

MINUTES OF MEETING
AMELIA CONCOURSE COMMUNITY DEVELOPMENT DISTRICT

A regular meeting of the Board of Supervisors of the Amelia Concourse Community Development District was held Thursday, May 26, 2022 at 11:00 a.m. at the Amelia Concourse Amenity Center, 85200 Amaryllis Court, Fernandina Beach, Florida 32034.

Present and constituting a quorum were:

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| Harvey Greenberg | Chairman |
| Bill Toohey | Vice Chairman |
| Jeff Snow | Supervisor |
| Kimberley Chamerda | Supervisor |
| Fred Eichmann | Supervisor |

Also present were:

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| Daniel Laughlin | District Manager |
| Jennifer Kilinski | District Counsel |
| Mike Yuro | District Engineer |
| Tony Shiver | First Coast CMS |
| Jake Whealdon | KE Law Group |

The following is a summary of the discussions and actions taken at the May 26, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 11:00 a.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Acceptance of Resignation of Ellen Cator

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| On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor Ms. Cator's resignation was accepted. |
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B. Consideration of Appointing New Supervisors to Fill Seats 3 and 5 (Terms through 11/2022)

Five resumes were provided to the Board for consideration. Each candidate present provided the Board with an overview of their history and why they would like to serve on the Board. While the Board took a moment to score each contestant, the meeting continued.

FOURTH ORDER OF BUSINESS Staff Reports (1)

A. District Engineer

Mr. Yuro informed the Board that the stormwater needs analysis report is substantially complete and requires review by the District Manager.

He also reported that he was asked to investigate a resident's concern that the pond levels near their property located at 85456 Amaryllis Court are higher than normal. He stated that it's possible that their pond bank is lower than adjacent neighbors but verifying the correct elevation would require a survey. Mr. Laughlin noted that he's trying to find a good contact for the developer of the early stages of the community. Mr. Yuro is searching the records of the water management district and will report back at a future meeting.

THIRD ORDER OF BUSINESS Organizational Matters (Continued)

B. Consideration of Appointing New Supervisors to Fill Seats 3 and 5

Ms. Kilinski reported the scores provided by the Board members for each candidate: Mr. Eichmann received the highest score with 12 points, and Ms. Chamerda received the second highest number of points with 11.

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| <p>On MOTION by Mr. Snow seconded by Mr. Toohey with all in favor appointing Mr. Fred Eichmann to Seat 3 was approved.</p> |
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| <p>On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor appointing Ms. Kimberley Chamerda to Seat 5 was approved.</p> |
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C. Oath of Office for Newly Appointed Supervisors

Mr. Laughlin, being a notary public of the State of Florida, administered an oath of office to both Mr. Eichmann and Ms. Chamerda.

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Ms. Kilinski informed the new board members that she would provide a packet containing relevant information about the CDD, a background of Chapter 190, the Rules of Procedure for the District, and other information on what it means to be a Supervisor. She also cautioned board members against communicating with each other about matters that are pending coming before the Board, or may come before the Board. Lastly, she suggested the Supervisors create an email address that would be dedicated for CDD business to simplify the submittal process in the event of a public records request.

D. Consideration of Resolution 2022-05, Designating Officers

Mr. Laughlin listed the current officer designations: Mr. Greenberg is Chairman, Mr. Toohey is Vice Chair and Mr. Snow is Assistant Secretary. From the district manager's office, Mr. Laughlin is Secretary and Assistant Treasurer, Jim Oliver is Treasurer and Assistant Secretary, and Ernesto Torres and Marilee Giles are Assistant Secretaries. He asked to remove Ernesto Torres from the list of officers as he is no longer with GMS, and suggesting replacing him with Darrin Mossing, the President of GMS, as well as adding Mr. Eichmann and Ms. Chamerda as Assistant Secretaries.

On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor Resolution 2022-05, designating officers as detailed above was approved.

FOURTH ORDER OF BUSINESS

Staff Reports (Continued)

B. Trim All Landscape Report

Mr. Shiver informed the Board that Trim All did not provide a report, but he has been in communication with the vendor regarding annual rotations and the annual palm tree trimmings. Mr. Greenberg asked Mr. Shiver to look at the trees that have been trimmed so far. Mr. Shiver stated that he was sent an email last week regarding the debris from the trimmings. Mr. Shiver also stated that he would bring Trim All's attention to grass debris in the ponds again.

FIFTH ORDER OF BUSINESS

Approval of Minutes

A. March 15, 2022 Regular Board of Supervisors Meeting

Mr. Greenberg asked that the reference to Mr. Wayne be changed to Mr. Winkler.

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On MOTION by Mr. Snow seconded by Ms. Chamerda with all in favor the minutes of the March 15, 2022 meeting were approved as revised.

B. April 19, 2022 Budget Workshop

There were no changes to the minutes.

On MOTION by Mr. Greenberg seconded by Mr. Toohey with all in favor the minutes of the April 19, 2022 budget workshop were approved.

SIXTH ORDER OF BUSINESS

Discussion on Phases II and III Easement Access

The purpose of this item is to continue the discussion held during the last few meetings regarding homeowners that have fences installed within access easements. Mr. Laughlin informed the Board there are six fences remaining within access easements in Phase II and five within Phase III. Given that the Phase III homeowners were sent notices later than Phase II, those homeowners still have time to make adjustments. Ms. Kilinski provided the Board with various options, including continuing to notify the homeowners with the hope they will comply, rotating use of the open access points so one homeowner is not overly burdened, or to proceed to court to obtain a mandatory injunction for those that have not yet complied. Ms. Kilinski recommended the third option as there has been ample communication regarding the reason for and the need to remove any obstructions from the access easements. The Board directed staff to proceed with the third option, obtain mandatory injunctions.

On MOTION by Mr. Toohey seconded by Mr. Eichmann with all in favor authorizing staff to proceed with Option 3 for the Phase II homeowners with remaining easement obstructions and send a second letter to the Phase III homeowners was approved.

Ms. Kilinski noted staff would also continue to notice the HOA, particularly regarding Phase III fencing requests.

SEVENTH ORDER OF BUSINESS

Discussion of Repairs Throughout Community Infrastructure

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Included in the agenda package were pictures provided by Mr. Greenberg of areas that are in need of repair by the developer or the home builder. Mr. Laughlin noted the developer will typically do a final walk through with the home builders to point out items that the home builder will be responsible for repairing or replacing. The Board made the below motion to appoint a Supervisor to work with District staff, the developer, and the homebuilder to ensure repairs are made. Mr. Greenberg also asked that a couple residents work with Ms. Chamerda as well.

On MOTION by Mr. Toohey seconded by Mr. Snow with all in favor appointing Supervisor Chamerda to work with District staff, the developer, and the homebuilder on the repairs needed throughout the community was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Permanent Holiday Lighting

Mr. Shiver presented proposals from two companies that specialize in permanent holiday lighting for the Board to consider. The lighting is proposed to be installed on the entrance towers and the clubhouse. M2 Accents proposal totals \$6,480. Mr. Snow noted the proposal for the clubhouse includes the peaks, which he believes the District does not intend on doing. First Coast Trimlight provided multiple options ranging from \$3,328 to \$3,840 for the entrance towers and \$6,468 to \$7,392 for the clubhouse, not including the control system. It was noted that the District spent \$5,000 on temporary holiday lighting last year.

On MOTION by Mr. Toohey seconded by Ms. Chamerda with all in favor the proposal from M2 Accents, LLC for permanent holiday lighting installation on the towers and the clubhouse was approved.

NINTH ORDER OF BUSINESS

Consideration of Proposals for Lake Maintenance Services

Mr. Shiver presented proposals for lake maintenance services from Charles Aquatics totaling \$17,620 annually, and from Sitex Aquatics, totaling \$7,740 annually. He reached out to Lake Doctors as well, but they did not provide a proposal in time for the meeting. He also noted that the prices from both vendors include the Phase III ponds, which the District has not yet accepted maintenance responsibility for.

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On MOTION Mr. Toohey seconded by Mr. Snow with all in favor the increase to in fees for legal services provided by KE Law Group was approved.

THIRTEENTH ORDER OF BUSINESS Discussion on Future Capital Repairs

Mr. Greenberg informed the Board that the amount of money being collected for the capital reserve fund is based on initial figures submitted to the Secretary of the State when the plans were filed in 2006/2007 and noted the useful life is nearing for some of the infrastructure in the community, so the Board will need to ensure the appropriate amounts of funds are available to make any necessary repairs. He suggested raising assessments at smaller increments over time will make the increases more palatable. Mr. Laughlin listed the items that will require maintenance or replacement in the near future – resurfacing of the activity pool, refurbishing the slide structure, resurfacing the main pool, perimeter fencing and entrance columns.

**FOURTEENTH ORDER OF BUSINESS Consideration of Resolution 2022-06,
Approving the Proposed Budget for Fiscal
Year 2023 and Setting a Public Hearing Date
for Adoption**

Mr. Laughlin provided an overview of the budget, a copy of which was included in the agenda package. There is an 8.8% increase in assessments proposed, which amounts to \$107 per year, per homeowner. The increase is largely due to an increase in the contribution to the capital reserve funds from \$26,754 to \$50,000, as discussed during the previous agenda item. Mr. Toohey suggested increasing the capital reserve contribution to \$75,000 to ensure the funds are available for the infrastructure improvements. There were no objections from the other board members.

Mr. Laughlin informed the Board there needs to be 60 days between the date of budget approval, and the date the budget will be adopted. The current meeting date of July 19th does not allow for those 60 days. After discussion, the Board and staff settled on August 9, 2022 at 11:00 a.m.

On MOTION Mr. Toohey seconded by Mr. Snow with all in favor Resolution 2022-06, approving the proposed budget for Fiscal Year 2023 with the revision to the capital reserve fund line item and setting a public hearing for August 9, 2022 at 11:00 a.m. was approved.

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FIFTEENTH ORDER OF BUSINESS **Consideration of Amendment to Agreement with GMS for District Management Services**

Ms. Kilinski informed the Board the amendments to the agreement include an amended address for notices sent to counsel, addition of insurance requirements, an amendment to the indemnification language, a financial services disclaimer, and addition of public records and E-Verify language.

On MOTION Mr. Snow seconded by Mr. Eichmann with all in favor the amendment to the agreement with GMS for district management services was approved.

SIXTEENTH ORDER OF BUSINESS **Discussion on Amenity Room Rentals**

Mr. Greenberg informed the Board that Mr. Shiver has made some procedural changes to improve issues with rentals, such as users not properly cleaning up after the events. Mr. Shiver noted those changes include more frequent communication as to the expectations to preserve the amenity center, including removing trash, sweeping floors, and not installing decorations on the walls.

SEVENTEENTH ORDER OF BUSINESS **Staff Reports (2)**

A. District Counsel

There being nothing to report, the next item followed.

B. District Manager – Report on the Number of Registered Voters (774)

Mr. Laughlin informed the Board there are 774 registered voters reported to be residing with the District.

He also informed the Board the qualifying period for the general election begins at noon on June 13th through noon on June 17th. Mr. Greenberg also noted anyone interested in running for a seat on the Board of Supervisors will be required to pay a \$25 fee or collect 25 signatures and will also be required to fill out financial disclosures.

C. Field Operations Manager

1. Report

A copy of Mr. Shivers report was included in the agenda package for the Board's review. He informed the board of a small chip in the marcite of the activity pool and noted it will be drained, patched and refilled all in the same day. He also informed the Board there have been

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some issues with inconsistency with the current refuse provider, Waste Management, and noted he's contacted Meridian, who quoted \$77 for weekly service of two cans. There were no objections from the Board to Mr. Shiver moving forward with transferring service to Meridian.

2. Survey Results Regarding Classes at Amenity Center

Mr. Greenberg suggested a few homeowners and a member of the Board evaluate the survey results and make recommendations at a future Board meeting to ensure any activities that would be offered at the amenity center are feasible without too much impact to the residents or the facility. Mr. Toohey offered to work on this project.

Mr. Snow stated that he felt there needs to be a response to the resident request presented on the last meeting agenda to offer yoga at the amenity center. Mr. Shiver stated that what is being proposed is common at other districts and also noted that out of 85 people that took the survey sent after the last meeting, when asked if they would like to see special classes offered at Amelia Concourse, 85% responded yes.

Mr. Toohey stated that he was concerned with liability and someone running a business out of the amenity center. Mr. Laughlin responded that anyone interested in offering classes at the amenity center would have to ask the Board for approval and then if approved there would be an agreement that would require the other party be insured. Ms. Kilinski added that the agreement can include a limitation on when the classes can be held, indemnification language, and a requirement that the other party clean up after their class or event. She offered to bring more information to the August meeting for consideration.

EIGHTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

Copies of the financial statements were included in the agenda package.

B. Assessment Receipt Schedule

A copy of the assessment receipt schedule was included in the agenda package.

C. Approval of Check Register

A copy of the check register totaling \$33,570.34 was included in the agenda package.

On MOTION by Mr. Toohey seconded by Mr. Eichmann with all in favor the Check Register was approved.

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NINETEENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

**TWENTIETH ORDER OF BUSINESS Supervisors' Requests and Audience
Comments**

Supervisor Requests

There being none, the next item followed.

Audience Comments

There being none, the next item followed.

TWENTY-FIRST ORDER OF BUSINESS Next Scheduled Meeting

The next meeting date, originally set for July 19, 2022 was moved to August 9, 2022 to align with the budget adoption schedule. The meeting will be held at 11:00 a.m. at the Amelia Concourse Amenity Center.

TWENTY-SECOND ORDER OF BUSINESS Adjournment

On MOTION by Mr. Toohy seconded by Mr. Snow with all in favor the meeting was adjourned.

DocuSigned by:
Daniel Laughlin
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Secretary / Assistant Secretary

DocuSigned by:
Harvey Greenberg
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Chairman / Vice Chairman