes.

**FIFTH ORDER OF BUSINESS**

**District Manager's Report**

- A. Financial Statements**
- B. Invoices/Check Register**
- C. Attorney Invoices for December**

Mr. Moyer stated the above Financial Statements, invoices/check register and attorney invoices are included in your agenda for review. For the record, there was a question last month as to whether or not ISSA had paid the Hopping Green invoices, but Carlyle paid them directly.

Mr. Katz stated but we paid them also.

Mr. Moyer stated I do not believe so.

Mr. Katz stated we paid pieces of those invoices because she had previously billed us.

Mr. Moyer stated we will true that up, but they have been paid.

Mr. Katz stated I left Ms. Stuart a message, but about three years ago we had leased a concession for the people with boats to store them for a fee of \$2,000, which to my understanding, they originally gave the money to CROA and I was told by CROA that they told them to give the check to us and Ms. Stuart said she would put it in the Trust account. We did not want it to go into our general fund; we wanted the money to be used for a public purpose, but we never decided what that was. Could someone find out where that \$2,000 is? I also noticed on the invoice there was a prepaid balance of \$205.85. I originally thought CROA had put the check in their account and was supposed to cut a check to Ms. Stuart. Professional services rendered outside the meeting would not cause this problem and I think we should go back and check through all of the bills. I suggest that we hold off on paying both Hopping Green & Sams's invoices now until we get these invoice matters worked out just as a housekeeping matter.

On MOTION by Mr. Katz, seconded by Ms. James, with all in favor, approval was given to approve the invoices.
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**D. Field Operations**

Mr. Smith stated they have fallen behind schedule with the tree planting, but they have committed to catching up. They had a little trouble getting a couple of deliveries in and they

missed putting in an order in a timely fashion, so the trees did not get there. They have a little more help now to install the trees and they have an entire crew that is going to be designated for that.

Mr. Katz asked what do you mean by the list being revised?

Mr. Smith stated there are some new trees that have died since the hurricanes that were not on our original list. I have asked them to create a separate list from our old list of the new trees and explanations as to why they died. I can go look at these trees to find out if they died due to the hurricanes because we do have them on the list of the trees we stood back up. I told them the only ones I want now are the residential trees.

Mr. Katz stated the residential trees in North Village are 100% complete.

Mr. Smith stated yes.

Mr. Katz stated there are 30 Celebration Village residential trees done out of 62 and they are behind schedule on that and in West Village they have 15 out of 21 completed.

Mr. Smith stated that is correct. Regarding Carlyle, they started on the electrical utilities along Celebration Avenue across from Founders Park. They put up the green fence and in some locations where they had to get to the transformers they had to move the fence across our existing sidewalk. They built an additional sidewalk to go around those areas, which seems to be working out fine.

Mr. Katz stated going from Mulberry as you are walking or riding a bike, down to where the right in and right out is, how can you cross over without having to go across the raised curb.

Mr. Smith stated you will come down Mulberry, hit a transition towards the curb, which is approximately a 10-foot transition, it will go down to six feet, straighten out and then go parallel to the curb. The sidewalk between the triangular center island will be like a canal. There will be two sidewalks raised; one by the roadway and the back end of the triangle. You are going to go from an eight-foot path to a six-foot path and once it gets to the raised center island, it will go down to four-foot.

Mr. Moyer stated this is the alternative we talked about and that is a little more defined than our verbal description was.

Mr. Smith stated regarding the Celebration Avenue repairs, we had a tentative schedule for this Monday and the Enterprise Board has asked that we delay that because they want to

increase the scope due to the road getting worse with additional rutting along certain sections of the road that is going to need to be repaired while we are doing this. This process will be fairly quick and we have contractors available that are ready to work. Other streets including Beak and Downy Place needed several small repairs, which have been done, the drive through has been completed and we are waiting for final acceptance by the County. We are working with Stetson and St. Joe on the directional signage to do some revisions to the blank panels. We had a company come out and try to get the correct font. It should be done within the next couple of weeks.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Lang stated Mr. Little and I are happy to be here today.

Mr. Katz asked are you receiving things that you need from us?

Mr. Lang stated yes. At this point I want to make sure that your procedural policies are the same as the other CDDs and I am sure they are because Mr. Moyer participated in drafting them

Mr. Quinn asked are you also in contact with Ms. Stuart?

Mr. Lang stated I think Ms. Carpenter from our firm has been in contact.

Mr. Katz stated I would suggest that when you look at the procedures and rules, they were drafted ten years ago and perhaps there might be some things that might be beneficial for a resident Board versus a developer Board, as well as anything in the law that might have changed.

Mr. Moyer stated for everybody's information, the rules of procedures in substantial part basically restate Florida Statutes. There is a big section in there about competitive bidding that tracks 287 and 255, there are sections about elections, which track 190 and the requirements for the election. In 2005 the election section changed, so we probably do need to update that. Basically it is just a restatement of existing Florida Law.

**B. Engineer**

Mr. Walter stated we have a proposal from Albritton Williams to do the repair on the alleys prior to resurfacing. We got a proposal from APAC, but for some reason they only had in there that they were going to pave several alleys, so we sent that back to them to have them

adjust the proposal. We are interested to see that because of the tonnage because it is so small. All the Weir designs are finished and we are ready go to bid except for the break wall design. Regarding Banks Rose I have had trouble getting the plans from PBS&J. We have been in conference for about four or five months now. I recognized there is a difficulty there and we need those in order to be able to review the documents. The Board might want to get copies of everything. I know it will cost to do that, but we are trying to get the information from them. We should get all of the documentation for the CDD, all the programs and keep them in the District Manager's office so we will have immediate access to them.

Mr. Crow asked do we not have copies through the development stage? I have seen things in Mr. Smith's office.

Mr. Smith stated we have hard copy.

Mr. Walter stated I need the drainage, monitoring, other engineering data and calculations.

Mr. Quinn asked is this for the flooding problem?

Mr. Walter stated this is the area where the pictures were brought in that showed how the roadway floods out there. We want to get back to the way it was designed because in lots of cases some of these flooding problems that have happened are due to intense rainfalls. We will look at the drainage monitoring permits and see if there is anything we can do about it. Bill Telford has been very friendly, I talked to him and he apologized to me, but he has to go to the storage unit, go through it to get what I need and he has just not had time to do it. We could have it entirely re-surveyed, but that would be a tremendous cost. I will tell him that the Board has now confronted me with issue.

Mr. Quinn stated to close this loop you have made a recommendation to the Board that the District acquire a complete set of all of these documents.

Mr. Walter stated I would ask them to give them to us in CDs and digital files. Typically that is not an issue; they can take care of the documents and store them. Our only issue is timely access to those documents.

Mr. Quinn stated as long as at the end of the day, we can get our hands on what we need and when we need it; not when somebody can get to it.

Mr. Walter stated I do not think it is an issue of whether or not we can get it; sometimes it is more important to get it faster.

Mr. Quinn stated I noticed they have started to cut in the driveway.

Mr. Walter stated they have the permits.

Mr. Smith stated we cut it yesterday and we expect the culvert pipe to go in today and the concrete was scheduled to be poured Friday, but it will probably be mid-week.

**C. District Representative**

There being no report the next item followed.

**SEVENTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. Quinn stated I have received numerous inquiries from residents throughout the community to make more use of Lake Rianhard. I would like for staff to come back to the Board with a set of recommendations and a procedure for what, if any, types of craft that can be used or any type of fishing that can be permitted, even if it is catch and release. I would like to see staff deal with issues of liability. We made mention before of leasing it.

Mr. Moyer stated I will find the minutes where we had those discussions and send them to the Board. The reason we went the vendor route is because we could get insurance and it was something that made that dock area useful. The problem with any type of boat use in that lake is that there is no place to launch a boat. The concern was if it is not controlled, how much use is going to be made of that lake and how many people are going to be here using the lake. There are some basic constraints in addition to the liability.

Mr. Quinn stated I am asking for a definition of what the constraints would be, what the liability issues would be and if it has to be hand launched, which would restrict it to canoes, kayaks and anything that can be portaged to the edge of the lake. If it is the only way that anybody can be on that lake it would clearly be at their own risk and if the lake has to be posted with signs saying if you boat here you are on your own. I am not satisfied with just "no."

Mr. Moyer stated I will be glad to list what I can, but it is not a big lake and obviously we would not permit motor boats on the lake.

Mr. Quinn stated if the answer comes back that there is no practical way to do it then that is the answer, but I would like to see staff investigate it. I want us to be able to answer this question with a sense of finality one way or the other so everybody knows what they can or cannot do.

Mr. Crow asked what is our current policy?

Mr. Moyer stated on the issue of fishing, you cannot restrict fishing; any waters, no matter where they are, are considered waters of the State of Florida so Game and Fish controls where, what and when you can fish. In terms of us prohibiting fishing, I doubt if we have the jurisdiction to do that, but any other use of that lake we do have jurisdiction. It is not a recreational lake; it is a Water Management drainage facility of the District. Unless you are in there doing water management, we would not permit watercraft of any kind on the lake.

Mr. Quinn stated that might very well be the answer to the request, but I want that ultimate answer documented in a way that it can be published in the communities and the community will know once and for all.

Mr. Katz stated we have wrapped up the 1994 refunding and have transferred over about \$300,000, which was the remaining piece that I was working on to get that transaction finished. There is approximately \$2.4 million in the 2005 construction fund. I would like to ask that we start thinking about what that money will be available for over the next five years and have a clear cut plan so that it is just not sitting there. As we get toward the budget process this summer, I would like for us to have a five-year capital improvement plan, which would take that money into account and we would have it as part of our budget in the process. Since it is only February I think it is fair warning that we consider June as our budget process time and staff could work on having a five-year plan. Also, we could see where the holes are as far as other areas that we might have to work on.

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Katz, seconded by Ms. James, with all in favor, the meeting adjourned at 6:50 p.m..

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Steve Katz, Secretary

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Richard Quinn, Chairman