

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, December 7, 2010 at 6:30 p.m.** at The Groves Civic Center, located at 7924 Melogold Circle, Land O' Lakes, Florida 34637.

Present and constituting a quorum:

Dave Colflesh	Board Supervisor, Chairman
Jane Thompson	Board Supervisor, Vice Chairman
Sally Semple	Board Supervisor, Assistant Secretary
Don Osborn	Board Supervisor, Assistant Secretary
Mike Hicks	Board Supervisor, Assistant Secretary

Also present were:

Matthew Huber	District Manager, Rizzetta & Company, Inc.
John Vericker	District Counsel, Straley & Robin
David Bell	District Engineer, Landmark Engineering
Kelly Evans	Representative, Rizzetta Amenity Services, inc.

Audience

FIRST ORDER OF BUSINESS

Call to Order and Pledge of Allegiance

Mr. Colflesh called the meeting to order and Mr. Huber performed roll call confirming that a quorum was present.

Mr. Osborn led all those present in reciting the Pledge of Allegiance.

Mr. Colflesh asked the Supervisors if they had any items to add to the agenda. Ms. Semple stated that she would like to be added to the list regarding the rim ditch issues.

SECOND ORDER OF BUSINESS

**Administration of Oath of Office to Newly
Elected Supervisors (David Colflesh, Sally
Semple, and Michael Hicks)**

Mr. Huber, a Notary Public in the State of Florida, administered the oath of office to the newly elected Supervisors. Mr. Colflesh, Ms. Semple, and Mr. Hicks swore and affirmed to the oath and executed the oath.

THIRD ORDER OF BUSINESS

Consideration of Board Supervisor Compensation

Mr. Huber asked Mr. Colflesh, Ms. Semple, and Mr. Hicks if they would like to continue to receive compensation for attending Board meetings. Mr. Colflesh, Ms. Semple, and Mr. Hicks all elected to receive compensation for their meeting attendance.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2011-01, Designating Officers of the District

Mr. Huber reviewed Resolution 2011-01, Designating Officers of the District for the Board. Discussion ensued.

On a Motion by Ms. Semple, seconded by Ms. Thompson, and followed by a vote of all in favor, the Board of Supervisors nominated David Colflesh to be Chairman for The Groves Community Development District.

On a Motion by Ms. Semple, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors nominated Jane Thompson to be Vice Chairman for The Groves Community Development District.

Mr. Huber stated that the remaining Supervisors would be Assistant Secretaries.

On a Motion by Mr. Osborn, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors approved Resolution 2011-01, Designating Officers of the District (David Colflesh – Chairman, Jane Thompson – Vice Chairman, Sally Semple, Don Osborn, Michael Hicks, and Matthew Huber as Assistant Secretaries) for The Groves Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Special Meeting held on October 27, 2010

On a Motion by Mr. Osborn, seconded by Ms. Semple, and followed by a vote of all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' special meeting held on October 27, 2010 as presented for The Groves Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting held on November 9, 2010

Mr. Osborn had an objection under Eighth Order of Business. He stated that the Board did not approve the Reserve Study and that there was no motion to approve the Reserve Study.

Ms. Semple stated the Board had approved this year's total for the Reserve Study with the budget approval. She suggested that the minutes be amended to state that "the Board approved the first year funding of the Reserve Study".

On a Motion by Ms. Semple, seconded by Ms. Thompson, and followed by a vote of all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting held on November 9, 2010 as amended for The Groves Community Development District.

SEVENTH ORDER OF BUSINESS

**Presentation of Operation and
Maintenance Expenditures for November
2010**

The Board of Supervisors reviewed the expenditures. Mr. Huber entertained questions regarding Deloitte Tax, LLP and Tropical Music Service. The Board discussed having the music service deactivated. Mr. Huber reviewed Tropical Music Service's contract with the Board. The Board directed Mr. Huber to look into the possibility of having the Musak system deactivated. Mr. Colflesh stated that he would also like to know what it would cost if the District decided that they wanted to reactivate the music at some point in the future. Discussion ensued regarding the credit from Pasco County Utilities, J. Newton Enterprises, Clearwater Gas, and Metcalf Electric's invoices. Mr. Colflesh accepted the expenditures as presented.

EIGHTH ORDER OF BUSINESS

Discussion Regarding Alcohol Permit

Mr. Vericker updated the Board on the alcohol permit. He stated that a question had arisen on whether alcohol could be consumed after hours within the foot plan of the liquor license. Mr. Vericker explained why the license strictly prohibits the consumption of any alcohol after hours. He stated that his recommendation was to continue to enforce the policy due to the liability factor. Mr. Vericker stated that if The Grill was not open than alcohol consumption was prohibited. Discussion ensued.

NINTH ORDER OF BUSINESS

Discussion Regarding Water Use Permit

Mr. Bell gave the Board an update on the status of the Water Use Permit. He stated that he had met with Wesco Turf and they came up with some ideas on how to implement some irrigation changes to the system. Mr. Bell stated that water usage was being reduced from 360,000 gallons per day to 141,000 gallons per day. He stated that the District is looking at trying to implement certain items to reduce irrigation. Mr. Bell reviewed some of the possible plans with the Board. He stated that he is in discussions with SWFWMD regarding stepping down to the new allowable water usage rate. Mr. Bell stated that SWFWMD wants the District to look at the option of bringing in reclaimed water. He stated that he met with Pasco County Utilities and that they are excited to have The Groves connect to the reclaimed water system and they will ask for a grant from SWFWMD to help pay for any implementation but the grant won't be submitted until October 2012. Mr. Bell stated that it would be the end of 2013, beginning of 2014 before they would actually be able to implement the reclaimed water. He stated that as of now he was finishing up the conservation plan and he should be ready to submit it to SWFWMD by the end of December or the first week of January.

Mr. Bell entertained the Board members questions. Mr. Bell stated that they should have the responses to SWFWMD's latest questions before the next board meeting and they would meet SWFWMD's deadline of January 15, 2011.

Mr. Bell stated that he had received a letter yesterday from Pasco County Utilities regarding the reclaimed water stating that we have been in negotiations with SWFWMD and that they have us earmarked for the grant in 2012. Discussion ensued regarding water conservation. Mr. Huber stated that he had tentatively scheduled a representative from Pasco County to come to the meeting in January to discuss reclaimed water usage and to answer questions.

TENTH ORDER OF BUSINESS

**Discussion Regarding Bay Area
Environmental's Invoice**

Mr. Huber reviewed the invoice for the Board. He stated that the invoice has remained unpaid due to the extremely large amount that was billed. Mr. Huber stated that the invoice totaled \$37,380 for 21 storm drain joint repairs. He stated that the Board had previously approved Bay Area Environmental to move forward with the repairs under the assumption that it was going to be approximately 8 – 10 storm joints. Mr. Huber stated that this is what he and the District Engineer also understood. He stated that it is his intention to continue to negotiate with Bay Area and to have the costs reduced. Mr. Huber stated that neither Mr. Brown nor he were notified that there would be 21 storm joints repaired. Mr. Bell stated that he didn't doubt that the repairs were necessary but that the District should have been noticed prior to the repairs being made. Mr. Vericker directed Mr. Huber to send written notice to Bay Area of the rejection of the invoice so that it was a matter of record. Mr. Huber stated that he would follow up with the Board when he had an update. Mr. Osborn asked District Counsel and District Engineer if they should litigate the original contractor who made the sinkhole repairs for the homeowner in the area. Mr. Bell stated that it is hard to pass blame. He stated that there are different opinions and that it would be very hard to prove that the sinkhole was not already present. Mr. Vericker agreed with Mr. Bell's opinion and stated that construction litigation can be very expensive and there is a statute of limitations. Discussion ensued.

ELEVENTH ORDER OF BUSINESS

Landscape Discussion

Mr. Huber updated the Board on the landscape maintenance. He stated that Natural Design was showing signs of improvement. Mr. Huber stated that the dog park was being treated fro fleas.

TWELFTH ORDER OF BUSINESS

Discussion Regarding Truck Bid

Mr. Huber stated that he would like to table this item as he has some information that he needs to distribute to the Board and give the Board members time to review it.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Vericker gave the Board an overview of the permit violation notice that the District received from SWFWMD.

He stated that upon review of the plat it shows that the District owns a conservation easement at the rear of many of the lots within the community and as such the District is listed as the operational entity on the Environmental Resource Permit. Mr. Vericker stated that in the notice from SWFWMD they listed a number of things that needed to be corrected. He stated that at the November meeting the Board, based on the recommendation of District Staff, directed District Engineer to survey the areas in question to see if he agreed with SWFWMD. Mr. Vericker stated that Mr. Bell has been working on this request.

B. District Engineer

Mr. Bell stated that at the direction of the Board he sent a survey crew out to the lots along Cleopatra Dr. and they surveyed the top of the bank, the water line, and anything close to the top of the bank. He stated that in the violation letter from SWFWMD stated that a lot of improvements had been made inside the wetland jurisdictional line. Mr. Bell briefly reviewed wetland requirements and setbacks. He stated that he was trying to determine whether any of the improvements had been constructed within the jurisdictional line. Mr. Bell stated that they had finished the field work on Thursday and they were currently putting it on paper now and analyzing it. He stated that the few lots ready for review show that the improvements were actually made outside of the jurisdictional line. Mr. Bell stated that where SWFWMD was saying the line was located was the top of the bank and that was the case when they delineated it. He stated that however when improvements were made such as lot grading and homes were built, the top of the bank was extended toward the homes and it makes it a little more difficult to show where the actual line is. Mr. Bell suggested meeting with SWFWMD and showing them what was learned with the new survey. He stated that he believed that in most cases the District would be able to respond to the SWFWMD violation letter stating that although improvements were made to the rear of the lots we do not feel that they were located within the jurisdictional line. Mr. Bell stated that he believed there may be one or two structures located within the jurisdictional line. He stated that an area of concern was the drains from the center units that go directly to the rim ditch. Mr. Bell entertained the Board member's questions. He stated that he would have the survey finished this week and that each lot line would be flagged showing where the wetland line is located. Mr. Bell stated that due to permitted improvements the wetland line is not the top of the bank. Ms. Semple stated that a big concern was the mowing. She stated that it was important for the HOA to know where the wetland line was so that they knew where they could mow. Mr. Bell stated that this could be decided once all the facts are known and after discussing the items with SWFWMD. He stated that SWFWMD might want to come out and see the staked line themselves. Mr. Bell continued to answer the Board member's questions regarding the top of the bank, drainage issues, grass mowing, and the conservation area. Mr. Osborn stated that there was a resident threatening suit against the individual Board members. He asked District Counsel to advise the Board members to ensure that they were not doing anything that is against the law or rule. Mr. Vericker confirmed that the Supervisors were protected and that it was the entity making the decisions.

He stated that everything that the Board had done so far had been legal and based on his recommendation. Ms. Semple distributed and reviewed a letter from the HOA to the residents on Cleopatra Dr. regarding the rim ditch and the work being done on the issue of the stormwater runoff.

C. Civic Center Manager

Mr. Brown was not present. Ms. Evans reviewed the monthly manager's report for the Board. She gave an update on completed and ongoing items.

Ms. Evans stated that there were four chairs that used to be in the library that are no longer needed. She stated that one of the residents had offered to purchase them at \$20.00 per chair.

On a Motion by Mr. Osborn, seconded by Ms. Semple, and followed by a vote of all in favor, the Board of Supervisors approved the sale of four surplus chairs at a price of \$20.00 each (\$80.00) for The Groves Community Development District.

Ms. Evans stated that there have been conversations regarding how dark it is in back of the civic center. She stated that Mr. Brown had obtained a proposal with two options. Ms. Evans stated that staff is recommending option two and reviewed this option for the Board.

On a Motion by Ms. Semple, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors approved Metcalf Electric's Proposal Option 2 for five spotlights in the back of the Civic Center (\$2,800) for The Groves Community Development District.

D. District Manager

Mr. Huber stated that the next regularly scheduled meeting was January 4, 2011 at 10:00 a.m.

FOURTEENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Huber asked if there were any Supervisor Requests.

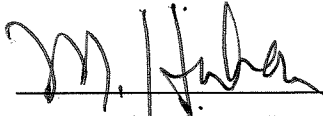
Mr. Osborn stated that he would like to compliment the custodial staff on the excellent job that they are doing. Mr. Colflesh stated that he would like to thank Mr. Brown and Ms. Evans for all they've done.

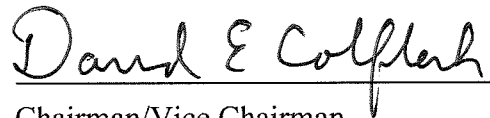
The Board entertained audience questions and comments with no further Board action taken.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Ms. Semple, seconded by Mr. Hicks, and followed by a vote of all in favor, the Board of Supervisors adjourned the meeting at 8:12 p.m. for The Groves Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman