

MINUTES OF MEETING
AMELIA WALK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Amelia Walk Community Development District was held Tuesday, April 17, 2018 at 2:00 p.m. at the Amelia Walk Amenity Center, 85287 Majestic Walk Circle, Fernandina Beach, FL 32034.

Present and constituting a quorum were:

Mike Taylor	Chairman
Gregg Kern	Supervisor
Rose Bock	Supervisor

Also present were:

Dave DeNagy	GMS
Daniel Laughlin	GMS
Jason Walters	District Counsel
Dan McCranie	District Engineer
Jennifer Erickson	Evergreen Lifestyles Management
Liam O'Reilly	Greenpointe Communities
Wes Hunt	Evergreen Lifestyles Management
Peter Dame	Ackerman Bond Counsel

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 2:05 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

There were no audience members present.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 20, 2018 Meeting

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor the Minutes of the March 20, 2018 meeting were approved.

FOURTH ORDER OF BUSINESS

Ratification of the Fiscal Year 2017 Audit

Mr. Laughlin stated there are a couple of things I want to read into the record. Under Opinions, we have, "In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, and each major fund of the Amelia Walk Community Development District, as of September 30, 2017, and the respective changes in financial position thereof and the respective budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America." Also on Page 26, in the last paragraph, "...we did not identify any deficiencies in internal control or financial reporting that we consider to be material weaknesses." On Page 28 under Management Comments, there were no negative comments in this section, and it is a clean audit. If there are no questions or concerns, I need a motion to ratify.

On MOTION by Ms. Bock seconded by Mr. Taylor with all in favor to ratify the FY17 audit was approved.

FIFTH ORDER OF BUSINESS

Acceptance of the Audit Committee's Recommendation

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor to accept the Audit Committee's recommendation to choose Berger, Toombs, Elam, Gaines & Frank for the FY18 audit was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2018-09 Changing the Designated Registered Agent

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor Resolution 2018-09 changing the designated registered agent was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Supplemental Assessment Resolution 2018-10

This is the final methodology for the 2018A bonds.

Mr. Walters stated at the last meeting, we came in with the lending resolution, but that was prior to pricing the bonds, so we set it at the estimate level knowing that we would get final numbers and final pricing of the bonds, and we would come in with a supplemental final resolution. There is the backup on the final methodology and the supporting documents from the closing that will be here in about 20 minutes.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor Resolution 2018-10, consideration of supplemental assessment resolution was approved.
--

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Walters stated I do not have any action items for the board today.

B. District Engineer

Mr. McCranie stated construction is moving ahead on schedule. We have set our pre-construction meeting with Nassau County to be next week. So far we have only heard two complaints about some of the burning, which is pretty minimal. I think Earthworks has been very conscientious as to keeping all of their employees and all of their trucks and everything off this main road, which has made a big difference. They seem to be very responsible. Assuming that closing happens after this meeting, when can requisitions be made? When is money going to be available to be able to pay the contractors?

The response was since we close on Thursday, money will be available on Thursday.

Mr. McCranie asked what is the process I should follow to get the requisitions approved and processed? What is the approval process for the requisitions? Is there anything different than before.

Mr. deNagy responded if I understand correctly, you would prepare the requisition, sign off as the Engineer, I sign as the responsible party, and then gets shipped off to the Trustee. It will come before the board either for approval or ratification.

Mr. McCranie asked so payment happens after – does it get ratified or does it get approved? We have it two different ways at different CDDs.

Mr. Walters stated the question is going to be prompt payment. If we run into prompt payment issues, we may have to ratify them. If we don't have prompt payment issues, we will bring it to the board.

Mr. deNagy stated if you have a 30-day window, and we have another meeting in that 30-day window, we can wait until we have the board approve it.

Mr. McCranie stated they asked for the first one. It is roughly \$32,000. They put it in 2 or 3 weeks ago. It was for their bonding and for the paperwork and mobilization. We are at 30 days rights now. I told them, and they can probably wait a little longer.

Mr. Walters stated we can go through the requisition process. Sometimes you can work with contractors on their timing for applications, but we will get this first one processed.

Mr. McCranie stated I am not concerned about the rest of them, we will stay on top of it, but this first one has been late because we had them start as soon as possible. I will prepare that Monday of next week. Mr. McCranie was told the form the Trustee requires will be emailed to him.

Ms. Bock asked do we need a resolution saying Mike could approve it and then we ratify? How do we do that?

Mr. deNagy responded Dan prepares it and signs off as the Engineer, it comes to me as the District Manager to sign off as the responsible party. Once Dan has that he submits it to the Trustee for payment. Typically before that happens, it will come before the board for approval. In this case we are going to pay out, and it will come back to the board for ratification.

Mr. McCranie stated I will only ask for this first one. I think everything else will come before you before we submit it.

Ms. Erickson stated we have had people concerned about easements, the grass, and things like that.

Mr. McCranie stated if you are talking about between lots, how you access the pond, I have two locations which are part of tracts and will not be part of individual lots. Those are all set aside so nobody puts their fences up or anything else, and we continue to have access to each pond.

Mr. Kern asked regarding unobstructed easements, will we have access and maintenance rights too?

Mr. McCranie responded not anymore because the way the engineering plans were approved, and the way the preliminary plat is going through, no, the county is being very very particular as to if it is shown on the engineering plan this way, they want it done exactly that way. I would still suggest just plan on sodding the thing as the CDD, and the CDD owns it, and we will have our maintenance guys go and mow it. Whenever they sod the pond banks, maybe we ask them to also sod this strip 20' wide. I would much prefer us owning it.

Mr. Kern stated we probably won't have irrigation on those tracts. I think part of the issue is the builder not acknowledging it from the beginning, so they are clearing those tracts. Whatever sod is being put down is being removed.

Mr. Walters stated we need to speak to those builders. If they are taking out our improvements within our own tracts, we need to speak to those builders and have them replace that. They can't put down pine straw. They need to resod it.

Mr. McCranie stated in the areas you are talking about, it is between lots, and it is not an easement, it is a tract that is part of the pond tract. It is for access to the ponds. Mr. McCranie stated I have already gotten three comments back and forth and back and forth for Phase 3 saying that the plat MUST conform to the engineering plans.

Mr. Taylor asked can you revise the engineering plans?

Mr. McCranie responded potentially could. Tell me what you would rather have.

Mr. Kern stated unobstructed for whatever the width is.

Mr. McCranie asked where do they put their fences, that is my biggest concern.

Mr. Taylor stated it is an unobstructed easement, so they put their fences on the easement line, and that is just irrigated and maintained. That way there is still access if we have to get to the stormwater pond.

Mr. McCranie asked so AV would then irrigate outside the fence and still mow outside the fence?

Ms. Bock stated and the homeowner would pay the water bill to do that.

Mr. McCranie stated it is their property.

Ms. Erickson stated there have been two homeowners that actually requested to have the 360 irrigation.

Mr. Kern stated they are staying out of that easement, but they are throwing it in with their own water.

Ms. Erickson stated because there have been places that AV actually put down in St. Augustine to make it look cohesive, and the homeowners agreed to it.

Mr. Taylor stated we have two issues, one on previous engineered plat and then we have the future. So the future we can modify the engineering plans to match the plat of this next level, but then we have to address previous development areas with the builder.

Mr. McCranie stated you will have to make sure you are writing all this legal description because most of the time mine just says 15' or 20' drainage easement.

C. District Manager

Mr. deNagy stated our next meeting will be our budget meeting. I have a draft budget that I will email to out in enough time for the board to review before.

D. Community Manager - Report

Ms. Erickson stated the contract with NCSO is with the county and awaiting to be put on the agenda. We should hear something back shortly. Even though the report says no CDD violations, someone tore up the soccer fields again since the last meeting. The Sheriff is coming back out to do a report. Seventy-five percent of it is damaged. They got the whole field. We are looking at a minimum of \$90,000, and it can go up from there. It occurred over the weekend.

Mr. deNagy stated we are going to follow up with our insurance carrier.

Mr. Taylor stated this is twice in 60 days, so we need to talk with the developer of that section and get a fence up, whether it is a construction fence or a permanent fence. We can ask the developer to contain his site. Can we explore getting a construction camera? I have seen that at other job sites, having it in our tennis court area and going back that way?

Ms. Erickson responded absolutely.

Mr. Kern stated maybe that is a request to that development, they provide that security.

Ms. Erickson continued, the mold remediation is scheduled, and all of the repairs should be completed by the end of this month. They will start next week after the insurance company comes out on Friday. The pool repair leak has one part that needs to be replaced, and then it should be good to go. We have done a lot of the flower design, and we have got new sod going in where the sod failed from last year. As far as bids, Phase II has some plant

Mr. Paul Geiger, 85493 Berryessa Way, stated about three months ago they had some surveyors out that went along the property line for the house that is empty and my lot, and they may have changed some of grading. I didn't have a problem before that. They came in and scraped the yard, replaced the sod, and now the lawn next to me is about 6" higher than my lawn, and I have a space of about 20 x 15 where water is just setting there. Whose responsibility is that?

Mr. Kern responded initially the builder creating that condition.

Mr. Walters stated if it is not graded to whatever the proper design flow for the water near the collection system, they are going to have to correct that.

Mr. Geiger asked how do I do that. Am I going to have to get a surveyor out there because they are the ones that scraped and replaced the lawn on my side.

Mr. Taylor stated I can assist you with getting to the right person, and I will get you that contact information. But it is a builder issue. We sold the land to the builder, and they designed the homes on either side of you. That is the first place to go to get them to correct it because they are the ones that created the situation. He has done the design work on the engineering side. To verify that they build it to that specification is what needs to happen, and they need to prove it to you that they done so.

Mr. McCranie stated it could be one of two things. One, that lot is correct and yours is not correct, but either way, AV homes did build both of them, and they were responsible to make your lot correct. Either way, your lot and the lot beside you should follow the specific plan that the county has and everybody has, and if it doesn't they need to re-grade.

Mr. Geiger stated it is my understanding that you are going to give me a contact with AV homes so that I can say I have standing water since you re-graded this.

Mr. Taylor stated yes.

Mr. Geiger stated they will have to have a surveyor come out, right?

Mr. McCranie stated they will have to verify where they left it. Your site plan for your home will tell you what it ought to be per the design. AV can probably verify that with a survey to say it is at the right height at the different point.

Mr. Taylor stated we can give you some advice after the meeting. I will get you the right person at AV to call. You can have an on-site meeting to confirm all the information you have and they have is consistent.

ELEVENTH ORDER OF BUSINESS Financial Reports

- A. Balance Sheet & Income Statement**
- B. Approval of Check Register**
- C. Special Assessment Receipts Schedule**

Mr. Laughlin stated a copy of your financial statements is included in your agenda package as of March 31, 2018. The total of the check register is \$39,333.48

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor the check register in the amount of \$39,333.48 was approved.

TWELFTH ORDER OF BUSINESS

**Next Scheduled Meeting for May 15, 2018
at 2:00 p.m. at the Amelia Walk Amenity
Center, 85287 Majestic Walk Circle,
Fernandina Beach**

Mr. Laughlin stated the next scheduled meeting is May 15, 2018 at 2:00 p.m. at this location.

THIRTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Ms. Bock seconded by Mr. Kern with all in favor the Meeting was Adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman