

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, July 18, 2023 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	Operations Manager
George Rugen	BrightView Landscaping

The following is a summary of the discussions and actions taken at the July 18, 2023 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**

Dale Tegreene asked if the discussion held during a closed session at the last meeting will be included in the minutes.

Mr. Laughlin responded that the discussion amongst the Board will not be, however any motions made would be included.

Ms. Kilinski added that under Florida Law, any discussions that pertain to the security system or security protocol can remain confidential and exempt.

Susan Mason asked for a summary of any changes that were made following the closed session.



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Mr. Rugen stated that BrighView has provided a quote to Dream Finders and can follow up on that. Once the pond banks are turned over to the CDD, that is when the CDD can get involved in the maintenance.

Mr. Greenberg suggested that homeowners trim the pond banks on their own properties in the meantime.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the May 16, 2023 Meeting**

There being no comments on the minutes, a motion followed.

On MOTION by Mr. Eichmann seconded by Mr. Snow with all in favor the minutes of the May 16, 2023 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Ratification of Client Disclosure and Consent Regarding Easement for Installation of Bollards**

Mr. Laughlin stated that Amelia Walk is going to install bollards on the haul road to prevent vehicle use and this client disclosure is to show there is no conflict of interest with Kilinski Van Wyk being the law firm engaged by both Amelia Walk and Amelia Concourse.

On MOTION by Mr. Snow seconded by Mr. Eichmann with all in favor the client disclosure and consent regarding easement for installation of bollards was ratified.

Dawn Sumner stated that she's seen the Sheriff's Department go down that road.

Mr. Laughlin responded that there is a Knox Box installed on a cow gate for emergency access.

**SIXTH ORDER OF BUSINESS**

**Consideration of Agreement with Amelia Walk CDD for Installation of Bollards at Haul Road Entrance**

Ms. Kilinski informed the Board that Amelia Walk is still getting proposals for the installation of the bollards and provided two options; approving this agreement in substantial form with the Chair authorized to give final approval once the specs are available to be included with the agreement, or this agreement can be deferred to the next meeting when the information is available.

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On MOTION by Mr. Snow seconded by Mr. Eichmann with all in favor the agreement with Amelia Walk for installation of bollards at the haul road entrance was approved in substantial form with the Chairman authorized to approve the final form.

**SEVENTH ORDER OF BUSINESS****Consideration of Proposals for Amenity and Field Management Services**

Representatives from Governmental Management Services, Property Management Systems and Vesta Property Services were present and provided the Board with a brief overview of their companies and the services they could provide to the District and answered questions of the board members.

Supervisor Snow left the meeting during this time.

David Schuelke asked if there is a grace period that would be built into the initial contract relative to performance.

Ms. Kilinski responded that there is usually a 60-day termination clause in the contract because it's very difficult to make the transition between amenity managers.

Judith Etzel asked if Mr. Shiver is going to be replaced by one of the proposing companies.

Mr. Greenberg responded that Mr. Shiver's company has resigned from the community for a variety of reasons.

Kris Nienow stated that the new company needs to be held accountable and commented that one thing the community wants is comradery and a community feeling. He also commented that the Phase 3 HOA relationship with PMSI is too young to know much.

Susan Mason commented that her experience with PMSI goes back to 1996 and they have a family of local Nassau County mindset that she's not seeing in other companies and more importantly, they listen to what you have to say.

Dale Tegreene commented that the amenity center is the focal point of the community and asked what the Board is looking to get done at the amenity center, when it will be done and if it can't be done in the budget, there's been conversation of a special assessment. He added that he'd like to see the amenity center spruced up. He also added that the problem he has with PMSI is that they did not do much for people that did not follow the HOA rules.

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Mr. Greenberg responded that the Board has talked about bringing a consultant in to evaluate the property to determine if the facility is sufficient for the number of homes the District has now. Options and associated costs can be considered based on those results.

Supervisor Snow rejoined the meeting at this time.

Cheryl Palmer commented that her only experience with PMSI is with the Phase 3 turnover and it was a mess.

Pam DeShawn commented that Phase 1 had a very active homeowner's association that put together events prior to COVID and she does not believe a lifestyle package is needed. She also commented on PMSI stating that they have had billing problems almost every year and they've had to beg to get them to drive around and acknowledge the violations.

Mr. Laughlin noted that both GMS and Vesta's proposals are within the amount budgeted for Fiscal Year 2024, which is \$57,300. The Board members discussed the proposals, and the following action was taken.

On MOTION by Mr. Snow seconded by Ms. Chamerda with all in favor the proposal from Governmental Management Services for amenity and field management services was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Consideration of Proposal from BrightView for Storm Cleanup Services**

Ms. Kilinski explained that the FEMA has a very specific definition of what emergency debris removal means. If a storm comes through, FEMA is going to look at whether a contract has been pre-authorized to provide emergency debris removal services. BrightView's proposal can be submitted to show that it's a reasonable relationship to the contract and the District could be reimbursed for those services. She also noted that debris removal services that are not considered emergency would have to be catastrophic for it to be worthwhile to go through the FEMA claims process. She recommended approval of the BrightView proposal for storm cleanup services, which will cover the stuff that is impacting health, safety and welfare.

Mr. Laughlin noted a quote from BrightView would be presented to the Board for approval before any storm cleanup is executed.

Supervisor Greenberg left the meeting temporarily at this time.

On MOTION by Mr. Snow seconded by Mr. Eichmann with all in favor the proposal from BrightView for storm cleanup services was approved.

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**NINTH ORDER OF BUSINESS****Acceptance of the Audit Report for Fiscal Year 2022**

Mr. Laughlin provided a brief overview of the audit report for Fiscal Year 2022, noting there were no material weaknesses in internal control identified and it is considered a clean audit report.

On MOTION by Ms. Chamerda seconded by Mr. Snow with all in favor the Fiscal Year 2022 audit report was accepted.

**TENTH ORDER OF BUSINESS****Discussion of Pool Area Improvements**

Mr. Shiver stated that the intentions are to look into improvements for the entire amenity center including additional parking, improvements to pool equipment and better utilization of certain amenities, such as the wading pool.

Mr. Snow added that shades structures have also been mentioned.

Supervisor Greenberg rejoined the meeting at this time.

Staff will work on obtaining estimates from architects and/or consulting firms that could assist with such improvements.

**ELEVENTH ORDER OF BUSINESS****Public Hearings****A. Public Hearing for the Purpose of Adopting the Fiscal Year 2024 Budget**

On MOTION by Ms. Chamerda seconded by Mr. Eichmann with all in favor the public hearing on the adoption of the budget and imposition of assessments for Fiscal Year 2024 was opened.

Mr. Laughlin noted with the change in onsite management team, the budget was increased in anticipation of proposals coming in higher than the existing rate. There were other minor increases mostly due to inflation including electric and insurance costs and increases to the landscape line item and repairs and maintenance line item. The total increase in assessments comes to \$41.56 per unit, per year.

Pam DeShawn asked if last year's increase was \$87.

Ms. Kilinski responded that it was \$170.

Kris Nienow asked if the Board feels comfortable with where the reserves will be in the next five years.

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Mr. Greenberg responded that his opinion is no. Catch up is the worst possible scenario, so that’s why it’s important this process takes place to try to find out what the monetary needs will be going forward and if increases are needed, they should be implemented over the longest period of time possible so that it is affordable.

Mr. Laughlin added that this District is getting to the point of comfortable reserves. With the 2024 contribution, the balance will be over \$200,000, which is getting close to the recommendation of the reserve study.

On MOTION by Ms. Chamerda seconded by Mr. Snow with all in favor the public hearing on the adoption of the budget and imposition of assessments for Fiscal Year 2024 was closed.

**1. Consideration of Resolution 2023-03, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2024**

On MOTION by Mr. Snow seconded by Mr. Eichmann with all in favor Resolution 2023-03, relating to annual appropriations and adopting the budget for Fiscal Year 2024 was approved.

**B. Public Hearing for the Purpose of Imposing Special Assessments**

This public hearing was combined with the public hearing to adopt the budget.

**1. Consideration of Resolution 2023-04, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2024**

Ms. Kilinski explained that Resolution 2023-04 levies the lien that will secure the budget just adopted.

On MOTION by Mr. Snow seconded by Ms. Chamerda with all in favor Resolution 2023-04, imposing special assessments and certifying an assessment roll for Fiscal Year 2024 was approved.

**TWELFTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

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

**A. District Counsel**

Ms. Kilinski informed the Board that since the last board meeting it’s been discovered that the property in which the AT&T/Bellsouth building sits is CDD property. Through the

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earlier foreclosure, the property was owned by a special purpose entity that was created by the trustee on behalf of the bondholders. An agreement was found between AT&T and the HOA and it appears the arrangement was to provide exclusivity for AT&T to provide internet and phone services and to provide use of the property in exchange for a portion of the profits from the services. The agreement that was found expired in 2021 and the building does not appear to be currently used, so there may be an opportunity for additional amenity enhancements on this property.

Mr. Shiver added that there could also be an opportunity for a potential revenue stream by reentering into an agreement with AT&T for continued use of the building.

Ms. Kilinski also updated the Board on the injunctions filed, one of which involves a court case. Favorable approval was received by the judge in that case. It is her understanding that the fence has since been moved. A motion has been filed regarding fees and that motion is pending.

Mr. Greenberg asked if there is an update on the pool contractor that refuses to honor the warranty.

Mr. Shiver responded that counsel's office sent a demand letter out yesterday.

Mr. Eichmann stated that there is at least one easement access issue remaining in Phase 3.

Ms. Kilinski asked that he provide the address because her understanding was that there was 100% compliance at this point.

**B. District Manager – Consideration of Designating a Regular Meeting Schedule for Fiscal Year 2024**

Mr. Laughlin presented a proposed meeting schedule for Fiscal Year 2024 that includes bi-monthly meetings on the third Tuesday of the month at 11:00 a.m. with exception to the November meeting, which will be scheduled for the second Tuesday due to the Thanksgiving holiday. He noted a few dates on the schedule included in the agenda package were off by a day, so the November date will be corrected to November 14, 2023, the January date will be corrected to January 16, 2024, and the March date will be corrected to March 19, 2024.

On MOTION by Mr. Snow seconded by Ms. Chamerda with all in favor the meeting schedule for Fiscal Year 2024 was approved as revised.
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**C. Field Operations Manager – Report**

Mr. Shiver provided an overview of the operations report, a copy of which was included in the agenda package.

Mr. Greenberg noted that the outside spigot is broken.

Mr. Shiver stated that it is on his list to be repaired.

Mr. Snow asked if umbrellas have been ordered.

Mr. Shiver responded that four umbrellas are scheduled to be delivered this week.

**FOURTEENTH ORDER OF BUSINESS Financial Reports**

**A. Financial Statements as of May 31, 2023**

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

**B. Approval of Check Register**

A copy of the check register totaling \$46,662.33 was included in the agenda package.

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

**FIFTEENTH ORDER OF BUSINESS Supervisors’ Requests and Audience Comments**

There were no supervisor requests.

**Audience Comments**

Susan Mason stated that the Envera security system sounded worth considering.

Mr. Laughlin responded that the Board will be considering a proposal from Envera during the security session.

Susan Mason informed the Board that several of the doors in the women’s restroom do not close properly.

Mr. Shiver stated that he would look at them after the meeting.

Kris Nienow stated that there has previously been staff at the pool on the weekends and asked if that is still included in the budget.

Mr. Greenberg responded no. The funds were taken out purposefully because the pool monitors were not effective in enforcing rules. That is one of the reasons the Board is considering other security measures.

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Carol Mosior commented that she has concerns about the ponds and the debris that was left after the water levels receded following the bad weather in May.

Mr. Greenberg stated that part of the problem is the builder refused to clean the ponds and many of the contractors threw garbage in them. Once the CDD takes over maintenance of the ponds in Phase 3, the CDD may have to spend funds to clean the garbage out if Dream Finders does not do so first.

Mr. Laughlin stated that the landscape company should be cleaning up debris around the pond banks and not mowing over it, although they will not clean up construction debris.

Randy Goshorn stated that his property backs up against the foliage growing between the Concourse. The silt fence is still in place and there are chunks of concrete in the area.

Mr. Greenberg stated that this is one of the issues the District has been trying to get the builder to remedy.

Ms. Kilinski stated that there is a way to enter into a contract with the developer to provide that if they do not maintain the property themselves, the District can clean it and request reimbursement from the developer. Additionally, if the property is still owned by the developer, the HOA can fine them.

A resident asked if the preserves will be turned over to the St. Johns River Water Management District.

Mr. Laughlin responded that the preserves will be District property and there will be a permit with the St. Johns River Water Management District stating that the District has to keep the preserves in a conversation state.

Kris Nienow asked if investigations into people cutting into the preserve areas will be turned over to the CDD.

Mr. Shiver stated that anytime he has been notified of such an issue, Mr. Laughlin has been involved.

## **SIXTEENTH ORDER OF BUSINESS**

### **Discussion of Security Matters**

This portion of the meeting was closed to the public in accordance with Sections 119.071(3)(a) and 281.301, Florida Statutes, as the Board discussed matters related to the security system plan. The closed session began at approximately 1:37 p.m. The public portion of the meeting resumed at approximately 1:53 p.m. and the following action was taken.

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On MOTION by Mr. Eichmann seconded by Ms. Chamerda with all in favor a proposal from Envera for security camera installation and monitoring was approved subject to information on monitoring hours being confirmed, with the Chairman authorized to sign the agreement.

Supervisor Snow left the meeting at this time.

**SEVENTEENTH ORDER OF BUSINESS**    **Next Scheduled Meeting – September 19, 2023 at 11:00 a.m. at the Amelia Concourse Amenity Center**

**EIGHTEENTH ORDER OF BUSINESS**    **Adjournment**

On MOTION by Ms. Chamerda seconded by Mr. Eichmann 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