

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 Tuesday, August 9, 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:

Harvey Greenberg	Chairman
Jeff Snow	Supervisor
Kimberley Chamerda	Supervisor
Fred Eichmann	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jennifer Kilinski	District Counsel
Mike Yuro	District Engineer
Tony Shiver	First Coast CMS
Louis Cowling	Dream Finders Homes

The following is a summary of the discussions and actions taken at the August 9, 2022 meeting.

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

Mr. Dwayne Rust, 95023 Periwinkle, stated, "Trim All Landscaping is getting worse. I have pictures from 2016 to today." Mr. Shiver stated that landscaping issues will be covered in his report.

A resident stated, "We live on Cornflower, and we live along the Concourse. The fence runs along the Concourse and the lack of care to landscaping is so bad. The weeds are grown up over the six-foot fence and we have rats that crawl under it. I've gone to Dreamfinders and the County and everyone says it's someone else's responsibility." Mr. Laughlin responded that he would look into it.

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Ms. Cathy Callahan, Orchid Blossom, stated, "I'm the original owner. There are all sorts of drainage issues on my property, and I want to discuss that." Mr. Laughlin asked if the issues were on her property, and Ms. Callahan responded yes. Mr. Laughlin informed her it is likely an issue the builder needs to be involved in, but he will speak to her after the meeting.

THIRD ORDER OF BUSINESS**Staff Reports (1)****A. District Engineer**

Mr. Yuro informed the Board that the stormwater needs analysis report was completed and submitted to the County. He also spoke of a drainage concern at 85456 Amaryllis Court where the pond level was higher than their adjacent neighbors, noting that right at the fence line/property line it is lower than normal. He has not been able to locate as-builts to determine if it was designed that way, or if the pond was not graded correctly. Ms. Kilinski stated that a question to ask is if district infrastructure is causing problems to private property. If the answer is yes, then the District can enter into a cost share agreement with the homeowner to work together to make any necessary repairs, and if the homeowner is not agreeable to paying the private property share, then that part is generally left alone. Mr. Greenberg questioned if the District should ask Dream Finders Homes if they're willing to assist in making any necessary repairs if the issue is due to grading. An update will be provided at the next meeting on any findings and options to fund any repairs.

B. Trim All Landscape Report

Mr. Shiver informed the Board that he receives emails almost daily regarding landscaping issues, including spraying grass debris into the ponds, scalping the pond banks, and inconsistency in visits and service. He also noted that he and Mr. Greenberg met with the account representative with Trim All to explain the issues, and service has still not improved. He recommended going out to bid to solicit proposals.

A resident stated that she lives in Phase 3 and has had to pay people to trim in the area because the grass level is causing issues. She also recommended finding out which company maintains North Hampton. Mr. Laughlin informed her that the Phase 3 property completion will be discussed later in the meeting. He also informed the Board that a letter of deficiency can be sent to Trim All that would explain the issues and notify them that payment may be withheld.

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On MOTION by Mr. Snow seconded by Ms. Chamerda with all in favor authorizing staff to issue a landscape maintenance RFP was approved.

Mr. Shiver suggested putting Trim All on notice and withholding payment if the issues continue between now and the next meeting. There were no objections from the Board on sending a deficiency letter. Ms. Kilinski stated that staff would keep the Board updated on what the response is.

Mr. Dwayne Rust asked if fish could be placed back in the ponds. Mr. Shiver responded that the District had a permit for a certain amount of fish, and that amount has been used. He has reapplied for a permit, however the aquatics vendor for the District needs to follow through with obtaining the permit and the District has recently switched vendors.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the May 26, 2022 Meeting

There were no comments on the minutes.

On MOTION by Mr. Snow seconded by Mr. Eichmann with all in favor the minutes of the May 26, 2022 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Ratification of Agreement with Sitex Aquatics, LLC for Aquatic Management Services

Mr. Laughlin reminded the Board Sitex Aquatics was selected as the aquatic maintenance vendor at the last meeting and the agreement was executed between meetings.

Mr. Snow asked if the Phase 3 ponds are included in the contract. Mr. Shiver responded that they are not as the District has not yet taken over the common areas in Phase 3.

On MOTION by Mr. Eichmann seconded by Mr. Snow with all in favor the agreement with Sitex Aquatics, LLC for aquatic management services was ratified.

SIXTH ORDER OF BUSINESS

Update on Phases II and III Easement Access

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Ms. Kilinski recapped what has transpired so far in regard to easement access points in Phases 2 and 3. Several of the District's maintenance easements have been blocked by fencing. A number of letters have been sent to Phase 2 and Phase 3 property owners that are obstructing access asking them to move the fencing. Mr. Shiver provided a list of which easements are still obstructed. Ms. Kilinski noted her firm has been working at the Board's direction from the last meeting to file injunction actions to try to get some remedy from the court to get those fences removed. The ask is the court either grant the injunction so the District has access, or have the court tell the District what to do to remedy the issues to avoid a legal battle. She also offered the option for the District to approach property owners and ask them if they would be interested in the District purchasing the easement property outright, as it may be a more permanent solution. The Board discussed their concerns with that possible solution and Mr. Greenberg asked what the next steps would be to further explore the possibility of purchasing the tracts without expending funds. Ms. Kilinski responded that there would need to be conversations with the County, the easements that would be most advantageous would need to be identified, and then there could be preliminary conversations between staff and homeowners on whether they'd be willing to have a discussion regarding selling the easement portion of their property. The Board was agreeable to proceeding with the next steps. Any updates and additional information will be provided at the next meeting.

Mr. Eichmann asked if Dream Finders has stopped approving fencing within the easements in Phase 3. Mr. Cowling responded that for the last six to eight months all fence requests sent to the ARB for properties that have any form of easement have been sent to Mr. Shiver for approval.

Mr. Bill Busby, 95182 Snapdragon asked if filing of the injunction will be delayed given the discussions on other options that are being explored. Ms. Kilinski offered the option of giving her direction to file an injunction if the homeowners are approached regarding their willingness to sell the easement tracts to the District and it's discovered there is no willingness. The Board was agreeable to that option.

SEVENTH ORDER OF BUSINESS

This item was tabled.

Update on Phase III Property Completion

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Mr. Cowling informed the Board that Nassau County will need to do their final walk through for the roads and curbs and they're trying to schedule that for next week. He stated that at that point the Phase 3 property will be inspected and a list of items that need to be repaired will be made. Proposals have already been obtained for items such as fencing and common area work; however, they're having the same issues as most with contractor delays. Lastly, he stated that he's been in contact with several vendors in an attempt to get someone out to mow the pond banks.

EIGHTH ORDER OF BUSINESS

Update on Classes and Activities to be Offered at the Amenity Center

Mr. Shiver stated that the person that was interested in teaching yoga has not reached out to him since the last meeting. Further discussion of this item was tabled to the next meeting.

NINTH ORDER OF BUSINESS

Public Hearings for the Purpose of Adopting the Fiscal Year 2023 Budget

Mr. Laughlin stated that a big driver behind the increase in the budget this year is due to an increase in the contribution to the capital reserve fund given the aging of the community's facilities. Some items of concern are the pool resurfacing, the air conditioning units, and roof repairs. The idea is to raise assessments by a smaller amount now to have the funds available in four or five years to make repairs as necessary, rather than raising by a large amount, or issuing additional bonds later.

On MOTION Mr. Snow seconded by Mr. Greenberg with all in favor the public hearings were opened.

Mr. Rich Wheeler asked if the Board re-bids services to ensure rates remain competitive. Mr. Laughlin responded that it varies. Typically, landscaping is bid out every three years and other contracts remain in place unless there is a notice of increase and/or the board desires to bid out the service.

Mr. Greenberg explained that there is only \$85,000 currently available, and the estimation to make necessary repairs over the next years is closer to \$300,000 to \$350,000 and that's only to maintain what is currently there, not add improvements.

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A resident asked if there a requirement for a certain amount of reserve funds. Mr. Laughlin responded that there is no requirement and explained that the estimated amount of funds needed for future repairs and replacements is based off of a capital reserve study prepared by a third-party company.

On MOTION Mr. Greenberg seconded by Ms. Chamerda with all in favor the public hearings were closed.

A. Consideration of Resolution 2022-07, Relating to Annual Appropriations and Adopting the Fiscal Year 2023 Budget

Mr. Laughlin asked if the Board had any changes to the budget prior to adoption. Mr. Eichmann, Mr. Snow and Ms. Chamerda stated their preference for keeping the budget as was approved, while Mr. Greenberg stated his preference for lowering the budget to allow for a lesser assessment increase.

On MOTION Mr. Snow seconded by Ms. Chamerda with Mr. Eichmann in favor and Mr. Greenberg opposed Resolution 2022-07, relating to annual appropriations and adopting the Fiscal Year 2023 budget was approved with a 3-1 vote.

B. Consideration of Resolution 2022-08, Imposing Special Assessments and Certifying an Assessment Roll

Ms. Kilinski informed the Board that this resolution essentially levies the lien securing the budget just adopted as of October 1, 2022.

On MOTION Mr. Snow seconded by Mr. Eichmann with Ms. Chamerda in favor and Mr. Greenberg opposed Resolution 2022-08, imposing special assessments and certifying an assessment roll for Fiscal Year 2023 was approved with a 3-1 vote.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Staff Reports (2)

A. District Counsel

Ms. Kilinski informed the Board that Ms. Marisa O'Connor is a new hire for KE Law Group, and she will be attending meetings with Ms. Kilinski while she is training.

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B. District Manager – Consideration of Designating a Regular Meeting Schedule for Fiscal Year 2023

Mr. Laughlin presented a proposed meeting schedule for Fiscal Year 2023 that includes bi-monthly meetings on the third Tuesday at 11:00 a.m.

Mr. Greenberg asked to add a budget workshop to the schedule, with April 4, 2023 being the suggested date.

On MOTION Mr. Greenberg seconded by Mr. Snow with all in favor the Fiscal Year 2023 meeting schedule was approved as revised.

C. Field Operations Manager – Report

A copy of Mr. Shivers report was included in the agenda package for the Board's review. He explained that he is still awaiting installation of the replacement variable speed controller for the pool pump as most motors are on backorder. He noted he would bring proposals to the next meeting to offer the option to purchase spare parts to keep on hand to avoid any delays in opening of the pool in the future. He also stated that there are a lot of complaints of mulch washing into the pool from a nearby palm tree bed, so he is soliciting proposals to put a small retainer around the palm tree and remove the mulch altogether.

Mr. Shiver informed the Board of an incident in which the Sheriff's department had to be called due to teenage children being disrespectful and destructive to District property. One of the children was a non-resident and has been permanently banned from the facilities. The other child was a resident and was informed his amenity privileges were suspended temporarily up to the date of the meeting until the Board can decide how to handle the issue further. Mr. Greenberg asked for the community's help in avoiding future issues by calling the Sheriff's Department if people are seen in the pool area after dusk while the pool is closed. Mr. Shiver noted that to present issues with trespassing moving forward, staff is looking at deterrents such as increasing lighting around the facility, installing motion activated strobes, and adding extra security monitoring services.

Mr. Shiver asked for direction on the Board as to the suspension of the resident minor. The Board was agreeable to suspending the resident for 90 days from the date of the incident, which was July 6, 2022.

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FOURTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – September 20, 2022 at 11:00 a.m. at the Amelia Concourse Amenity Center

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Chamerda seconded by Mr. Greenberg with all in favor the meeting was adjourned.

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Daniel Laughlin
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Secretary / Assistant Secretary

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Harvey Greenberg
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Chairman / Vice Chairman