

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, June 15, 2021 at 2:00 p.m. at the Amelia Walk Amenity Center, 85287 Majestic Walk Boulevard, Fernandina Beach, Florida.

Present and constituting a quorum were:

Gregg Kern	Chairman (by phone)
Jeff Robinson	Supervisor
Henry "Red" Jentz	Supervisor
Mike Harbison	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jennifer Kilinski	District Counsel (by phone)
Michael Molineaux	Evergreen Lifestyles Management
Lori Conrad	Evergreen Lifestyles Management
Brooke Lewis	Hopping Green & Sams (by phone)

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 2:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the May 18, 2021
Board of Supervisors Meeting**

There were no comments on the minutes.

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor the Minutes of the May 18, 2021 Board of Supervisors meeting were approved as presented.
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FOURTH ORDER OF BUSINESS

**Ratification of LED Lighting Agreement
with FP&L for Phase 5A and 5B**

Mr. Laughlin stated this is a standard agreement with we enter into with each phase.

On MOTION by Mr. Harbison seconded by Mr. Robinson with all in favor the LED lighting agreement with FP&L for Phase 5A and 5B was ratified.

FIFTH ORDER OF BUSINESS

Consideration of Policy Restricting Fishing in District Ponds; Proposal for Related Signs

Mr. Laughlin stated this is mainly to talk about the proposal included in your agenda package. As of now, we are not creating or changing any policy. Michael has been having some issues.

Mr. Molineaux stated there have been comments of the No Solicitation signs not being visible on the property, so we took it a stage further and added fishing and went ahead and got a proposal to have signs prepared and installed.

Mr. Laughlin stated the total is \$726.80.

Mr. Harbison stated I thought there was no restriction on fishing. We had issues with people getting too close to the water, alligators, and stuff like that. So, we'd have to pass something like that first.

Mr. Laughlin stated right now they're going onto people's property, which they can't do.

Mr. Harbison stated there's plenty of common area to fish from.

Mr. Laughlin stated not on the pond banks.

Mr. Harbison stated right up here and right by the Majestic Walk Boulevard / Champlain Circle. One guy caught a five-pound bass in there.

Mr. Laughlin stated if we want to make it that way across all of the ponds, we would have to discuss with counsel. Jennifer, would that be a rule or policy?

Ms. Kilinski responded you would need a public hearing. Two things I would think about is a policy for how you're going to conduct that, and we would highly recommend, if not required by your water management district permit, that it's a catch and release situation only. Number two, given what we've experienced at many communities is when you open fishing the private property versus public property interest collides, so designating and having some public education about what those designated areas are where common areas are appropriate and then putting up 'no trespassing' signs to the extent there are problems with folks entering private property would probably be a good idea. We could bring all that back at the next

meeting as we have policies we've conducted at other districts successfully for your consideration if that's the way the Board wanted to go.

Mr. Robinson stated the concern I had when I saw this was pretty much what we just talked about. We have 16 lakes. Would we have signs in front of every lake or just in a few places? Then you have the issue of there is no CCNR today that says no fishing. We could make any rules we basically want, but it has to be written up in a document. If we're going to have signs up, we have to have a plan for location because I was in a community once where everyone is for signs until they went up in their backyard or front yard.

Mr. Molineaux asked would the Board consider No Solicitation signs, which has been requested by homeowners?

Mr. Jentz responded I have no problem with that.

Mr. Robinson responded where we already have the neighborhood watch signs would be a good place to put them.

Mr. Molineaux stated I think front entrance, just past the roundabout and then going into Phases 4 and 5.

Mr. Robinson stated I would support that.

Mr. Harbison stated in the public hearing you may find that nobody cares about the fishing.

Mr. Robinson stated one thing about signage is we've learned through the speeding issue that signage isn't going to stop people. Before the last meeting I was driving down Amelia Concourse and I saw a fishing pole leaning against their no fishing sign, and next to the fishing pole was another person actively fishing. Then you have the matter of enforcement.

Mr. Jentz asked could I make a motion that we go ahead with the no solicitation signs and not the fishing signs?

Mr. Laughlin stated for now we could just do the approval of the no solicitation signs not to exceed about \$800 and then we can table the rest for now if we want to bring it back to the next meeting. Do we want to create some rules?

Mr. Robinson asked how pervasive are the comments coming your way? Is it a handful?

Mr. Molineaux responded it's a small number. We're talking about a handful of people in each camp for those that are against fishing and those that are for fishing.

A resident stated the main complaint the last couple of weeks has been the fact that it's been an accommodation issue of trespassing, coming through somebody's property to get to the lake to fish number one, but then number two when they get there, if they notify police they say that's not really they're property, the bank is the HOA and the police are saying they can't enforce it because we don't have fishing signs out and it's not trespassing.

Mr. Laughlin stated it's not the HOA. Sometimes the homeowner's property goes into the pond and it's an easement and sometimes it ends at the pond and then it becomes District property. I'm not 100% sure what it is here.

Mr. Kern stated it is a tract that is owned by the CDD.

Mr. Laughlin stated so in that case we would have the authority.

The resident stated it's the same with the alligators. They just complained about another one, but the trapper won't come out unless the HOA gives them permission because even though it might be in your backyard as a homeowner, the issue is the alligator moves so if he moves to the bank, it's not owned by the homeowner. That's been an issue with the fishing as well.

Mr. Laughlin stated I would imagine they would still walk through people's yards to get to that District land.

Mr. Molineaux stated no doubt. They also walk through the easement and then walk along the embankment.

Mr. Laughlin stated in my experience the police have to actually catch them as they're trespassing so if you called them when they're on the pond bank I'd imagine they're not going to do anything unless they see them walking through the yards.

Mr. Molineaux stated we had a Nassau County Sheriff's officer catch somebody and they basically told the officer to go away, so he did.

Mr. Laughlin stated we were discussing the No Solicitation signs if I could get a motion to approve the purchase of the signs at an amount not to exceed \$800.

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor purchasing No Solicitation signs at an amount not to exceed \$800 was approved.

Mr. Laughlin stated as far as the fishing, it's the Board's direction if you want to make it a policy so there is no fishing allowed or maybe specify a couple of the entrance ponds are exempt. That's really all the District can do. As far as trespassing on a persons' property, it's tough to assist in a solution since it would fall on the resident to call the police for that. Are you guys in favor of banning fishing?

Mr. Robinson responded there's only half a dozen people one way or the other.

Mr. Kern asked is there an existing policy for fishing in the ponds?

Mr. Laughlin responded there is not.

Mr. Kern stated for what it's worth, in my experience with other districts, we create a policy and that's something we can direct staff to do. We need to give some direction on what that policy is. What I've seen done is restricting non-patron fishing primarily. That tends to kind of help with folks that might be disregarding some of the private property versus District property. When it's your neighbor, they're generally a little more respectful, and it just cuts down on the overall use of people coming in from outside. Acknowledging that there are probably some residents within the District that might have an interest in fishing in the pond that is common area and there's no real harm in that. To Jennifer's point, you create a policy that might outline some of those other interests such as catch and release and by patrons only and then you come up with a plan to identify certain areas, primarily being ponds adjacent to common area, District owned property that allow for fishing that don't have other residents living on them, and then other areas adjacent to maybe homeowner's property, you restrict the fishing and you do a signage program that may outline that but with trying not to get too carried away with the signage. Supervisor Robinson identified 16 different ponds. If you were to put a sign everywhere that it transitions from common area to homeowner area, you'd have a lot of signs frankly. It doesn't look good aesthetically and then we have to be mindful of costs going forward. I think the primary direction would be for staff to generate a policy. It would be my suggestion to allow for residents at least to fish in the ponds adjacent to common areas.

Mr. Harbison stated it can get complicated very quickly. I fly fish and I have barbless hooks. If you want to do catch and release, you're going to have to say no bait, barbless hooks, etc. because then the fish would be dead, and you can't release it anyway. The easiest thing is probably going to just be no fishing or limiting it to this pond or something like that. I'm more

worried about all those people in Village Walk coming over here to fish. Their pool is going to be packed.

Mr. Laughlin stated that sounds fair. We can just start on the direction that he mentioned for staff and at least draft a policy for now with residents only and we can have something for the discussion at the next meeting.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2021-04,
Approving the Proposed Budget for Fiscal
Year 2022 and Setting a Public Hearing
Date for Adoption**

Mr. Laughlin stated the public hearing is scheduled for the August 17th meeting at 2:00 p.m. The budget was distributed under separate cover. We received the rolls from the County on June 1st and our assessment roll administrator started right away on working on it, and apparently there were some errors regarding the number of lots on and off the roll, so she was working through that, which was why it was distributed so late and I apologize for that. We discussed at the last meeting the new phases, so you'll see landscaping has been increased. As well as lake maintenance for all 16 ponds. The utilities have been increased to include the anticipated costs for the new phases. We want to approve at a high number, because we will adopt the budget in August and whatever we approve we can come down from, but we can't increase whatever we approve. We will have the next couple of months to discuss the budget and when we go to adopt the budget, we can adopt what was approved, or we can lower it at that point.

Mr. Robinson stated we talked briefly last meeting about adding some dollars for speed control. I know Michael has been very good about bringing in the County Sheriff, but we could budget for what was it, \$50 an hour?

Mr. Molineaux responded yes, with a minimum of three hours.

Mr. Robinson stated so 20 hours a month would be \$1,000 a month so \$12,000 for the year. We can always use it or not use it. If we added that, where would that show up as a line item?

Mr. Laughlin responded I would say the best route would be to add it as its own line item under either off-duty officer or speed control.

Mr. Harbison asked the number of units, 665-749, those are just the ones owned by residents, or owned by residents and builders?

Mr. Laughlin responded residents. This fiscal year 2022 is the first year in which all lots are on the assessment roll now.

Mr. Kern stated to clarify, it's platted lots. It doesn't necessarily mean there's a home or resident there so the total 749 of the build out of the community is assessed that O&M fee.

Mr. Robinson asked so if a builder like Riverside has 35 lots, they would be responsible for the O&M?

Mr. Laughlin responded correct.

Mr. Harbison stated and that means since this is 749 for all of 2022, that all of them would be in resident or builder hands at the beginning of the fiscal year?

Mr. Laughlin responded correct. They're going to be platted with the County, so what is assessed is going to be the 749.

Mr. Harbison stated the only other comment I have, and we talked a lot about this last year, I think the lesson here is that you need to be very wary of holding the gross per unit assessment left year to year. There's going to be a big jump, and nobody is going to remember that it was flat the prior year.

Mr. Laughlin stated that's unfortunately just part of the trend. I have a district that was flat for six years and the one year they had an increase, it's just something you have to deal with. We should be good for a little while with these numbers, but you never know with costs going up. Did you want to add that speed control amount in there now?

Mr. Robinson responded I think we should. We can always come down, but at least it will be locked in.

Mr. Laughlin asked you're suggesting \$12,000?

Mr. Robinson responded yes.

Mr. Jentz stated I just have a question around the way it works as far as the builders. The houses that aren't built, the builders pay a reduced assessment, right?

Mr. Laughlin responded no. Usually they pay what is called off-roll, or direct bill. There is a slight savings on just the collection fee that the County charges.

Mr. Harbison stated I will say that realtors have a hard time understanding CDDs. Part of the issue is the property tax bill doesn't break out the \$971 this year.

Mr. Laughlin stated yes, and I see a lot where homebuilders will pay off the debt portion and will advertise it as no CDD fees and then we get a bunch of calls and have to explain it. Is everybody in agreement to add the \$12,000 for speed control for now at least.

There were no objections to the addition.

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor Resolution 2021-04, approving the proposed budget for Fiscal Year 2022 and setting a public hearing date for adoption was approved as amended.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being nothing to report, the next item followed.

B. District Engineer

Mr. Laughlin noted Mr. McCranie distributed the annual engineer's report just prior to the meeting and it will be included on the next agenda for approval due to the short notice.

C. District Manager

There being nothing to report, the next item followed.

D. Community Manager - Report

Mr. Molineaux stated it's been another good, well-disciplined month. We've had some minor issues with minor expenses. We've done the routine landscape and maintenance as usual. We had to put in a new sump pump in the swimming pool, which was \$700. We pressure washed the pool deck and front paving area, the furniture and the canopies. The developer updated the pricing on the builder signage and we repaired the pool light that was loose in the swimming pool.

Mr. Robinson asked did you ever get any response on the request for putting out bids for an inspection on the awning?

Mr. Molineaux responded no. There is nobody willing just to come out because of the liability of either passing or not so the only way forward would be to let a canopy know we're

interested in replacing the canopies and while they're out here have them to an inspection of the steelwork.

Mr. Laughlin asked do you think Dan the engineer would be of any assistance?

Mr. Molineaux responded I've expressed my concerns with Dan.

Mr. Laughlin stated I can reach out to him as a starting point since we're not having any luck.

Mr. Molineaux stated we did and he said he has no knowledge, nor interest.

Mr. Laughlin stated I'll talk with Dan and for now just move forward and see if we get any options in the future.

Mr. Molineaux stated I would very much like a formal inspection, but at the very least if we can get a canopy company to come out to provide an opinion on the supports and an estimate on a canopy.

EIGHTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments

Supervisor Requests

There being none, the next item followed.

Audience Comments

Resident Connie Philips, 85032 Williston Court, stated we did the fish project to minimize the mosquitos. I was curious of the results of that expenditure.

Mr. Molineaux stated I don't know, other than we've received no complaints.

Mr. Laughlin stated it's one of those things that if it's working, you're not going to hear anything.

Ms. Philips stated I just was curious because my house is full of mosquitos on the outside. Last year I didn't have them, and I have them now so I was just curious what the feedback was.

Mr. Laughlin stated I haven't heard anything.

Mr. Molineaux stated I can inquire from the people that installed them what they're expectation is and get back to you on that, but unfortunately, we've also disturbed an enormous chunk of land since last year and installed quite a few more bonds, which are perfect breeding grounds for the mosquitos. Especially since we've had very limited rainfall and the water has

been quite static. I would say if you are experiencing an increase, there's a good chance it's because the community has disturbed more land.

Ms. Philips asked are those a financial provision for next year?

Mr. Laughlin responded yes; we had an increase in lake maintenance to include the new ponds.

Ms. Philips stated the other thing I had is a small issue, but do we maintain the fire plugs or does the fire department?

Mr. Laughlin responded we do not maintain the fire hydrants. That would be the County.

Ms. Philips asked how do we go about getting them checked out and possibly painted so they don't look rusted?

Mr. Laughlin responded I'm not sure if the appropriate contact is the public works department or the actual fire rescue, but we can look into it.

Ms. Philips stated I would think they would inspect them but I'm not seeing anyone walk around and check the pressure.

Mr. Molineaux stated they have done an inspection on the amenity center, but they've made no comment about the hydrants. In another community I manage we painted them ourselves. I don't know that it's the right thing to do, but we did. We will reach out to the fire department.

Mr. Robinson asked has the Phase 4 mailbox relocation been scheduled?

Mr. Laughlin responded I'll reach out to them and send you an email to let you know the exact date. They just received payment recently.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH 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 \$35,044.52.

Mr. Robinson stated on the last couple of pages of the packet there is a \$710.58 charge from Trim All for fixing PVC pipes for irrigation related to the sidewalk being torn up across the street. Are we responsible for paying that?

Mr. Molineaux stated Gregg and I had a conversation about forwarding the invoice to Daniel for payment.

Mr. Laughlin stated it will typically take time for these things and irrigation is really important, so a lot of times the District will pay it and get reimbursed later. I'll be in touch about that.

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

ELEVENTH ORDER OF BUSINESS

Next Scheduled Meeting – July 20, 2021 at 2:00 p.m. at the Amelia Walk Amenity Center

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman