

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, July 21, 2020 at 2:00 p.m. using Zoom communications media technology pursuant to Executive Orders 20-52, 20-69 and 20-150, including any extensions or supplements thereof, issued by Governor DeSantis and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

Gregg Kern	Chairman
Mike Taylor	Vice Chairman
Rose Bock	Supervisor
Mike Harbison	Supervisor
Jeffrey Robinson	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jason Walters	District Counsel
Dan McCranie	District Engineer
Michael Molineaux	Evergreen Lifestyles Management

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 2:02 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes

A. June 9, 2020 Continued Meeting

Mr. Kern stated on the first page at the very bottom, can you check the record? I believe what I intended to say is that the summary sheet contemplated an increase in the assessment of \$230 per unit.

Mr. Laughlin stated yes, I do remember that's what you had so I'll have that added in before we finalize the minutes.

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On MOTION by Ms. Bock seconded by Mr. Kern with all in favor the Minutes of the June 9, 2020 continued meeting were approved.

B. June 16, 2020 Meeting

There were no comments on the minutes.

On MOTION by Mr. Robinson seconded by Mr. Kern with all in favor the Minutes of the June 16, 2020 meeting were approved.

FOURTH ORDER OF BUSINESS

Ratification of Proposal from Terracon Consultants, Inc. to Conduct an Environmental Site Assessment of Phase 1

Mr. Kern stated this is a typical requirement in development. Any time we build a new lift station JEA takes ownership of it. It's consistent and in line with previous costs and scope of work.

On MOTION by Mr. Kern seconded by Mr. Taylor with all in favor the proposal from Terracon Consultants to conduct an environmental site assessment of Phase 1 was ratified.

FIFTH ORDER OF BUSINESS

Consideration of Conveyance of Tracts A, B, C and D and All Rights-of-Way to the CDD

Mr. Walters stated you should have a copy of the deed in your agenda package. This is a standard conveyance that you would see as we go through the different phases of the project. We've done it for all of the previous phases, and these are the tracts within the plat that have been dedicated to the District already, but we always like to get a follow up deed for belt and suspenders purposes. These are the right-of-way roadway tracts within that phase and then stormwater and common area tracts that the District owns consistent with our maintenance and ownership obligations. This deed was prepared and reviewed by me and has been recorded in the normal course.

Mr. Harbison asked I'm sorry, this includes what exactly?

Mr. Walters responded this is the roadways, the stormwater parcels that the District constructed with the bond funds, and then there's a buffer tract and common area tract for landscaping like we own throughout the District.

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Mr. Harbison stated in phase 5 the buffer to the marsh that the lots are being extended to, is that being conveyed to the CDD?

Mr. Walters responded I don't know about phase 5 yet. This is for phase 4. I don't think phase 5 is ready for that conveyance yet, but I can take a look at those parcels you are referring to and find out.

Mr. Kern stated this is specifically the phase 4A plat so that one has been recorded, and even though they've been dedicated on the plat, as standard practice we do the quit claim deed to get them over to the CDD. The phase 5 plat has not been recorded yet. At that time there certainly is additional common areas and rights-of-way that get dedicated on that plat and subsequently will be deeded over in this same manner.

On MOTION by Ms. Bock seconded by Mr. Taylor with all in favor the conveyance of tracts A, B, C and D and all rights-of-way to the CDD was ratified.
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SIXTH ORDER OF BUSINESS

Discussion on the Fiscal Year 2021 Budget

Mr. Laughlin stated this is just a placeholder. We will be adopting the budget at next month's meeting. We will hold a public hearing prior to adopting the budget.

Mr. Taylor stated you were going to check into the fitness facility and if the lease included maintenance for the equipment.

Mr. Laughlin stated the lease does not include maintenance of the equipment. They are just a financing company from what I understand.

Mr. Kern stated we'd have to check, but I believe the company who actually supplied the fitness equipment provided some form of warranty through the first year and maybe that included some quarterly type service. I do also see in the budget you have a facility maintenance line item including fitness equipment, so maybe there is some maintenance included in that line.

Mr. Laughlin stated in the past we've used a company that specifically does quarterly machine maintenance.

Mr. Molineaux stated they are here on a quarterly basis.

Mr. Harbison stated you said the broader meeting for the residents on the budget will be before the next meeting or at the next meeting?

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Mr. Laughlin responded it will be at the next meeting. On the agenda, before approval of the adoption where we adopt a resolution will be the public hearing, and we will open the public hearing up to allow the residents to speak on the budget and then we will close the public hearing and move forward with approval from there.

Mr. Taylor asked that is on August 18th, right?

Mr. Laughlin responded yes.

Mr. Harbison asked is there a process by which we can adjust the budget by shifting items without changing the total?

Mr. Laughlin responded yes, we can shift money from line item to line item, we just can't go over the overall approved amount. Right now, we have it set with total expenditures of \$680,054, so that number can't go up anymore, but each individual line item can be changed around.

SEVENTH ORDER OF BUSINESS

Discussion on Signage on the Road by the Amenity Center

Mr. Harbison stated first of all, let me just make sure that the \$2,200 that we approved at the May meeting is for those oval signs that are all from the entrance to the amenity center.

Mr. Laughlin stated that's what I understand they were for.

Mr. Harbison stated they were intended to be wayfinding signs for phase 4 and phase 5. None of these signs are wayfinding to anything, they just list what they are and are pure marketing signs, so I just have a question as to why the CDD is paying for these as opposed to the builders or developers.

Mr. Laughlin stated I will note that this came from the construction account, not the O&M account.

Mr. Kern stated I think that is an important note. The construction funds are most significantly funded by bond issuances related to future phases of construction like phase 4 and phase 5, but the market doesn't ever bear enough to complete the total of cost so what ends up happening is there is a deficit funding agreement with the developer so the developer ends up paying the balance. It's a long way of saying is it doesn't come out of the general fund, which is what every resident is funding. To the extent they are being funded by the CDD, that is true, however it is important to know they are coming out of the construction fund account, not out of the general fund account, or the budget we're looking at now. Additionally, I think the

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interpretation of wayfinding could go multiple ways. I think you have a fair point. However, I do generally support the promotion of the District and the District's facilities, keeping in mind that one of the main objectives of approving that was to maintain control of signage along the Boulevard. Theoretically, anybody would need CDD approval to do any signage within their rights-of-way. As we are probably all aware, when the builders are left to their own demise, they quite often just do whatever signage they want. What we had before was very similar oval, low to the ground type signage there, but it was actually branded by a builder and now that there are multiple builders coming into the community, the concern became if everybody starts doing this it's just going to be littered and out of control with signage, and then it would be up to us as the CDD to manage that so the effort was to keep a consistent branding and promote the community with the overall understanding that the growth and benefit is to the community. I had heard of some of these concerns and I was hopeful to be able to understand from yourself and any other residents if there is a particular concern with it. Is it the quantity or look of them?

Mr. Harbison stated anytime you do something there are a lot of complainers and are often the same complainers. I don't think the signs are bad in terms of aesthetic. I do think we need wayfinding signs so that people aren't driving around and getting lost and frustrated, because it is in our interest to move all of these properties so at some point, we do need some signs at the entrance and at major intersections. Who paid for the big flags that are on the model homes?

Mr. Kern stated anything on a builder's lot, adjacent to a model and promoting themselves is all funded by the builders.

Mr. Harbison stated okay. I told people that I would raise this issue. Apparently, people have taken a couple of the signs down. I understand your point and I will pass that on.

Mr. Kern stated as a board we have the ability and probably even the obligation to understand any specific concerns and we can take into consideration if it's just a general displeasure that is sometimes hard to address, but if there is something specific like a sign in front of a house that is something we can all consider and make adjustments accordingly.

Ms. Bock asked do you have reasons why they take these signs down?

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Mr. Harbison stated they were mad about throwing up these signs they felt were ugly and in poor taste, and then of course they would reference in the next sentence across the street and how all the trees were cut down. I don't know if you heard from residents, Jeff.

Mr. Robinson stated I just got back into town a couple of days ago when the signs went up, so I didn't get a chance to talk to too many residents face to face, but in reviewing the various social media posts it seems like the quantity is an issue, because somebody made a comment that they felt like they were in Orlando heading to Disney World and advertising all the different businesses so they complained why are we, the CDD, paying for marketing of the three builders in the area. There is a sales office past the amenity center. Hopefully that will direct everybody to the three builders as opposed to randomly driving around the neighborhood, which people will do anyway if they're thinking of buying a property. I think from that standpoint there is a wayfinding sign and if there isn't, it needs to be directed to the sales office and let them direct people to the phases still under construction.

Mr. Kern stated I guess I'm trying to decide if we should have the signs reinstalled. We have approved them and invested in them, but obviously there was maybe a particular displeasure with the RV and boat sign.

Mr. Molineax stated it was the first one to go.

Mr. Robinson stated a question about the one that was up on the RV garage or whatever they call it. I noticed that big red banner sign was taken down. Is that something they go through the HOA for? When I saw that I was not happy.

Mr. Taylor stated any signage the builders want to put on their specific model home lots or sales lots have to be approved by the architectural review committee so if it wasn't approved, we can take action on that.

Mr. Harbison stated I will feed this back through the community Facebook page. I would say we do need some signage about where phase 4 and phase 5 are so people don't drive around aimlessly, especially when they get to the traffic circle.

Mr. Kern stated I would make a general comment in your discussions with the community that obviously we all acknowledge there is a lot of change happening, particularly on the entry and in the back as well, but it's important to know that the overall growth of the community is to the benefit of the community and for anybody that has been in the community for a period of time I think would recognize that the recent success of the community has

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ultimately benefitted. Years ago when I came into this project, I guess back in 2013 or 2014, there were construction trailers on lots and we had an aging amenity center. A lot of that stuff has changed for the good. We have invested a lot of money into the amenity center improvements, the landscaping and overall, I think it's been to the benefit to the community although change is sometimes difficult for folks.

Mr. Harbison stated I think if people thought about that they would agree with that.

Mr. Molineaux stated if the agreement is that we keep the signs in place, can I make the suggestion that they get cemented in?

Mr. Kern stated that goes back to what do we do with the ones that have been taken out. If there is no specific issue with them, although I think it's clear that one person has an issue with them, I would recommend we have them reinstalled and to the extent that it continues to be an issue we can look at having them all redone with concrete.

Mr. Robinson stated if somebody wanted to take a sign down concrete wouldn't stop it.

Mr. Harbison stated I think there's a little bit of an increase in civil disobedience in general here because Michael sent something out about the camera catching people lifting babies over the fence to somebody else and a bunch of people climbing over the fence.

Mr. Molineaux stated that was a resident also.

Mr. Harbison stated yes, I'm sure it was. They just didn't have their remote.

Mr. Robinson stated on the signage, I might make the suggestion that we just wait 30 days and then reinstall them as they were. That way, it gives people a chance to calm down and maybe see the discussions from this meeting. Sometimes time is a good healer.

Mr. Kern stated I would support that.

Mr. Taylor stated I agree.

EIGHTH ORDER OF BUSINESS

Consideration of Proposal for Electric Service at Majestic Walk Blvd., Fall River Pkwy. and Village Walk Entrance

Mr. Harbison stated I just couldn't figure out the numbers because you have three very specific items that add up to \$12,200 and then to the left of that written out it says \$37,200 so I don't know if this is part of a bigger proposal?

Mr. Taylor stated I caught the same thing and I think \$12,200 is the correct number and they just used an older form.

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Mr. Kern stated yes, we can clarify that. It's for three different roadway borings that are needed for crossings. The total is \$12,200. I can have them revise that. In phase 4 as we gear up to do common area landscaping and potential for landscape lighting or something like that like we've done in previous phases, we have a need for electrical services obviously, so ultimately these will be new services for the CDD to be able to power those different common areas.

Mr. Robinson asked does this come out of construction funds?

Mr. Kern responded right.

Mr. Robinson asked what are they doing at Village Walk?

Mr. Kern responded that is one of the bores that we need. Apparently one of the wires for the irrigation system was cut within our right-of-way, but it's underneath the road, so in order to make that connection we have to bore underneath the road again so they can run a new wire. Right now, you'll see a temporary wire over the top of the road.

On MOTION by Mr. Harbison seconded by Mr. Taylor with all in favor the proposal for electric services at Majestic Walk Boulevard, Fall River Parkway and the Village Walk entrance was approved at an amount not to exceed \$12,200.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being nothing to report, the next item followed.

B. District Engineer

1. Ratification of Requisition Nos. 56 and 57

Mr. McCranie stated requisition number 56 is payable to Nassau County Board of County Commissioners in the amount of \$11,855 for their construction inspection fees. Requisition 57 is to FPL in the amount of \$4,470. Gregg, can you remind me if it's for the difference between underground and aboveground?

Mr. Kern responded just based on the summary, in phase 3 there is a splice box that had a conflict.

Mr. McCranie stated that's right, and they had to relocate it due to a conflict.

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On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor requisition numbers 56 and 57 were ratified.

2. Consideration of Requisition Nos. 58 and 59

Mr. McCranie stated requisition number 58 is to Signtalk Graphix. This is the balance for the wayfinding signs of \$1,262.50. Requisition 59 is payable to Hopping, Green & Sams for legal services for phase 4B and 5 construction. The invoices are attached.

On MOTION by Mr. Kern seconded by Mr. Taylor requisitions 58 and 59 were approved.

Mr. McCranie stated just so the Board knows, GMS is now putting together all of the requisitions and keeping up with all of the spreadsheets, so if you need information and spreadsheets, please ask GMS. They are taking over that responsibility and I greatly appreciate it.

Mr. Kern stated I don't know if you've had a chance to confirm it or not, but I believe the site contractor was able to pave the intersection work at Calumet and Berryessa. I think everything is complete now that it's paved. Have you had a chance to look at that?

Mr. McCranie stated no, I've got it scheduled to go out this week or worst case this weekend to be able to review that, and also review their latest pay application.

Mr. Taylor stated I can confirm it was paved.

Mr. McCranie stated there was one thing. Yesterday Thad Crow, the Nassau County interim planning director sent an email to me and Mike Taylor saying Commissioner Bell passed along some resident feedback from adjacent neighbors on Champlain Drive that the construction traffic is disruptive and they wondered if you could put a fence along the route to cut down on the dust, noise and visuals.

Mr. Taylor stated yes, I discussed this with the GreenPointe team, and we are responding to that. We will keep them, and the Board informed as we have future conversations with them.

Mr. Kern stated I appreciate you bringing that to the Board's attention. I had some similar complaints forwarded from Michael as he's onsite and fielding a lot of those complaints, so as recent as this morning I think I had two in the inbox. We are taking action

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against that. Thad mentioned a fence. I think the crux of the issue is probably speeding and dust. As everyone here probably knows, we're no longer using the haul road for exporting fill dirt, which was significant work being done there, but now really the remainder of what that haul road is being utilized for is bringing in the road base material for phase 5B. I suspect we are somewhere in the two-month timeframe before that is complete and 100%, so in the very near future, for all intents and purposes, the development construction will no longer need that haul road and then we can start as a Board investigating what to do with the haul road long term; whether we want to make improvements to it or not. I say all that because I for one don't think a fence necessarily stops the dust and the noise, so what I've done with the contractor for more immediate action is reiterated our requirement for them to maintain the roadway with water trucks and various things to try to cut down on the dust as much as possible, and then also enforcing a speed limit and construction hours. I think that can be a more sustainable and realistic way to resolve the current concerns so I'm happy to continue to work with the contractor to monitor that. Michael does a great job of keeping pulse with it and notifies me real time when things are going on. Maybe it's just something we take a more forceful approach with the contractor to make sure they are complying with those guidelines and in a very short time it will be complete.

Mr. Robinson asked would it be useful in the community update to put a note that for the next few months there will be a fair amount of heavy truck activity on those roads? Sometimes when they know something is coming, they get less angry than when it's a surprise. There was a note a few months back that said we are pretty much done and that was accurate at the time, but now it's 5B and there are more trucks coming in.

Mr. Kern stated that's a great point. I'm always a proponent of clear communication. I'll get Michael some details and hopefully he can include that in the community updates.

C. District Manager

Mr. Laughlin stated I had a phone call from Jeff Pantiere, who is with the people developing the area to the east side of the entrance by the pone area and he was asking about doing hookups in the main entrance. I told him we are looking into a cost share type thing and what the entrance to that area will look like, so I should be receiving information from him on what they are looking for. He was agreeable with cost sharing, so once I receive more

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information I will send that around. It looks like there's only one or two meters in that area for JEA so it shouldn't be very complicated.

D. Community Manager - Report

Mr. Molineaux stated we've had a particularly busy month. After a couple months of priming sidewalks, we have now completed all 295 of them. Underneath the process to be completed there was a section of four sections that needed to be broken up and poured and we have also completed that at the same time. We did work on an easement on Champlain. The neighbors on either side were happy to maintain to it so we made improvements on that easement. I had to replace two water fountains on the pool deck because we had a water break and in finding that, we also found out that the units were rusted out so we had to replace those in a hurry. Four flush valves in the men's and women's bathrooms were replaced and the exterior door handles on the same bathrooms. The community has been fairly good. We've been enforcing CDD guidelines. We're going through sanitary products like crazy in the gym, but at the moment we're keeping up on it. Under process we've also completed the valve and timer for the irrigation on the roundabout at Majestic Walk.

TENTH ORDER OF BUSINESS

Supervisors' Requests and Audience Comments

Mr. Harbison stated I have one medium item and two little items. The medium item is the phase 5 lot changes. I wasn't able to go to the hearing last night and the first hearing of the planning commission was postponed so I don't know if it was actually held last night, but one of the people in the planning department sent me the meeting materials and we chatted about it a little bit and my only concern is that now there will be no buffer between the lots and the marsh and I'm afraid the CDD may have some potential liability and cost if there is flooding there. To what degree do we have any kind of flood insurance or insurance to cover things like that?

Mr. Kern stated that recent revision to the FDP is being considered by the County first off at the planning and zoning meeting, which was considered earlier this month and then continued to the August 3rd meeting. Basically, what it is, is we have an overall final development plan as part of the permitting process with Nassau County. They take that plan and they ensure that we meet conditions of the PUD and various engineering requirements per

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their land development code, so there's currently one in place that has been approved. What was being considered at that meeting, or was supposed to be considered at that meeting, was generally what we would classify as a minor modification to that FDP. Really what it was doing was extending those rear lot lines _____ [inaudible] review of the engineering plans and that original final development plan is that it did leave what could be called a buffer behind those lots. From a CDD standpoint it didn't really make sense to retain that property and then therefore have to maintain it as the owner of it, when you could extend those lot lines, allow the residents to have more property, and then the maintenance becomes their obligation. To speak really quick to the FDP revision, ultimately, they're supposed to trigger the planning and zoning and then the Board of County Commissioner's considerations for a revision, and really the one that pertains most to this revision is an overall reduction in open space. The other two being if you increase the total amount of lots, and then if you changed the roadways. We didn't change the roadways from the currently approved FDP, and we didn't increase the lot total so there is technically a reduction in open space, however under the PUD the development criteria that outlines the required open space is actually met and far exceeded with previous phases already, so the community has provided more open space than what it is required to. Long story short, it should probably never have even been a public hearing for the planning and zoning boards. Staff at the county is able to review those items, but at the end of the day to get back to your original question, that space is not and will not be _____ [inaudible] so the way that we evaluate that so that the owners of that property are not required to have flood insurance is that we ensure that it is 'X' amount of height outside of the base flood elevation so we coordinate with FEMA for every phase where there is a potential of a flood plain encroaching on a property, whether it is the District's or a future homeowner's, we coordinate with them to establish what is called a LOMR-F, which is a letter of map revision based on fill, and that fill placement certified that the correct elevation actually removes you from that flood plain, so there is no requirement for flood insurance and FEMA has said if you filled it and you certified it to that elevation, then you are outside of the flood zone. Again, just to speak to extending the lot lines, it really from a District standpoint just becomes additional cost and maintenance and liability for an area that really best benefits the homeowner.

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Mr. Robinson stated one thing that was a concern of mine, especially for lots 46 through 54 that back up right to the marsh area is their property line ends, and then the county property begins; there's no CDD controlled property in between?

Mr. Kern responded I'd have to go check the plat specifically to who the adjacent property owner is. I thought it almost becomes navigable waters of the U.S.

Mr. Robinson stated yes whoever, but if I was the owner of that lot and wanted to put a 50' or 100' pier out so I could do a boat launch and got approval from whoever that owner was, they'd be able to do that. Where I live right now if I wanted to put a ramp onto the lake, which is not part of the HOA approved things, I couldn't do it anyway because the CDD owns 15-feet between the lake, the water, and the end of my property line, which is a good control. We would lose that control so that would be my concern. So, the tradeoff of having an open area to maintain versus not having any control with what people do with that property.

Mr. Harbison asked are you suggesting the CDD retains something like six inches of property there?

Mr. Laughlin asked is that marsh a preserve area? It's possible they can't go in and disturb that area.

Mr. Robinson stated true today, but things change. You don't have control over it.

Mr. McCranie stated you could put in your covenants and restrictions that they can't have any docks, or anything like that, which would be the easiest instead of trying to do some kind of spike strip because there are a few of those that have the potential to be able to get out to that marsh. I think it's state-owned land. Basically, you get to the wetland line and then it becomes state-owned land and I believe if there is no specific restriction, you would be able to build a dock to be able to go out to Lofton Creek, so if you do not want to allow people to have docks, then you could do a covenants and restrictions. I guess we don't have a plan for a common area dock, but there are two different places, one in phase four and one in phase five that somewhat get close. I don't know how navigable it is, but it's more navigable than the outpost that North Hampton has, but you could have something similar if you wanted to, or you could restrict it if you want.

Mr. Robinson stated I'd like to review the CC&R restrictions. I think that would be the easiest thing to do and have some control over that. When I was reviewing comments that people were posting on social media that seemed to be the bigger concern. Either getting us all

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access, or only a few owners having direct access to the water. That would have it consistent across the community.

Mr. Harbison stated Gregg, you mentioned platting and so forth. The guy at the planning commission mentioned that these lots have not been platted yet and that they have engineering studies to do and all that kind of stuff before it gets final approval.

Mr. Kern stated correct. Basically, the way Nassau County operates or processes these requests is the FDP has to be approved and then subsequently the engineering plans have to be approved and certified that they match the FDP and then the plat comes in last and has to match the engineering plans and the FDP, so the approval of that revision to the final development plan is holding up the approval of the construction plans with the same revision, which ultimately holds up the plat, so they have not been platted, but they have been fully engineered by Dan and the FDP has already been revised and submitted and that's why it was at the hearing.

Mr. Harbison stated I had two other minor issues. One is there are a lot of people that want to swim laps and there have been issues with that. Sometimes just one family comes early or whatever. I was thinking about from opening until say, 9:00 or 9:30 the pool is just for lap people and we try it for 60 days and see how it goes and if it doesn't work or we have to change the times, then we can change it. What does everybody think about that?

Mr. Kern stated the pool is for the community and I think Michael has worked on this in the past with specific resident requests for similar things.

Mr. Molineaux asked have you sent anything out in social media to get some feedback on that?

Mr. Harbison responded no, just chatted with some people.

Mr. Molineaux stated on a personal level I'm more than happy to implement it, it's just a matter of whether the majority of those who want to do that swimming would appreciate it and whether we're going to get any fallout from the families that come early.

Mr. Laughlin stated it's possible too to set maybe a quarter of the pool or half of the pool for lap swimming and leave the rest open.

Mr. Taylor stated then we get into having to put lap lanes up or ropes if you want to split the pool in half, which would be additional costs.

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Mr. Kern stated I think if you had significant support from the community and that was a true desire, it's certainly something the District can accommodate.

Mr. Harbison stated let me talk to some more specific people and get some specific counts and so forth. Michael, do you think it would be a problem to put it on our Facebook page and get comments?

Mr. Molineaux stated only if you're aware of the comments you're going to get back.

Mr. Taylor stated as a suggestion, through the HOA and with Michael Molineaux's help, you could create some kind of committee for future improvements to the community and just start fielding inquiries and set up a committee that is more than just one voice or a few voices acting on behalf of the whole community. That would be something to do through the HOA and then bring that recommendation to the CDD board since it's a CDD facility.

Mr. Harbison stated okay let me look at that. I've been having enough trouble to find people to put in their name for a CDD supervisor spot at the end of the year, so I don't know.

Mr. Robinson stated on that topic I've talked to a few people. One is interested but posed an interesting question that I didn't know the answer to, so I'll ask it here. What is the legal liability for the five of us as supervisors? If somebody doesn't like something, can they sue the CDD or any one of us as a supervisor of the CDD?

Mr. Walters responded yes, it's possible. It's extraordinarily unlikely. I haven't personally dealt with one yet, but the other two key components are that the district does maintain director's and officer's liability insurance, which is what protects you if you make a decision and people don't like the decision. It doesn't protect you when you're out driving in the neighborhood or if you assaulted someone, those kinds of intentional acts. The other component is we generally have a defense of supervisors indemnity resolution, which states that if a board member is sued in their capacity of a supervisor, that the District would defend them in such suits under the appropriate conditions, but I will confirm if we have that resolution here. We are covered by insurance and also the sovereign immunity provisions of local government.

Mr. Harbison stated my last little item is Michael, in your next email update, can you ask people to remove their yard signs from the neighborhoods for the yard sales?

Mr. Molineaux stated right. Have you heard any feedback from that? I haven't heard from anybody.

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Mr. Harbison stated I haven't. I stopped at a few of them and they were pretty limited.

Mr. Taylor asked does that go for political signs too?

Mr. Molineaux stated yes, that's on top of it.

Mr. Harbison asked there are no political signs allowed, right?

Mr. Molineaux stated no, they are not, but there is still one on Majestic Walk Boulevard and he's had a letter.

Mr. Robinson stated Michael, you sent your notes out about the sewer that is full of dirt on Majestic Walk.

Mr. Harbison stated yes, a couple of residents passed that on, and they sent pictures, so I rode my bike by today. I think that is just for whoever does repairs and maintenance to just pass that on to them.

Mr. Robinson asked is that CDD open space to maintain?

Mr. Harbison stated there's a little pathway that is next to the last house before you turn left into phase 4 and then there are some grates right there in the road, so it has to be common area.

Mr. Robinson stated yes, my question is if it's common area the CDD needs to maintain the space. I assume the grate is sewer water runoff. There was a tremendous amount of rain and buildup of sand and that is probably where it all flowed in from as construction was going on.

Mr. McCranie stated looking at that picture it looks as if there is still silt fencing underneath the grate, which was never removed. That is just something we will report to the contractor. Is that in phase 3 or 4?

Mr. Robinson stated phase 2 entering into phase 4.

Mr. McCranie stated okay, so we can get Earthworks to get it cleaned out whenever they're doing the rest of it because it should have been done whenever phase 4 was completed.

Mr. Robinson stated it might technically be phase 2, but it definitely got impacted by all of the phase 4 construction.

Mr. Molineaux stated I recently took care of exactly the same issue on Williston, which was just forgotten so that was cleaned out.

Mr. Kern stated I would even offer that we push on the builders somewhat for inlet protection. Ultimately, Dan is correct. Once erosion control is stabilized and in place, the site contractor can and typically should remove them. The builders then subsequently are required

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under their different protection programs to do the best they can to keep dirt and soil from going into these inlets, so during construction they have to maintain that protection and once the home construction is completed in the area, those protections can come off. If you find more of these, it's something we can discuss with the builders in that area too. To the common area, I'm sure it is common area that the CDD owns. We're looking right now at landscaping the phase 4 entry and I think we can have the landscaper consider doing some form of improvements there. I don't think we will consider clearing it out, but we can certainly clean it up and get it stabilized.

Mr. Kern continued, I have one item for supervisor's requests, which is more of a general comment open for discussion by the Board. I was approached by Richmond American, one of our builders in the community about a desire to install fountains in the lakes. Of course, I think that is typical. I believe we have four fountains throughout the community so it's something I was working on directly with them and it's early on in the process, but I wanted to pitch it to this group to see if there were any initial concerns. Ultimately, they would be making a contribution to the CDD. I think if they pay the CDD and are willing to pay for those fountains it would certainly be something that would be a value to add to the whole community, but just wanted to bring it to the group to see if there was any initial response or feedback before we go too far.

Mr. Harbison asked would those fountains also aerate the lakes and keep them from getting scummy?

Mr. Kern stated the general understanding of the fountains is it helps aerate and it helps with the overall health of those lakes, which ultimately is for the CDD to own and maintain so that's one of the benefits and it's also aesthetically pleasing. They don't have a desire to pack them up and take them with them years down the road or anything. They would just like to contribute to the CDD in having those installed and then the CDD would own them outright in perpetuity.

Mr. Robinson asked those discussions were for phase 4 where they currently have lots or would they include phases 2, 3 and 5?

Mr. Kern responded currently just phase 4. Obviously, they probably have some self interest in having them adjacent to their lots in general. I will say the proposed location for the fountains is directly as you enter phase 4 the lake is there across the street.

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Mr. Robinson stated I'd like to look into that, but as you look into it, also look into what we might want to do in phase 2 and 3 because I know if this comes up and it happens in phase 4 or 5 only, people that live in phase 2 and phase 3 might say what about our lakes, so we might have to look at doing some of the others. The other thing these fountains do is they also help to drown out some noise.

Mr. Kern stated yes, I think in general fountains are a desired thing. We have the unique opportunity that someone is offering to help pay for them.

Mr. Robinson stated there's the upfront cost and then there is the electrical cost and costs of maintaining them.

Mr. Kern stated I will detail the ultimate costs. Just some preliminary numbers I've gotten together some proposals and they're acknowledging not only the fountain costs, but also the electrical costs. They of course will pay their portion to own them anyway, just like the rest of us do, but those are all talking points that if we like, we can continue that negotiation. It sounds like overall it would be well received so I will continue the discussions with those points in mind.

Mr. Taylor asked did we ever get the sod with Trim All? Mr. Molineaux brought forth that issue at the last meeting.

Mr. Molineaux stated we did not because my initial thought of how much would be required to do it was insufficient, so I just tabled that for the time being.

Mr. Robinson asked if we have candidates that are interested in the seats opening up on the board, what is the process? Do we just have them forward their resume to Daniel and we have a discussion or vote at the August meeting?

Mr. Laughlin stated it will be the same process as when your seat was filled. Nobody qualified through the county so the ballot will be empty. Whoever has those seats will hold the seat through November and then the seats will be filled after receiving resumes and having a discussion, and then we will appoint someone.

Mr. Taylor asked are there two seats being rotated?

Mr. Laughlin stated yes there are.

Mr. Taylor asked that is my seat and Rose's seat?

Mr. Laughlin stated I believe that's the case.

Mr. Harbison asked when do they actually change over? The end of November?

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Mr. Laughlin stated this one would most likely be in December depending on when our meeting is in November. It has to be two weeks after election day.

Mr. Harbison asked who exactly would vote? The continuing supervisors?

Mr. Walters responded by statute, the supervisors in the seats that don't get filled carry over until they are filled by appointment, which has a statutory timeline of 90 days. In the past I've had those supervisors vote along with the other supervisors. I don't think there is a conflict with that.

There were no audience members in attendance at this time.

Mr. Robinson asked can we post on the community weekly update a week or two before the CDD meeting when it is going to be held and if it is going to be a Zoom meeting and if we do ever return to face to face meetings, I'm also going to suggest we continue to do Zoom as well, because that could potentially get more audience participation. I was physically out of the area last month, but I was able to participate because of Zoom technology.

Mr. Laughlin stated we do always have a phone available. It's not so much for residents though, it's for staff and board members.

Mr. Robinson stated we should think about having Zoom as an option since it's a public meeting. All it takes is one connection.

Mr. Molineaux stated I'd be happy to add that to the update. We did actually do that last month.

Mr. Laughlin stated I will also note that the District's website has the entire year's meeting schedule and will also have the Zoom information.

Mr. Robinson stated I'm aware of that. The issue is a lot of residents don't know the issue between the HOA and the CDD so they will go one place and not the other.

Mr. Harbison stated yes, and I think I've posted about the websites and what is on them half a dozen times on the Facebook page. The people who are really concerned and interested know all this stuff, like Jeff did before and the ones that don't want to know don't care.

Mr. Kern stated the reason we went to Zoom meetings was really because of the Governor's Executive Order that allowed us to meet quorum via a virtual meeting. Typically, we would not be able to meet quorum virtually, so once that expires unless Jason has an

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outlook for long term, I think my understanding is that in the near future it probably will expire and we will be required to meet in person to make quorum again.

Mr. Walters stated currently it expires at midnight on July 31st. The last couple times the extension has been pretty last minute unfortunately, but we will monitor that and see if there are extensions. That of course relates to the supervisors having physical quorum and a physical location to meet. We can always explore other participation options in the future, but without that executive order being extended, we will lose the ability to hold virtual meetings.

Mr. Robinson stated my comment was more for after we resume face to face meetings, it would still be a good idea to have a portal open where people can participate.

Mr. Walters stated yes, we're exploring those different options. The only couple things we're bumping up against is some of the public records issues and on the Zoom side, some of the privacy and Zoom bombing you've been hearing about and ways to monitor that, but we're all looking into ways that could be a practical solution moving forward.

ELEVENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet & Income Statement

B. Assessment Receipts Schedule

C. Approval of Check Register

Mr. Laughlin stated the check register totals \$36,054.36.

On MOTION by Mr. Kern seconded by Mr. Robinson with all in favor the check register was approved.

THIRTEENTH ORDER OF BUSINESS Next Scheduled Meeting

Mr. Laughlin stated our next scheduled meeting is on August 18th and that will be the budget adoption meeting. We will be noticing the meeting accordingly, whether it be on Zoom or in person.

FOURTEENTH ORDER OF BUSINESS Adjournment

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On MOTION by Ms. Bock seconded by Mr. Harbison with all in favor the meeting was adjourned.

DocuSigned by:

Daniel Laughlin

B48FC211DC1144D...

Secretary/Assistant Secretary

DocuSigned by:

Gregg Kern

D120ABE88ECE441...

Chairman/Vice Chairman