

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 20, 2023 at 2:00 p.m. at the Amelia Walk Amenity Center, 85287 Majestic Walk Boulevard, Fernandina Beach, Florida.

Present and constituting a quorum were:

Jeff Robinson	Chairman
Henry "Red" Jentz	Vice Chairman
David Swan	Supervisor
Bradley Thomas	Supervisor
Lynne Murphy	Supervisor

Also present were:

Daniel Laughlin	District Manager
Dan McCranie	District Engineer (by phone)
Lauren Gentry	District Counsel
Kelly Mullins	Amenity Manager
Jay Soriano	Governmental Management Services
Jerry Lambert	Riverside Management Services
Rhonda Mossing	MBS Capital Markets (by phone)

The following is a summary of the discussions and actions taken at the June 20, 2023 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

Organizational Matters

A. Acceptance of Resignation of Mindi Gilpin

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor Mindi Gilpin's resignation from the Board of Supervisors was accepted.

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B. Consideration of Appointing a New Supervisor to Fill the Vacancy

Each of the interested candidates that were present introduced themselves to the Board and provided a brief overview of their experience. One candidate withdrew his application. Mr. Robinson also announced that Ms. Mullins would be taking on the operations manager responsibilities.

On MOTION by Mr. Swan seconded by Mr. Thomas with all in favor appointing Lynne Murphy to fill Seat 5 on the Board of Supervisors was approved.

C. Oath of Office for Newly Appointed Supervisor

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

Ms. Gentry provided a brief overview of the Sunshine and Public Records laws.

D. Consideration of Resolution 2023-08, Designating Officers

Ms. Lynne Murphy was designated as an Assistant Secretary. The balance of the slate of officers remained the same.

On MOTION by Mr. Robinson seconded by Mr. Thomas with all in favor Resolution 2023-08, designating officers was approved with Ms. Lynne Murphy added as an Assistant Secretary.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the May 16, 2023 Meeting

There were no comments on the minutes.

On MOTION by Mr. Robinson seconded by Mr. Thomas with all in favor the minutes of the May 16, 2023 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Ratification of Landscape Maintenance Agreement with BrightView

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Mr. Laughlin reminded the Board that BrightView was ranked the top proposer through the RFP process at the last meeting and stated the agreement is being brought back for ratification.

Mr. Robinson stated he had a meeting with North Hampton and Village Walk HOA representatives and it was determined there are certain areas in which it's not clear which entity is responsible for maintenance.

Ms. Gentry added that the start date for BrightView was moved up to July 1, 2023.

Ms. Jennifer Hatton pointed out a typo on one of the exhibits titled landscape map IDs. Number 28 should show an address of 85273 Champlain instead of 85275. It also says the condition is poor grass, however it should be similar to the condition of number 23 where it says needs water and sod updates.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the agreement for landscape and irrigation maintenance services with BrightView was ratified.

The following item was taken out of order.

SEVENTH ORDER OF BUSINESS

Update on the Road Resurfacing Project and Discussion of Financing Options

Mr. McCranie informed the Board that he sent an email to as many contractors in this region as he could find to ask if they have any interest in taking on the road resurfacing project and to provide information bids. He has not received any positive responses yet, but he will follow up.

Ms. Mossing stated that she has been speaking with Mr. Laughlin about financing options for the District, which includes a five-year note since there is no room under the bond validation to issue anything greater than five years. She recommends authorizing MBS to put together a credit package and send it out to several banks to see if they're interested in providing financing. She introduced an investment banking agreement, which would allow her to run numbers for the Board and put together a bond structure. She noted the District would not owe anything to MBS unless a closing occurs.

Mr. Robinson explained to meeting attendees that the District also had the option of increasing the annual assessments that fund the annual budget for the District for Fiscal Year

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2024, however it would have been a large increase. The five-year note Ms. Mossing referred to is a more immediate option. There is also an opportunity to use a portion of the capital reserve funds to pay for the first year's loan and increase the annual operations and maintenance assessment over the next four years to fund the project.

Ms. Gentry added that if the Board foresees a number of large capital expenditures over the next few years that bond proceeds might be useful for, asking the court to validate additional bonds that could be repaid over up to a 30-year term is an option. She summarized the options as: (1) collecting a one-time special assessment to pay for the project, which is not favored by the Board, (2) using a short-term debt obligation (up to 5 years), or (3) obtaining court validation for additional long-term bonds (repaid over up to 30 years).

Ms. Cheryl Hall asked if a community vote is required to issue bonds.

Ms. Gentry responded there are certain ad valorem taxing powers that require a community vote, but bond issuances and the assessments that secure them are not subject to a community vote. These bonds would be repaid by non-ad valorem assessments, so they're not tied to the property value, they're tied to the benefit that each property receives from the improvements. Additionally, if the District issues bonds and levies assessments to pay for it, the homeowner is not on the hook for the remaining amount of the assessments if they sell their home. It transfers to the next homeowner.

Mr. John Musial stated that it is a main road proposed to be resurfaced and asked what the plans are to resurface the roads given the inconvenience it will cause.

Mr. Laughlin responded that it would be done one lane at a time.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the agreement for underwriting services with MBS Capital Markets for funding of the road resurfacing project was approved.

Mr. Robinson informed the meeting attendees that there is a capital reserve study posted on the District's website that lists when the District's assets are scheduled to be replaced or refurbished and part of that plan was to save enough money over the next two years to resurface the roads without having to do any financing, however the roads got worse than planned and the cost of oil went up.

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SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2023-09,
Adopting Revisions to the Amenity Policies**

Mr. Laughlin noted the changes being made to the tennis court policies are to add references to the pickleball courts.

Ms. Gentry stated that there was also one change made to the fitness center policies clarifying that appropriate athletic attire is required.

The Board discussed the possibility of implementing a scheduling system and the need to incorporate that into the policies.

Ms. Gentry will add language stating that the District reserves the right to implement a scheduling system at Mr. Swan’s request.

On MOTION by Mr. Swan seconded by Mr. Robinson with all in favor Resolution 2023-09, adopting revisions to amenity policies was approved as revised.

EIGHTH ORDER OF BUSINESS

Consideration of Proposals

The following item was taken out of order of the agenda.

C. Solar Heating for Pool

Mr. Robinson stated that a survey was done in March listing 25 projects requested by homeowners and one of those was adding solar panels to the roof of the amenity center to heat the pool to extend the swim season to seven months. A representative from Solar Trek was present and provided an overview of their product.

On MOTION by Mr. Robinson seconded by Mr. Swan with all in favor the proposal from Solar Trek totaling \$33,750 for adding solar heating to the pool was approved.

A. Flagpole

Ms. Mullins informed the Board that the flagpole has been ordered and she and Mr. Robinson are working on a landscaping plan for the area surrounding the flagpole.

B. Pool Maintenance

Mr. Laughlin stated that the pool maintenance company for the District has resigned, so a new company needs to be selected.

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Ms. Mullins presented three proposals ranging from \$1,300 per month to \$1,600 per month.

Mr. Robinson noted that Rick Arsenault's proposal includes pricing for all chemicals, however that is not needed as the District has a separate chemical provider.

On MOTION by Mr. Thomas seconded by Mr. Jentz with all in favor the proposal from Crystal Clean totaling \$1,360 per month for the summer months, and \$760 per month for the winter months was approved.

D. Storage Shed

Mr. Robinson noted that a permit would be needed from the county to install a shed, regardless of vendor in which it is purchased from. He listed the options for locations of the shed, noting that one of the options is inside the amenity fencing, which would require removal of some fence panels, and two are outside the fence. He recommended authorizing an amount not to exceed \$6,000 which includes the cost of the permit, and an 8'x10' shed with Ms. Mullins to select the shed. He also stated that he would volunteer to install shelves in the shed.

The Board's consensus was to install the shed in an area near the tennis courts.

Mr. Don DeCanio stated that this is a new facility with no residential use and therefore needs to be handicap accessible. He asked if that has been considered.

Ms. Gentry stated that this is not an area for public access, but if the cost of any necessary ADA improvements is not included in the not to exceed amount, it can be brought back to the Board.

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor purchasing and installing a shed at an amount not to exceed \$6,000 with Supervisor Robinson authorized to install shelving was approved.

Ms. Mullins provided the Board with a proposal totaling \$8,180 to do any electrical work needed to add fob access to the tennis and pickleball courts.

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On MOTION by Mr. Robinson seconded by Mr. Swan with all in favor the proposal for electrical work to add fob access to the pickleball and tennis courts totaling \$8,180 was approved.

NINTH ORDER OF BUSINESS**Staff Reports****A. District Counsel – Update on Easement Request**

Ms. Gentry informed the Board that staff received a letter from County code enforcement regarding the parking at the Phase 4 mailboxes. Counsel responded to the letter arguing that the County has repeatedly advised that they classify CDD roads as “private” for County purposes, and the mailbox requirements do not apply to private roads, and noting that site plans were approved prior to the county adopting the mailbox requirements in 2021. She will update the Board with any response received.

Mr. Robinson stated that he has been communicating with counsel regarding the situation with the ponds, particularly in Phases 4 and 5, and whether the developer has turned over the pond infrastructure to the district. He added that he found that the HOA documents state that it is the homeowner’s responsibility to water the CDD common area between their property line and the water’s edge on the pond banks, yet it is the CDD’s responsibility to mow and maintain those areas. He suggested sending a letter to the HOA or developer to find out what is in the contract between the developer and the builders in terms of what kind of grasses are to be installed in those areas because the HOA does not specify.

Mr. Stephen Thornton, 85407 Apple Canyon, stated there are weeds everywhere behind his home and all the way around the pond. He also added that no one ever removed a retention pad that’s installed when it’s under construction, and it’s filled with plastic bottles and the water does not drain properly.

Ms. Gentry stated that she does not think the process to turn over the Phase 4 and 5 common areas has happened yet, and when it does, part of the turnover process is the engineer will have to certify that everything has been constructed according to plans and is functioning properly, and he will create a list of any items that need to be done to get the area in appropriate condition for the CDD to take over. She noted her firm could reach out to the developer to find out what they have in their contracts with the builders to try to head this off before it becomes a bigger problem and incurs more expenses for everyone involved, and they can also reach out to the HOA and inform them that it’s an area that will become the CDD’s responsibility and ask

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them to enforce their covenants against the owners of the lots and ensure they're maintaining them in accordance the District's standards.

B. District Engineer

Mr. Robinson stated that he will be working with Ms. Mullins to further discussions had regarding the wetlands between the District and North Hampton and added that he wants to move forward with the bypass that Mr. McCranie outlined in a report done in January following an inspection. A proposal for the bypass will be presented at a future meeting. He has also asked Ms. Mullins to work on a contract to be used as needed with a beaver trapper, which will be presented at a future meeting. Additionally, he reported that the North Hampton HOA asked if there is anything that can be done to remove debris in the wetland preserves.

Mr. McCranie clarified that debris can be removed by hand, just not by mechanical equipment or machinery.

C. District Manager

Mr. Robinson noted a meeting would need to be set up with staff towards the end of the month to discuss the last invoice for Trim All and how much of it should be paid as they have not been performing all of the work.

D. Amenity Manager – Report

A copy of the operations report was included in the agenda package for the Board's review. Ms. Mullins informed the Board some umbrellas were damaged in a recent storm, and replacement is estimated at \$300.

Mr. Swan asked that residents be reminded by e-blast that the umbrellas need to be put down when not in use.

Mr. Robinson informed the Board that there are around 95 key fobs that cannot be linked to a homeowner at this time. A letter will be sent to the residences at which those key fobs are registered asking the homeowner to come into the amenity center to update their information in Ms. Mullins' system. After a period of time, if the information is not provided, the key fobs will be turned off.

Ms. Mullins relayed a request from the neighborhood watch group to install signage.

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On MOTION by Mr. Jentz seconded by Mr. Thomas with all in favor authorizing installation of neighborhood watch signs was approved.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor replacing five umbrellas at a cost of approximately \$300 was approved.

E. Field Operations Manager

A copy of the operations report was included in the agenda package for the Board’s review.

Mr. Robinson informed the Board that staff is working with BrightView and Down to Earth on two projects, one adjacent to 85273 Champlain, and another on Fallen Leaf Parkway.

TENTH ORDER OF BUSINESS Audience Comments

Mr. Mike Dusza stated that he has taken over the neighborhood watch group and informed meeting attendees that the group has a Facebook page where they can sign up to be a part of the group. He also noted there will be a meeting held in August.

Ms. Jennifer Hatton asked what the final plan is for the easement to access the haul road.

Mr. Robinson responded that the Board adopted a policy at the last month to convert it to a walking trail and with that, there have been entry points designated. He also noted there is still landscaping work to be done, and a bridge built over the drainage ditch.

Ms. Jennifer Hatton stated that this is a huge privacy issue for her and there are already security issues back there already with people walking behind her house. She also asked when the weeds will be removed and whether the trail will be closed after dark.

Mr. Robinson responded that the Champlain easements landscape project will be rebid, so hopefully a decision will be made at the next meeting. The grass will be cut July 1st if Trim All doesn’t cut it before then. Regarding the security concern, Mr. Robinson clarified that part of the purpose of the policy that was adopted is to allow police enforcement of the trail.

Ms. Gentry stated that the hours in the trail policy were set for dawn until dusk, so if people are out there at night, they are trespassing, and the authorities can be contacted.

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Mr. Brian Gilmore stated that the landscapers did a good job of putting pine straw down, but after the first storm that came through it blew it away.

Ms. Connie Philips asked what the status is on the refurbishment of the arbors.

Mr. Robinson stated that they are included in a contract approved last month to be cleaned, repaired and painted, which was supposed to begin June 20, 2023.

Ms. Connie Philips stated that residents received a letter from the HOA regarding maintaining the lawn and bushes around the sidewalks, however about a month before that letter was sent, she requested the HOA send a notification regarding the trees needing to be limbed up around the sidewalks and she received a response that the CDD was responsible for all trees.

Supervisor Jentz left the meeting at this time.

Ms. Joyce Ellenson stated that she's made the suggestion to put a few benches throughout the community and asked if that has been considered further.

Mr. Robinson responded that benches have been added to the capital projects list and he has asked Ms. Mullins to research it over the next month or so.

Ms. Jennifer Hatton asked if the playground included on the capital projects survey is ever going to be considered and if putting a fence around it with fob access would be considered.

Mr. Robinson responded that he doesn't think putting a fence around the existing playground has ever been discussed, but it's something the Board can look at. He also clarified that the playground in the survey was for the Phase 4 entry area and there has not been any specific discussion on that.

Mr. Don DeCanio asked if it is the responsibility of the District's landscaping company to trim the trees over the streets and informed the Board that a limb was broken on Majestic Walk near the Concourse and it's been hanging over the road for almost a month. He also noted that the trees are overgrown and there is a large population of people that own RVs and trailers in the community.

Mr. Robinson stated that tree trimming is not part of the normal maintenance contract.

Mr. Laughlin clarified that there is a provision in the contract for a height limitation for tree cover, which is 10-feet and any trees over 10-feet with low hanging branches that present a hazard to pedestrians or vehicles will be raised to eight-feet above ground level. Trimming is something that would need to be done outside the scope of the landscape contract and the District can look at getting proposals.

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Ms. Lori Rose asked if there is space set aside for additional parking.

Mr. Laughlin responded that there is no plan for additional parking, but it's something the District can look at having done if there's property available.

Mr. Frank asked what the status is on the dog park.

Mr. Robinson responded that he did some research and turned it over to Kelly for further research before it's submitted for board discussion.

Mr. Frank asked what locations are being considered.

Mr. Robinson responded that it would most likely be near the soccer field.

Mr. Barry Peterson stated that he was from North Hampton and stated that he has worked with homeowners on Amagansett, which is adjacent to the Amelia Walk property and noted that he would pass on the comments given during the meeting and the action being taken as they've been anxious with the water coming up, which kills trees and causes them to fall onto their property.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Robinson stated that there has been a lot of location regarding the relocation of the Phase 4 mailboxes, and as of now there has been no decision to relocate them, but he wanted to clear up some things that have been said on the record. Back in 2019, the developer installed a bunch of mailbox units across the street from a Phase 1 homeowner. That homeowner came to multiple meetings asking to relocate the mailboxes and it did not happen. At the October 2019 meeting, Mr. Gregg Kern commented that allowing the change based on requests from a few individuals is a slippery slope and suggested using the amenity center. He also suggested that as more residents join the board, it would be possible to have a capital project to make changes and the time of that meeting, resident Mike Harbison was appointed to the Board after another resident resigned. The Board was at that time made up of three developers and two residents, so the developers had the majority. In December 2019 and January 2020 there were no CDD meetings. In February of 2020, the purchase of the Phase 4 mailboxes was approved by requisition, however no discussion of the location of the mailboxes was documented or discussed during that meeting. In May of 2020 CDD board meetings resumed. The installation of the Phase 4 mailboxes actually took place in 2020, the location was determined by the developer and there was no board input or resident input at that time. In June of 2020, Mr. Robinson was appointed to the Board replacing a resident who recently resigned. In November of 2020 since no residents

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applied through the general election process, two residents were appointed to Seats 3 and 5; Red Jentz and Mindi Gilpin. The Board at that time had four residents and one developer and the residents make up the majority of the board. In January of 2021, the lone developer on the board brought up the invoice to purchase Phase 5 mailboxes and the location proposed was the amenity center, which was immediately challenged by the other board members. Mr. Robinson stated that he made a comment that the Phase 4 mailboxes at the amenity center needed to be relocated and it was discussed that he would assume the task of finding locations for both the Phase 4 and 5 mailboxes. He spent a couple hours driving around with the post office manager for the area and learned the delivery person was not fond of the location of the Phase 4 mailboxes because she still had to drive to Phase 4 to deliver packages. The post office approved the amenity center location, but their preferred location was Majestic Walk Boulevard and Fall River Parkway. The developer at the time did not want to use that location as they were concerned with it blocking traffic with it being the only entrance and exit. In the March 2021 meeting, the Board approved the location and purchase of the Phase 5 mailboxes. Additionally, he reported that he had spoken to six residents that came by the mailboxes while at the amenity center and all of them indicated that anywhere in Phase 4 is better than the amenity center. A more formal poll was discussed and recommended by one of the board members, but was never voted on. The property management staff at the time was Evergreen and they were responsible for both the CDD property and the HOA property management. The Evergreen property manager refused to use the Amelia Walk HOA email distribution list for the survey, so the poll was never done. The builders were notified after the March 2021 CDD meeting of the possible locations for the Phase 4 mailboxes and the approved location of the Phase 5 mailboxes. In June of 2021, the Phase 4 mailboxes were relocated. Mr. Robinson added that he received an email from one of the future residents of Phase 4 that was under a sales contract, and he responded by showing them all of the meetings held beginning in 2019 so they could get a full understanding of the decision. At the July 2021 meeting, future residents who now had contracts with builders expressed concern during the audience comments and they were informed that the CDD mailboxes are bolted down, but removeable and that any CDD board member can request an agenda item for discussion just by requesting it to the District Manager or during Supervisor comments. Between the period of July 2021 and December 2022, no supervisors requested an agenda item to reconsider the Phase 4 mailbox location. In August of 2021 Bradley Thomas was appointed to the CDD board and in

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November 2022 David Swan was elected to the board. At this point the board is 100% resident controlled. In January of this year, residents living across the street raised concerns and asked for the location to be revisited. The Board discussed it and asked staff to disseminate a survey poll, which was done on February 28, 2023 with responses due March 7, 2023. At the March 2023 meeting, the Board reviewed the survey results and in short, about 64% of the residents responded that they were happy with the location. The Board members were asked if they had any questions or actions based on the results and none were provided. There were no motions made on the Phase 4 mailbox location. Residents during audience comments expressed opinions and some of them were misinformation, or incomplete. Working on an unrelated issue in Phase 5, Mr. Robinson encountered a resident that purchased a homesite unseen based on the Lennar marketing site plans, video tours, etc. and they were shocked to see the Phase 5 mailboxes adjacent to the home they had just purchased in November of 2022. There was no mention of mailboxes installed on the adjacent lot from Lennar sales or any other documentation. The CDD shares information with builders, but the CDD does not have any control over what the builders do with that information. In April of 2023 a resident requested verbatim versus summary minutes of the March meeting, which was approved, and audience comments were included. The Chairman approves the minutes, and they are subsequently posted on the CDD website. Mr. Robinson concluded by saying that he hopes this information gives a complete, factually correct history for the record and added that a swing out road between the Majestic Walk Boulevard and Fall River Parkway area has been mentioned, so he did some due diligence based on conversations with staff, developers, and people in the road construction business and if the Board decided to do a swing-out road for the mailboxes, it would cost anywhere from \$100,000 to \$200,000. That could translate to a one-time assessment of up to \$575 per resident, which is not something he would personally be in favor of, but it's a board decision. Lastly, he stated that during the April 2021 meeting, four resident board members voted to relocate the Phase 4 mailboxes to its current location and two of those are still board members to this day. Since then, there has not been any motion to change that decision, so he considers the matter closed unless something changes.

TWELFTH ORDER OF BUSINESS**Other Business**

There being none, the next item followed.

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THIRTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet & Income Statement

B. Assessment Receipts Schedule

C. Approval of Check Registers

Copies of the financial statements were included in the agenda package for the Board’s review. Mr. Laughlin noted the check register totals \$79,143.21.

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

FOURTEENTH ORDER OF BUSINESS Next Scheduled Meeting – July 18, 2023 at 6:00 p.m. at the Amelia Walk Amenity Center

FIFTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Swan seconded by Mr. Thomas with all in favor the meeting was adjourned.

DocuSigned by:
Daniel Laughlin
B48FC211DC1144D...
Secretary/Assistant Secretary

DocuSigned by:
[Signature]
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Chairman/Vice Chairman