

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, August 16, 2022 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	Vice Chairman
Henry "Red" Jentz	Supervisor
Brad Thomas	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jennifer Kilinski	District Counsel
Kelly Mullins	Amenity Manager
Cheryl Graham	Field Operations Manager
Marisa O'Conner	KE Law Group

The following is a summary of the discussions and actions taken at the August 16, 2022 meeting.

**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 none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the July 19, 2022  
Board of Supervisors Meeting**

There were no corrections to the minutes.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the minutes of the July 19, 2022 meeting were approved.
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**FOURTH ORDER OF BUSINESS**

**Public Hearings for the Purpose of Adopting  
the Fiscal Year 2023 Budget**

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On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the public hearing regarding the fiscal year 2023 budget was opened.

Mr. Laughlin noted there is a \$35 annual increase in assessments proposed for funding of the Fiscal Year 2023 budget that amounts to about 3%. This is due to an increase in the amount of funds planned for the capital reserves.

Mr. Dick Myers, 85220 Berryessa Way, asked how many homes are affected. Mr. Laughlin responded 749.

Mr. Doug Jones, 85393 Fall River Parkway, stated routine landscape maintenance and extra plantings total about \$150,000. We've been talking about having the landscaping addressed on Fall River Parkway where the mailboxes were relocated for almost a year now. I'm concerned we're spending \$150,000 and not getting the service we should be. Trees are always leaning over there. It's like that area never gets recognized. I know the homeowners on that street are frustrated. Mr. Laughlin responded the area in which the mailbox slab was removed fell through the cracks when the old company was here. The company that did the mailbox work is paying for the sod to be replaced. Cheryl has already spoken with Trim All to get the sod installed and then the invoice will be submitted to have the company reimburse the District.

Ms. Alison Jones, 85393 Fall River Parkway, asked what about the rest of the grass? It's just weeds. The JEA area is just an eye sore. Are you getting more trees to put in the empty spaces? They don't prune those so they're out of shape and everything. Ms. Graham stated generally JEA will maintain that because it's their property so planting isn't normally something the District would do. I've had some preliminary discussions with Trim All about the turf in that area because it is rather weedy. Our conversations are ongoing, and I'll be getting proposals. I don't have anything for your specific area just yet other than the area that was cut out.

Ms. Linda Kristoff, 85381 Berryessa Way, stated I believe Evergreen was the HOA and CDD. Who manages the CDD now? Mr. Laughlin responded GMS. Ms. Kristoff stated I think the landscaping is atrocious. On Majestic Walk Boulevard just past the roundabout, all of those rose bushes are dead and diseased. I see these guys go by with a trimmer. I think we could do better than whoever is doing it. The flowers at the front are dead and never watered. Something is being grossly neglected there. Mr. Laughlin stated if it gets to the point that resolutions are not happening, we can look at getting bids from other companies.

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Mr. Thomas stated staff is doing a great job of trying to keep the relationship with Trim All strong. We had Trim All at the last meeting to openly discuss all of the issues that we're having, so we prefer to continue to work with Trim All.

Mr. Robinson stated included within the contract are plat maps highlighted in different colors as to what Trim All is supposed to be doing. The contract spells out cutting the grass, trimming and doing chemicals and fertilization, etc. We've had trouble with communication in the past. That is to help improve communications with Trim All.

Mr. Paul Geiger, 85493 Berryessa Way, stated I'm just wondering if the amount allotted for water is enough money because it doesn't seem like the flowers are watered appropriately because they look dead. Mr. Laughlin stated there was a main irrigation line break, which is what caused that issue.

Mr. Charlie DeFilippo, 85068 Majestic Walk, stated we live on the lake on the east side and we have scum in front of our property line. I don't know if it's clippings from landscaping or some other reason. Mr. Laughlin stated we pay for chemical treatments. Sometimes they come twice a month and if they need to come out more, we will contact them. Ms. Graham stated we brought the clippings to Trim All's attention and said they need to direct away from the lake as much as possible.

Mr. Jentz stated since we've changed from Evergreen to GMS, we've also changed the pool contractor. As Jeff said, we have to communicate what we need. With a community of this size, there are only so many companies that have the skills and resources to service is, so the answer isn't always to fire somebody. I think GMS and Jeff have done a great job with working with Trim All. We're working towards getting a bang for our buck.

Ms. Mary Ann Lubeskie, 85080 Bistineau, asked if we were to change companies is the CDD required to issue an RFP for that? Because I would imagine that has costs associated. Secondly, is there an opportunity to amend the existing agreement with Trim All that puts penalties in place if they don't perform appropriately? At least then there are remedies for us if they are not meeting their contractual requirements. Mr. Laughlin this contract is under the threshold that would require an RFP, so it would just be an informal process of asking for proposals. Ms. Kilinski stated in our landscape contract there is the ability to enforce fines and penalties for poor performance. The key is documenting it, so having appropriate pictures, a paper trail, giving them a time certain to complete work. I think we're pretty close to that step

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and we talked about that at the last meeting. Mr. Laughlin stated we can withhold payment too, and that's usually our first step.

Mr. Thomas Miller, 85334 Fall River Parkway, asked is there any plan to escrow money, to borrow money or whatever for the long-term maintenance and repair of the roadway between here and the traffic circle? Mr. Robinson responded the short answer is yes; that is what the money in the capital reserves is for. Last month we had a meeting and talked about what if we don't have enough money at the time we address the roads. The Board here would like to have the money in our bank account under capital reserves, which is the reason I requested we increase the contribution from \$100,000 to \$125,000. My proposal is to increase about 0.5% every year in capital reserves so that by the time we do the big road project we're prepared. There is a capital reserve study that was done in 2020 that goes all the way out to 2050 and it includes two rounds of road repairs. By the time we get out to I think 2045 we would be spending millions of dollars to resurface the roads for the second time all throughout the neighborhood. If we don't have the funds, we do have the options for loans.

Mr. Doug Jones stated in the budget there is fountain maintenance. Is this really enough money? These fountains have been notoriously down every week. My concern is if we're not moving water, it just gets stagnant. Mr. Laughlin responded that item is for contractual maintenance of the fountains themselves. Any type of repair is paid for out of a repairs and replacements line item. They come out quarterly and inspect the fountains. Mr. Robinson pointed out that there are proposals in the agenda package to be considered for fountain replacement.

On MOTION by Mr. Robinson seconded by Mr. Thomas with all in favor the public hearing regarding the fiscal year 2023 budget was closed.

**A. Consideration of Resolution 2022-05, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2023**

On MOTION by Mr. Robinson seconded by Mr. Thomas with Mr. Jentz, Mr. Robinson and Mr. Thomas in favor and Mr. Kern opposed Resolution 2022-05, relating to annual appropriations and adopting the budget for fiscal year 2023 was approved with a 3-1 vote.

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On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the public hearing regarding the imposition of operations and maintenance assessments was opened.

There being no public comment, the public hearing was closed.

On MOTION by Mr. Robinson seconded by Mr. Thomas with all in favor the public hearing regarding the imposition of operations and maintenance assessments was closed.

**B. Consideration of Resolution 2022-06, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2023**

On MOTION by Mr. Robinson seconded by Mr. Jentz with Mr. Jentz, Mr. Robinson and Mr. Thomas in favor and Mr. Kern opposed Resolution 2022-06, imposing special assessments and certifying an assessment roll for fiscal year 2023 was approved with a 3-1 vote.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being nothing to report, the next item followed.

**B. District Engineer**

Mr. Laughlin noted he had nothing to report on the behalf of the District Engineer.

Mr. Robinson asked if the three potholes on Majestic Walk have been inspected as they need to be repaired. Ms. Graham responded that she has a contractor coming out to provide a quote for repairs.

Mr. Thomas asked for an update on Pond 14. Mr. Kern stated that he received a report that the work on the pond is substantially complete. Mr. Thomas stated that there is still a barrier in the pond. Mr. Laughlin stated that he would call the engineer following the meeting.

Mr. Jentz asked that the engineer inspect the curbing work that has been done so far to see if it meets his expectations to ensure that it will be completed up to the District’s standards. Mr. Kern stated that he would like the engineer to certify the curb repairs and pond bank work upon completion.

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**C. District Manager – Consideration of Designating a Regular Meeting Schedule for Fiscal Year 2023**

Mr. Laughlin informed the Board that the Vice Chair has requested addition of some 6:00 p.m. meetings to allow for more resident participation. The proposed meeting schedule includes meetings on the third Tuesday of each month with one evening meeting per quarter.

On MOTION by Mr. Robinson seconded by Mr. Thomas with all in favor the Fiscal Year 2023 meeting schedule was approved as presented.
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Mr. Robinson announced that he and Mr. Thomas ran for re-election to the Board and are unopposed. Mr. Kern's seat is up for election and is slated to be filled by Mr. David Swan in November.

**D. Amenity Manager – Report**

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

She informed the Board she has had two residents offer to provide Zumba and yoga classes for the community at the amenity center. There were no objections from the Board. Mr. Laughlin noted an agreement would be drafted for use of the facility.

She also informed the Board there will be approximately \$6,000 left in the events budget at the end of the year and asked if those funds could be rolled over to next year's events budget. There were no objections from the Board.

Mr. Robinson asked that quotes be obtained to replace the structure that houses the pool equipment, and once purchased locks be installed.

**E. Field Operations Manager**

**1. Consideration of Landscaping Proposals**

Ms. Graham noted that representatives of the landscape maintenance and aquatic maintenance vendors were present at the meeting. Mr. Joe Craig, the aquatic maintenance representative went over the current conditions of the ponds and answered questions of the Board members. Mr. Robinson asked that a quote be drawn up for the fountain in the small pond.

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Copies of five proposals were included in the agenda package for the Board's consideration. The Board made the following motion to approve proposal number 14790 to replace azaleas at Champlain and Majestic Walk Boulevard in the amount of \$868.92.

On MOTION by Mr. Robinson seconded by Mr. Thomas with all in favor Trim All proposal 14790 totaling \$868.92 was approved.

There was no action taken on the other four proposals. Regarding proposal number 14787, Mr. Robinson stated he'd like to see a quote to make the two corners that were destroyed during repair work consistent with the opposite corners with juniper and pine needles. He does not believe the area needs six pallets of sod. Similarly, proposal number 14789 includes three pallets of sod to be installed at the clubhouse entrance. Mr. Robinson stated that he believes it should be closer to one pallet for such a small area. Mr. Laughlin stated that he would like to ensure the cinch bug issue in that area was resolved prior to new sod being installed.

Lastly, Ms. Graham informed the Board she authorized Trim All to proceed with the work included in proposal number 14927 to install sod in the area in which the mailbox was moved on Fall River Parkway.

## **2. Consideration of Proposal for Replacement of Pool Filter Grid**

Ms. Graham presented a proposal from Rick Arsenault for replacement of the pool filter grids totaling \$3,804.30, noting the current pool maintenance contractor cannot perform these repairs. Mr. Robinson stated that he received an email from Mr. Jerry Lambert from RMS stating that the filters were fine other than one that is torn, although they will eventually need to be replaced. He suggested deferring this item until after the busy pool season and bringing the proposal back sometime between November and January.

The black algae in the pool was discussed and Mr. Robinson stated that the health department has stated that it is not a health concern. The issue will be taken care of following the busy season as the pool will need to be shut down due to the high level of chemicals needed to eliminate the algae.

## **3. Consideration of Proposal for Two Signs**

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Ms. Graham noted she has another vendor coming out to quote replacement of the Amelia Walk signs. No action was taken on this item.

**4. Consideration of Proposals for Fountain Systems**

Ms. Graham presented proposals from Sitex Aquatics for replacement of the motors in the fountains in Pond #5 and Pond #3. She noted the fountains were the first installed in the community, so they have exceeded their lifespan. The proposal for Pond #3 totals \$3,800 and the proposal for Pond \$5 totals \$12,054.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the proposals from Sitex Aquatics for fountain system replacement at an amount not to exceed \$16,000 was approved.

Mr. Robinson asked Ms. Graham to obtain some quotes for trimming of the trees on the right side of the pool. Mr. Laughlin noted if it's a minimal amount it can be approved outside of a meeting.

Ms. Graham informed the Board that staff was contacted by a board member of the North Hampton community regarding issues with beaver dams in the wetland areas behind the homes on Amagansett Drive and Sagaponack Drive. The Amelia Walk community is being informed of the issue as a portion of the wetland areas is on CDD property, however they're proceeding to take care of the issue. Amelia Walk's district counsel has prepared a license agreement to protect the District's property.

**SIXTH ORDER OF BUSINESS**

**Supervisors' Requests and Audience Comments**

**Supervisor Requests**

Mr. Robinson informed the board that a majority of the fitness equipment is leased to own, and everything will be owned outright in August of 2023. There is a quarterly contract with Southeast Fitness Repair for maintenance of the equipment and he questioned what is included in the quarterly fee. Mr. Laughlin stated that he was not able to find a form of agreement.

Mr. Robinson asked if the types of grasses in easement areas was investigated. Ms. Graham responded that a majority of the grass is Bahia, with a few areas that contain St. Augustine grass. Mr. Robinson asked if anything needs to be done with the owners of the



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properties, or if they've agreed to water the areas. Ms. Graham responded that the areas that contain St. Augustine grass already have irrigation.

Mr. Thomas asked for an update on the haul road and the issue with the lock being broken. Ms. Graham stated that she will be going out to put a new lock on.

### **Audience Comments**

Mr. Paul Geiger stated a concern is the curb replacement in the area in front of my house. They took out 28 pavers out of the driveway that I had just had re-sanded and resealed. When I asked the gentleman that was doing the concrete, they said they were going to replace the pavers. I have a gentleman who does the driveway pavers that came over and looked at it and said it's going to have to be re-sanded and put down, blocked back in and resealed. I don't want them to come in and do the pavers when I just got through doing this stuff when they don't know what they're doing. They're putting concrete on the lawns, so I have a destroyed lawn now. I just want to put on record that these guys don't need to be putting the pavers in. We need someone who knows what they're doing. Mr. Robinson stated I toured the neighborhood before the meeting, and I saw far too many concrete gaps and pavers stacked up on driveways and in some cases lawns.

Ms. Mary Ann Lubeskie stated it seems they're having an issue with concrete. In our area they've removed the entire access to our driveway, so we can't get in and out. Mr. Laughlin stated from what I understand, they should be getting the rest of the concrete in tomorrow. We will reach out to the project manager.

Ms. Mary DeFilippo, 85068 Majestic Walk, stated I'd like to go back to the lake discussion and the scum. We tend to get a lot of the scum near our property and to me it's a health hazard, so I'm concerned about it. I don't think it's just caused by the mowers. I wondered who the vendor is for lake maintenance. Mr. Laughlin responded Sitex is the name of the company. The grass clippings do affect it, but it could be a lot of different things such as lack of rain or too much rain, extreme heat, etc. We have a contract where the lake maintenance company comes out monthly to treat the ponds. Sometimes the algae ponds will happen within a couple of days of their visit and when that happens, we will report it to them, and they will come back out. There are only so many treatments they can do per visit and sometimes those treatments take a couple of weeks to breakdown the algae. You can contact me when you see those issues and I'll work with Ms. Graham to have Sitex come out.

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Mr. Charlie DeFilippo, 85068 Majestic Walk, stated I know we can't control the geese because they're protected, but can we tell people not to feed the geese? There are people three or four houses down from me that feed them and the geese come across my property and it's unsanitary. Just something to encourage the geese not to come. Mr. Laughlin stated an e-blast can be sent out to the community reminding them not to feed the geese. I don't know if it's law or just a recommendation, but you're not supposed to feed the geese as it actually harms them.

Mr. Doug Jones stated I have a couple of items. As far as the greenbelts between the homes, is it the builder's responsibility to get those installed and if so, do they have a limited time to do it? Phase 4 they're building out and there are some areas between homes that are just land. Is that going to be part of the budget for landscaping? Mr. Robinson responded in Phases 4 and 5, anywhere there's an easement or what you're calling a greenbelt, that is CDD common property, and we've already contracted with Trim All. There is still work to be done. It's going to be grass, which is mowed and maintained, but there's no reason to do that until construction is complete because it will just get destroyed.

Mr. Doug Jones asked how to we make recommendations or suggestions for future items to be included in the budget? This seems like a dog-friendly community, but we have no dog parks. We have tennis courts that I think should be re-stripped to include pickleball; things like that. These are things I think this community needs. Mr. Laughlin stated bringing it to the Board is the best way to get those items considered. As we get closer to the next budget season, we could have a list put together of suggestions or ideas and we can look into costs to see what is viable. Mr. Robinson stated I put together a model together for the capital reserves and part of that is a what if scenario for various projects and a dog park was one of them. It hasn't been scoped or priced, but if we weren't going to do anything with the capital reserves, then there's no point in having staff do the work because we won't have money for it.

Mr. Dick Myers asked could you enlighten us on the proposed special assessment such as what the timing is and the justification for where those funds are going? From the mailing received, it looked like you were calling for an additional special assessment. Mr. Laughlin responded we were only discussing the annual assessments associated with the budget. Whenever there is an increase in those assessments, a notice must go out to the residents letting them know there's an increase in the annual assessments. Mr. Robinson stated it's about a \$35 increase.

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Ms. Linda Kristoff stated I know we have to work with people, but since we've been here since January, we have sent two \$1,000 checks to the HOA and both times they cashed it. It took us four months to get the \$1,000 returned. I just want to know if you guys hire Evergreen, and can we get rid of them? Mr. Laughlin responded the HOA is started by the developer. Eventually the HOA board will transition to a resident-controlled board like the CDD has. It's the HOA board who chooses the management company. Mr. Robinson stated there is a meeting coming up on the 26<sup>th</sup> and the primary purpose of that meeting, as I understand it, is to replace one of the developers with one resident on the board. Once 90% of all lots have been sold to homeowners, that is when additional board members have to be replaced, which will probably be sometime late next year or early 2024. Mr. Kern noted there are actually two board members slated to be replaced at the upcoming HOA meeting.

Ms. Connie Philipp, 85032 Williston, stated it was my understanding that the \$35 increase was to fund the roads that have to be done? Are we now saying that \$35 is for any capital project expenditures, or are we designating it to the roads? Mr. Robinson stated they're for any capital project. Mr. Laughlin stated the capital reserve fund is typically for larger repairs. The previous anticipated capital reserve balance was just barely enough to cover the roads, so this increase is to cover anything that might happen in the fiscal year and should give us enough money to make those repairs without affecting the funds needed for the roadways.

Mr. David Swan, 85519 Fallen Leaf, stated I think you said since there is no irrigation by the mailboxes on Fallen Leaf Drive that some drought resistant landscaping would be put there. Ms. Graham stated Trim All and I talked about it, they're just behind on getting me some proposals that I need.

Ms. Joyce Thompson, 85164 Berryessa, asked is there a way you could communicate the schedule for the pond treatments, because we have scum too. When we first moved in we were very aware of them getting in the boat and coming around, but we've only seen them once this year. How do we know it's getting done when it's supposed to be? Mr. Laughlin responded they send reports to staff after each visit detailing what they've done. You can tell when they're not coming because the ponds get really bad. Mr. Robinson asked if the reports could be held on file in Ms. Mullin's office.

Ms. Jill Coscia, 85288 River Birch, stated the work that has been done on Pond 14 is disappointing. They never regraded. When they installed the French drains, they broke all kinds

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of sprinkler heads on our property line and on our neighbor’s property line. They’ve put some sod down, but it’s not all the way around the pond. They all but one portion of the silt fence. The vegetation is still growing. Mr. Laughlin stated there’s still some work left to be done. Mr. Kern ask Mr. Laughlin to give him the details on the property so he can take a look at it. Ms. Kilinski stated you haven’t received an engineer’s certificate yet. He may need a survey if he sees there are elevation changes before he’s willing to sign a certificate so we will circle back with him on that.

**SEVENTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS                      Financial Reports**

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

Mr. Laughlin noted the check register totals \$63,488.94.

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


**NINTH ORDER OF BUSINESS**


**Next Scheduled Meeting – September 20, 2022 at 2:00 p.m. at the Amelia Walk Amenity Center**

**TENTH ORDER OF BUSINESS**

**Adjournment**

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

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 Secretary/Assistant Secretary

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D420ABE88FGF441...  
 Chairman/Vice Chairman