

MINUTES OF MEETING
ROLLING HILLS COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Rolling Hills Community Development District was held Wednesday, October 2, 2013 at 6:00 p.m. at the Rolling Hills Amenity Center, 3212 Bradley Creek Parkway, Green Cove Springs, Florida 32043.

Present and constituting a quorum were:

Bill Tew	Chairman
Jody Smith	Vice Chairman
Rose Bock	Supervisor
Rocky Morris	Supervisor (by phone)

Also present were:

James Oliver	District Manager
Katie Buchanan	District Counsel
Keith Hadden	District Engineer
Freddie Oca	Amenity Center Manager
Brian Stephens	Riverside Management Services

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 6:00 p.m.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2014-01
Providing for the Public's Opportunity to
be Heard**

Ms. Buchanan stated we talked several times over the summer when the legislative was in session but essentially, they passed a law that requires members of the public be given a reasonable opportunity to be heard on a proposition before a board of commission. It is so long as the opportunity to be heard comes before the board takes action on it. It doesn't mean that we have to have an agenda item and then public comment and then vote. It just means that the public has to have an opportunity to comment before you take your final vote. We have included a memorandum in your agenda package that explains how the law works and which actions it applies to. It does not apply to emergencies, ministerial acts, shade sessions or if you are acting in judicial capacity. By that I mean if someone came to the board and requested that

you make a decision on the suspension of their amenity privileges. What we have done is include a resolution that would prescribe the procedures in which we should implement the new opportunity to be heard policy. The resolution would require that the board have an initial public comment period at the start of each meeting, so that way every agenda item that would be included in the meeting would be covered under that opening session. We would suggest that speakers are allowed to address any agenda item, as well as non agenda items that are of personal or general concern that relate to the District. I would suggest that we limit comments to three minutes. The board will always have the opportunity to extend that if they choose to. We reserve the right to use speaker cards.

Mr. Oliver stated this resolution would ensure that we are compliant with Florida Statutes. Our CDDs have always allowed for public comment. Some forms of government didn't. There were some court rulings saying you have the right to attend but you don't necessarily have the right to speak but now, the legislature has changed the statute. It really doesn't impact us other than I want to continue to have audience comments at the end of meeting and also have an audience comment section at the beginning of the meeting. If we add an item during the meeting, we would give the public an opportunity to speak on that matter also. I don't think it will impact us very much. We can post the agenda on the website from now on.

<p>On MOTION by Mr. Smith seconded by Mr. Tew with all in favor Resolution 2014-01 Providing for the Public's Opportunity to be Heard was approved.</p>

SECOND ORDER OF BUSINESS

Audience Comments on Action Agenda Items

Mr. Oliver stated we have agendas that are available. If there is anything that you want to talk about that is on the agenda tonight then you can make a comment now. You can also make comments at the end of the meeting if there was something else you want to talk about regarding the CDD.

THIRD ORDER OF BUSINESS

Approval of Minutes of the August 7, 2013 Meeting

Mr. Oliver stated included in your agenda package is a copy of the minutes of the August 7, 2013 meeting. Are there any corrections?

On MOTION by Mr. Tew seconded by Ms. Bock with all in favor the Minutes of the August 7, 2013 Meeting were approved.

FOURTH ORDER OF BUSINESS **Discussion of District Records Location**

Mr. Oliver stated previously we had the official records stored at Eagle Landing. We would like to officially change the records location to this office here. We will still keep records at the GMS offices.

On MOTION by Ms. Bock seconded by Mr. Smith with all in favor to Set the Location of the District Records Office to be Rolling Hills Amenity Center, 3212 Bradley Creek Parkway, Green Cove Springs, Florida 32043 was approved.

FIFTH ORDER OF BUSINESS **Consideration of Amendments to District Rules of Procedure and Setting a Public Hearing Date**

- A. Memorandum Regarding Updated Provisions
- B. Updated Rules of Procedure
- C. Notice of Rule Development
- D. Notice of Rulemaking

Ms. Buchanan stated the District operates under certain rules of procedure that have been in place for years. Every couple of years, my office goes back and reviews legislation that may impact this, as well as in corporate some of the life lessons that we have learned along the way. We have put together what we think are appropriate updates to your rules. I can email you out a redlined version. The rules of procedure don't really relate to how the board interacts with the homeowners here. It mostly relates to how the board functions in an administrative capacity, what is necessary for quorum, procurement issue and who is entitled to represent the board at mediation. Included in your agenda is a memorandum that highlights some of the more important changes that we have done. There is an update to deal with how conflicts with Florida Law and the rules themselves governed. It makes it clear that any one member of the board can attend the mediation station on behalf of the board. It details what we just talked about, which was public comment. It allows for the inclusion of teleconference or video by board supervisors at meetings. It deals with a lot of procurement issues. What I would suggest is for you to take some time to just review them and then discuss any concerns you may have with the updates or any concerns you may have with the existing rules. The way

the process works is once you have this initial discussion, you would authorize staff to publish two notices in the newspaper. They should be published 28 and 29 days out. Then you have a public hearing to adopt these rules of procedure. The only thing you would do today is authorize staff to move forward with setting the public hearing date. At the public hearing you would discuss any concerns you have with the changes or any audience issues on the record.

On MOTION by Mr. Tew seconded by Ms. Bock with all in favor Setting the Public Hearing for Amendments to District Rules of Procedure for December 4, 2013 at 6:00 p.m. at 6:00 p.m. at the Rolling Hills Amenity Center, 3212 Bradley Creek Parkway, Green Cove Springs, Florida 32043 was approved.
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SEVENTH ORDER OF BUSINESS**Consideration of Release of Construction Easement**

Ms. Buchanan stated I was contacted by the Developer and Landowner out here and asked that I work with the engineer to take a look at the construction easement that lies over the entire District. Essentially what this is an easement put in place by the original Developer, which would give the District the authority to construct improvements throughout the District. It was necessary at that time because the Developer still owned certain lands and they were phasing in and out how they dedicated property over to the District. This was just one large blanket easement. As I understand it the construction of improvements in phase one has been wrapped up, so the Developer has asked that we go ahead and release the easement over just phase one.

Mr. Hadden stated I have reviewed all of the documents. It was a blanket easement, so that construction could occur anywhere on the District. There is no need for it but a title company would look at it and say there is an easement over your entire piece of property. There would be no need for the CDD to go on to any of the pieces of property. The easements around the lake still exist for maintenance or upkeep or mowing or anything like that. There are still easements over all of the water lines, all of the sewer lines and all of the electric lines. This was just a blanket easement that was over all of the lands. It might still be over lots that have already been sold. I don't know. I am specifically addressing the lots that haven't been sold. I have no problem recommending that easement be lifted.

Ms. Buchanan stated the release relates specifically to the plat, so all of these rights are preserved by plat.

Ms. Bock asked and then when the next phase is developed, will there be an easement there?

Ms. Buchanan responded there is already one there now.

On MOTION by Mr. Smith seconded by Mr. Tew with all in favor the Release of Construction Easement was approved.

EIGHTH ORDER OF BUSINESS

Update on Operations & Maintenance

Mr. Oca stated we had about 50 people show up for our event in August. We are going to have another event on October 26th. I am going to order the nets for the tennis courts on the far side. The wooden dip machine has been removed from the fitness center. The fitness center remains unlocked. We are going to pressure wash the whole facility this month. We did a sand trap inspection for the year. The lights on the pool deck have been fixed. We are still looking at it though because the breakers are still going out. All of the flood lights have been replaced at the facility and the plumbing has been inspected.

Mr. Smith asked do we have the age requirements for the gym posted on the gym door?

Mr. Oca responded yes. We had to order the signs for it.

Mr. Stephens stated we redid the planters here at the front entrance.

Mr. Oliver stated it looks good.

Mr. Stephens stated the vacant lots in the back are scheduled to be mowed again starting next week. It will probably be the middle of the following week when they are finished. We have gone through and edged all of the undeveloped roadways. We will be doing that again in the near future.

Mr. Oliver stated I notice the pool chemicals are not being driven across the grass now. That looks a lot better.

Mr. Smith asked the storm drain on this road that now has a semi circle crack in front of it on the street, where it is collapsing back in on it. Is there a plan to get that fixed before that finally collapsing in on itself?

Mr. Stephens responded Clay County has been contacted multiple times. They swear it is on their list of things to do but there were other things that were higher priorities. They assure me that it is on their list.

A resident stated I have a question about the trees that are along the walkways. Are we going to get those trimmed?

Mr. Stephens responded yes. They will be lifted to where everyone will be able to walk down the sidewalks.

A resident stated as you enter up here at the entrance off of the main road, the last people that were cutting the grass there cut it all the way down to the wooden bridge. Why isn't that getting cut now?

Mr. Stephens responded the last time it wasn't cut because it was excessively wet. They had been pumping out the creek back here and there was no way they could get in there the last couple of times. It is still the same people mowing. They just couldn't access it with their equipment.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Mr. Hadden stated I had a meeting about two weeks ago with the public works director when I was first told about that hole over there. As of right now, it is a maintenance item that can be repaired pretty easily. You are doing the right thing with staying on them. They are aware of it. I have pushed a couple of times but that is really all you can do. They are going to fix it.

Mr. Smith asked are the lots that are now under contract not going to get cut? Are those now the responsibility of the eventual builder or is Sullivan Landscaping going to go ahead and cut those lots one more time.

Mr. Stephens responded they are all going to be cut. It will be cut just like it has in the past.

Mr. Oliver stated you are coordinating them to get cut but that is on behalf of the HOA.

C. Manager

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS Supervisor's Requests and Audience Comments

Mr. Smith stated I had one question I wanted to ask about easements. Around the lakes if you look at the master plan, these lake lots run down to the lake but then it is dotted lines. I guess part of these hills that run down the lake are considered an easement. There is some misunderstandings among a few residents about if a resident is responsible for maintaining that hill all of the way down to the lake or is a portion of that easement the responsibility of the development. Can we clarify for everyone's understanding?

Mr. Oliver asked do you know from the HOA document?

Mr. Stephens responded it should be all of the way to the waters edge is the homeowners responsibility. It is the same in the front yard. The last couple of feet before the curb line is technically an easement but it is still the homeowners responsibility to mow all of the way to the curb.

Mr. Smith stated pretty much the hills down to the lake on the undeveloped lots don't get maintained at all. Who's responsibility is that? Some of these vacant lots on these hillsides have gotten out of control with growth. Is that a development responsibility?

Mr. Oliver responded it is the property owners. The property owner may be a bank. It may be the Developer. The CDD just doesn't have a way to manage which ones need to be mowed along the waters edge and which don't. The governing authority would be the HOA.

A resident asked what is going to happen to the lots that banks own in here? They are never going to sell a \$20,000 lot for \$50,000.

Ms. Buchanan responded special assessments and taxes are both collected by the County Tax Collector, so you get one bill that would include your County taxes and your CDD assessments, so if you have a lot that has been foreclosed on then they are not going to be able to pay the taxes unless they pay the CDD lien. If there is a \$31,000 lien on it then likely they haven't paid either. Eventually someone will buy the tax certificate on that. You can get up to 18% interest on your certificate. After two years, you can apply to have the County sell it

through a tax deed sale and ultimately, someone can buy it just for the amount of delinquent taxes. If it is too high and makes unmarketable then it would eventually issue to the County. It would go on the County's remnant lands and then the County would sell it free and clear of all liens.

A resident asked how would someone know that the time was up and they could bid on that lot for what was owed on it?

Ms. Buchanan responded the tax collector generally has tax deed sales once a year. They will publish a list of all of the folio parcel identification numbers that are going to be sold in the newspaper.

Mr. Oliver stated it would be on the tax collectors website too.

Ms. Buchanan stated you can look it up by address and see whether someone has bought a tax certificate and what year it was that they bought it.

A resident asked how many lots have sold in here recently?

Mr. Oliver responded I don't know. The Community Development District doesn't keep that data. I can try to find out.

A resident stated I talk to the guys that surveyed the two lots across the street and they said those were Richmond lots and they were thinking about building.

TWELFTH ORDER OF BUSINESS Financial Reports

A. Approval of Invoices

Mr. Oliver stated included in your agenda package are the invoices.

On MOTION by Ms. Bock seconded by Mr. Tew with all in favor the Invoices were approved.

B. Balance Sheet & Income Statement

Mr. Oliver stated included in your agenda package is the balance sheet and income statement.

C. Assessment Receipt Schedule

Mr. Oliver stated included in your agenda package is an assessment receipt schedule. We have received Developer contribution checks over the last three months of \$34,000,

\$20,000 and \$20,000. The Developer told me yesterday there is another \$20,000 coming this week. We really appreciate their support.

THIRTEENTH ORDER OF BUSINESS

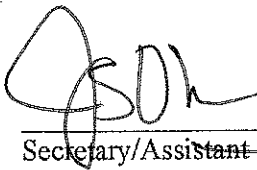
Next Meeting Scheduled for December 4, 2013 @ 6:00 p.m. at Rolling Hills Amenity Center, 3212 Bradley Creek Parkway, Green Cove Springs, Florida 32043

Mr. Oliver stated our next meeting will be December 4th at 6:00 p.m. at this location.

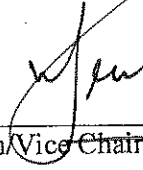
FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Tew seconded by Mr. Smith with all in favor the Meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman