

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 Wednesday, November 19, 2024 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
Bill Toohey	Vice Chairman
Kimberley Chamerda	Supervisor
William Busby	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mary Grace Henley	District Counsel
Lauren Gentry	District Counsel
Mike Yuro	District Engineer
Chip Dellinger	Operations Manager
Terry Glynn <i>by phone</i>	GMS

The following is a summary of the discussions and actions taken at the November 19, 2024 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**

There being no comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Oath of Office for Newly Elected Supervisor**

This item was deferred as Mr. Snow was not present at this time.

November 19, 2024

Amelia Concourse CDD

**B. Consideration of Resolution 2025-01, Declaring a Vacancy in Seat 4**

Mr. Laughlin noted that Seat 4 is currently held by Mr. Toohey. Due to no one qualifying for the seat during the qualification period for the general election, the seat needs to be declared vacant.

On MOTION by Mr. Busby seconded by Ms. Chamerda with all in favor Resolution 2025-01, declaring a vacancy in Seat 4 was approved.

**C. Consideration of Appointing a New Supervisor to Seat 4**

On MOTION by Ms. Chamerda seconded by Mr. Busby with all in favor appointing Bill Toohey to Seat 4 was approved.

**D. Oath of Office for Newly Appointed Supervisor**

Mr. Laughlin, being a notary public for the State of Florida, administered an oath of office to Mr. Toohey.

**E. Consideration of Resolution 2025-02, Designating Officers**

Mr. Laughlin asked if there was a desire to change the current slate of officers, which is Mr. Greenberg as Chair, Mr. Toohey as Vice Chair, and the remaining three supervisors as Assistant Secretaries.

There being none, a motion to approve the slate of officers as-is followed.

On MOTION by Mr. Toohey seconded by Mr. Busby with all in favor Resolution 2025-02, designating officers was approved.

**THIRD ORDER OF BUSINESS**

**Staff Reports (1)**

**A. District Engineer**

**1. Acceptance of the 2024 Public Facilities Report**

Mr. Yuro presented the public facilities report.

November 19, 2024

Amelia Concourse CDD

## 2. Discussion of the Scope of Work to be Completed by Dream Finders

Mr. Yuro stated that a year ago he was hired by Dream Finders to review the as-builts in order to close out the Phase 3 water management permit. He has found several items that needed to be corrected. A scope of work to correct these items was included in the agenda package for the Board's review. Dream Finders is asking for the Board to grant them access rights through the easement to access the pond and drainage areas to make the repairs. Their scope includes returning the sites to their original condition.

Mr. Greenberg stated that the District had been advised that Phase 2 had been turned over to the community, however there is no evidence that has happened. He asked if there is a failure on the part of Dream Finders to fulfill all of their obligations, if the District can use the bonds to do the work and deduct it from the bonds.

Ms. Gentry responded that the bond proceeds have to be used for the project identified in the bond offering statement, so as long as they are being used for those costs, they can be used to repair public areas. However, she added that if Dream Finders has additional costs that are project costs that are properly reimbursable from the bonds, the District is contractually obligated to pay them those amounts from the bonds.

Mr. Yuro stated that according to the St. Johns River Water Management permit, Phase 1 and Phase 2 have been turned over to the District for operations and maintenance.

Mr. Greenberg asked Mr. Yuro to see who signed off on the permits for Phase 2. He also reminded staff that he would like Dream Finders to notify the homeowners that will be affected by the easement access.

Ms. Gentry stated that access can be approved contingent on notifying homeowners of when they will be using the easements for access.

Mr. Greenberg suggested that Dream Finders be required to get approval for an extension if the repairs take longer than 120 days.

On MOTION by Ms. Chamerda seconded by Mr. Toohey with all in favor granting the access rights through easements requested by Dream Finders was approved subject to an agreement, Dream Finders notifying the residents affected, and the work to be completed within 120 days.

November 19, 2024

Amelia Concourse CDD

On MOTION by Mr. Toohey seconded by Mr. Busby with all in favor the 2024 public facilities report was accepted.

**B. Landscape Maintenance**

Reports from The Greenery were included in the agenda package for the Board’s review.

Mr. Greenberg asked that the weekly reports be provided to the Board as soon as they are received rather than waiting for the agenda package. He also asked staff to remind The Greenery that they have been asked to attend the Board meetings.

Mr. Dellinger stated that he has seen an improvement in the landscaping, and accountability from the vendor. He also informed the Board that The Greenery has submitted a proposal for upgrading the 50 irrigation heads from three-inch heads to six-inch heads.

Mr. Greenberg asked that the reasoning for the recommended upgrade be explained.

**FIFTH ORDER OF BUSINESS**

**Approval of Minutes of the September 17, 2024 Meeting**

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

On MOTION by Ms. Chamerda seconded by Mr. Busby with all in favor, the September 17, 2024 minutes were approved.

**SIXTH ORDER OF BUSINESS**

**Update on Utility/Storage Building – Consideration of Proposal for Building Repair**

Mr. Laughlin stated that the plans for the building have been provided by Wyatt, and proposals for the repair work are currently being put together for consideration at the January meeting.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports (2)**

**A. District Counsel**

**1. Update on AT&T Easement**

Ms. Gentry informed the Board that AT&T’s offer for a utility easement has been increased to \$18,000.

The Board declined the offer.

November 19, 2024

Amelia Concourse CDD

## **2. Discussion of Applicability of Sunshine Law and Public Records Law to Social Media and Internet**

Ms. Gentry reported that the U.S. Supreme Court has opined that if there is a disclaimer on any personal social media pages that it is a personal page, and opinions expressed are your own, you create a strong presumption that you are using it in a personal capacity rather than in an official capacity and that would protect you from certain First Amendment claims.

Mr. Greenberg informed the Board that he asked Mr. Laughlin to check with the County Commissioner on the status of the cut through at Orange Branch Trail through the center median. The County Commissioner attended a CDD meeting last year where he indicated that as a result of the traffic study, there were three potential options. Two of them were deemed unsafe or impractical, so it was determined the best course of action was to do a cut through, so he indicated that was supposed to take place sometime in 2024. Mr. Laughlin received a response to his follow up email that the traffic study's results were that a cut through was not recommended, and a long-term recommendation is to add a U-turn Lane at the main entrance of Daisy Lane, as well as monitoring traffic and adding signalization as needed. Mr. Greenberg questioned if residents could be encouraged to call the commissioner and/or county engineer regarding the issue.

Mr. Laughlin stated that he would reply to the commissioner and attach the letter previously received regarding the traffic study.

Ms. Gentry recommended if the Board members make a social media post regarding the update from the county on the traffic study, that they add a disclaimer that it is their personal opinion and include some language that says minutes from prior CDD meetings are available on the District's website and is where the most accurate information can be found.

Mark Bachmann stated that he recalls Mr. Greenberg updating the HOA board on the traffic study results, and that update is recorded in the meeting minutes. The Phase 3 HOA was emails for 120 of the 170 residents and sends a weekly update. This information reported today is a change in what was previously reported, and the Phase 3 residents have a vested interest and understand the importance of getting the information out if they decide to. He added that it would be preferred if Mr. Laughlin would provide the communications.

Ms. Gentry stated that will be considered a public records request.

Mr. Laughlin stated that he will forward the email communications to Mr. Bachand.

November 19, 2024

Amelia Concourse CDD

**B. District Manager**

Mr. Laughlin reported that the Christmas light installation has been scheduled

**C. Field Operations Manager – Report**

Mr. Dellinger presented the operations report, a copy of which was included in the agenda package.

**EIGHTH ORDER OF BUSINESS Financial Reports**

**A. Financial Statements as of September 30, 2024**

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

**B. Approval of Check Register**

A copy of the check register totaling \$101,925.19 was included in the agenda package. Mr. Laughlin noted the check register includes the property insurance payment.

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

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

Ann Bachmann stated that if she were concerned about the Dream Finders Homes Phase 3 matter, she would want to hear from the CDD first to let them know that they should be hearing from Dream Finders.

Al Taylor asked how long it will be before Dream Finders addresses the issues in Phase 3.

Mr. Greenberg stated that Dream Finders is less than cooperative and works on their own timeline.

Al Taylor asked if he has the right to go on the other side of the fence and it clean up three feet of the foliage.

Ms. Gentry stated that all of the real property is still owned by Dream Finders, so the CDD cannot grant any permissions.

**TENTH ORDER OF BUSINESS Next Scheduled Meeting – January 21, 2025 at 11:00 a.m. at the Amelia Concourse Amenity Center**

November 19, 2024

Amelia Concourse CDD

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Toohey seconded by Mr. Busby with all in favor the meeting was adjourned.

Signed by:  
*Daniel Laughlin*  
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Secretary / Assistant Secretary

Signed by:  
*Harvey Greenberg*  
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Chairman / Vice Chairman