

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 18, 2023 at 6:00 p.m. at the Amelia Walk Amenity Center, 85287 Majestic Walk Boulevard, Fernandina Beach, Florida.

Present and constituting a quorum were:

Jeff Robinson <i>by phone</i>	Chairman
Henry "Red" Jentz	Vice Chairman
David Swan	Supervisor
Lynne Murphy	Supervisor

Also present were:

Daniel Laughlin	District Manager
Dan McCranie <i>by phone</i>	District Engineer
Lauren Gentry	District Counsel
Kelly Mullins	Amenity & Operations Manager
Rhonda Mossing <i>by phone</i>	MBS Capital Markets
Corey Roberts	Kilinski Van Wyk

The following is a summary of the discussions and actions taken at the July 18, 2023 meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 6:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

Don DeCanio stated that at the last meeting tree trimming was discussed and a requirement of a 10-foot clearing was discussed. He asked the Board to consider the number of RVs in the area.

Mr. Laughlin responded that there is a proposal in the agenda package to consider raising the height.

Steve Lane asked when the new landscape company will start.

Mr. Laughlin responded that the contract began July 1st and staff has been in contact with them regarding any issues.

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Steve Lane stated that the newly planted tree on Majestic Walk just past the turnaround is dead.

Mr. Laughlin responded that the Board is aware and payment for the planting of the tree has been withheld.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the June 20, 2023 Meeting

There were no comments on the minutes.

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor the minutes of the June 20, 2023 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Update on the Road Resurfacing Project and Discussion of Financing Options

Mr. McCranie informed the Board that he has received a response from Duval Asphalt and provided pricing on the milling and resurfacing, however bonding and pricing for repair work was not provided. The price of the milling and resurfacing came in at \$396,000 for Phase 1A and \$590,000 for Phase 1B. He has asked Duval to have it bonded and provide pricing for the repairs. Once that information is provided it will be passed on to the Board. He added that he still recommends just doing Majestic Walk Boulevard for now as the non-primary roadways could wait possibly up to four years.

Mr. Robinson commented on a large pothole that is a concern.

Mr. McCranie stated that there is a good chance there is a crack in a pipe, or a crack in between the crack and where the pipe goes into the structure which allows water to get into the structure and sucks soil and lime rock and everything else in, which causes the asphalt to fail. A quote has been received to do a temporary repair until the road can be milled and resurfaced.

Mr. Robinson suggested putting more cones around the pothole to prevent a vehicle from hitting it.

Mr. Jentz asked if anything else can be done to cover the pothole until it can be repaired, such as putting a steel plate over the area.

Mr. McCranie responded that if a company can be found that has the plate available, that is possible.

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Mr. Jentz asked staff to suggest that the builders redirect trucks to another road until it can be repaired.

The Board also discussed putting a warning sign out to recommend people not park around the area in which the pothole is located and have Ms. Mullins send an e-blast.

Don DeCanio commented that there is a similar pothole on Fall River Parkway south of pond 15. He also suggested calling Bob’s Barrier’s for larger road barriers than traffic cones.

Carol Holmes recommended holding off on approving the milling and resurfacing until a repair and cost is identified for the pothole in the roadway.

Ms. Mossing informed the Board that the first step in doing the financing is to have an engineer’s report that identifies the costs related to the proposed project, which requires having numbers for the milling, resurfacing, and any repairs needed to the roads. She recommended including costs for both Phase 1A and 1B in the engineer’s report as each time the District issues bonds, it will have to pay costs of issuance which double and triple with the second and third issue. She also reported that there is about \$12 million left under the original validation, which means the District could issue bonds for a term of more than five years. She recommended looking at 20 years or less to provide for the opportunity of private bank financing, which costs less money in costs of issuance than a full-blown public offering. She also recommended consolidating all phases to one assessment methodology and assessing all units in a similar manner; either on an ERU basis, or on an equal per unit assessment basis.

Based on discussions of the Board, Ms. Mossing will run the methodology for a 15-year term with equal per unit assessments and bring numbers back to the Board.

FIFTH ORDER OF BUSINESS

Acceptance of the Fiscal Year 2022 Audit Report

Mr. Laughlin provided a brief overview of the audit report for Fiscal Year 2022 and noted it was a clean audit.

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor the Fiscal Year 2022 audit report was accepted.

SIXTH ORDER OF BUSINESS

Consideration of Pool Maintenance Agreement with C Buss Enterprises, Inc.

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Mr. Laughlin informed the Board that Crystal Clean decided not to enter into a contract with the District for pool maintenance services. Ms. Mullins was able to get C Buss Enterprises to take over pool maintenance services immediately.

Ms. Gentry noted that the agreement was made effective on a month-to-month basis and subject to ratification since it had to be approved outside of a meeting.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the agreement with C Buss Enterprises, Inc. for pool maintenance services was approved.

SEVENTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing for the Purpose of Adopting the Fiscal Year 2024 Budget

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor the public hearing was opened.

Mr. Laughlin noted that the assessments are proposed to increase 5% with the largest drivers of the increase being the landscape contract and inflationary increases across the board.

Donna Moskowitz asked what kind of remedies the District has for lack of performance from the landscaping vendor and commented that there is no edging being done and the trees are not being maintained.

Mr. Laughlin responded that the District can withhold payment after putting the contractor on a deficiency notice, however as of the date of the meeting, the new contractor has only been under contract for 18 days. If no improvement is seen in the next month, a deficiency notice can be sent.

Janice Rodriguez asked if the landscape maintenance contract includes pest control because there are issues with ants.

Mr. Laughlin responded that the common areas are treated and directed Ms. Mullins to look into it.

Lorraine Clapper asked if there is a portal where residents could submit maintenance requests.

Ms. Mullins responded that it is in the process of being set up.

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Audience Member Seversky asked how often the bike path area will get cut. He also commented that he was told there is supposed to be a sign down there that there are no motor vehicles allowed and there have been motorcycles, cars and horses in the area.

Mr. Laughlin responded that the area will be maintained quarterly. The District is working with Amelia Concourse to install bollards on the pathway to prevent motor vehicle access.

Mr. Robinson added that there will eventually be a gate installed in the area of Stonehurst and Fall River.

Cindy Enfinger asked where tennis court expenses are budgeted and commented that the nets were not replaced. She also asked about the status of a covered awning that was previously discussed.

Ms. Mullins responded that the covered awning has been put on hold.

Mr. Swan added that the estimate for the awning came in at \$8,000.

Mr. Laughlin responded that items such as the nets would come out of the repair and replacements line item. Larger projects would come out of the capital reserve fund.

Cindy Enfinger asked if the company that did the resurfacing of the courts said how often the courts should be resurfaced.

Mr. Swan responded that the life of the courts is around five to ten years.

Cindy Enfinger asked if pressure washing the courts has been considered.

Mr. Laughlin responded that it can be done as needed.

Robert Rosia asked if aeration of the lakes is included in the budget or if it's being considered.

Mr. Laughlin responded aeration has not been considered, but fountains have and when they are installed, the funds must be pulled from capital reserves.

Donna Moskowitz asked what an interlocal agreement is and what the miscellaneous income from Comcast is for.

Mr. Laughlin responded that the interlocal agreement is with Village Walk. The income from Comcast likely comes from a deal made in the early years of the district to provide exclusivity.

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On MOTION by Mr. Jentz seconded by Mr. Swan with all in favor the public hearing was closed.

1. Consideration of Resolution 2023-10, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2024

On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor Resolution 2023-10, relating to annual appropriations and adopting the budget for Fiscal Year 2024.

B. Public Hearing for the Purpose of Imposing Special Assessments

Ms. Gentry explained that each year the operations and maintenance assessment lien is imposed as a new lien so that amount can be certified to be collected by the tax collector on the property tax bills. This public hearing is on whether to levy the O&M assessment lien and certify the O&M and debt assessments for collection to fund the budget that was just adopted.

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor the public hearing was opened.

Lorraine Clapper asked if the assessments will be included in this year’s taxes or next.

Ms. Gentry responded they will be included on the property tax bill received this November.

Lorraine Clapper asked when the special assessment for the road resurfacing will be handled as far as the residents making payments for it.

Ms. Gentry responded that this resolution does not address those debt assessments and if the district does move forward with the bond issuance, it would be a separate assessment lien and the soonest it could be collected on the tax bill would be the tax bill received in November of 2024.

Jimmy Meadows stated that the original debt incurred to construct the infrastructure was \$1,500 per year. He asked if that goes to pay back the County for the land.

Mr. Laughlin responded that it goes toward paying the bondholders back.

Jimmy Meadows stated that the special assessments have gone up over 30% since he’s lived in the community and asked if that’s for capital improvements and funding the annual budget.

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Mr. Laughlin responded that there are two parts to the CDD assessments, the debt service portion that goes towards paying back the bondholders and the second part is the operations and maintenance assessment derived from the annual budget that pays for the repairs, contractual services and day-to-day business.

Jimmy Meadows also made a statement about the number of trucks using the roadways stating that he was in the community when Phase 2 construction first began, and he filmed for an hour one day and 65 concrete or dump trucks filled with dirt used Amelia Concourse which destroyed the road. He asked if the residents are responsible for paying for the destruction of roads from dirt being hauled in.

Mr. Laughlin responded yes. The District can only assess property within the District.

Ms. Gentry added that while the builders own lots, they are also paying debt and O&M assessments on the property they own.

Carol Holmes asked if the developer contributed to road repair at some point.

Mr. Laughlin responded that at some point the developer was paying for assessments for land they owned. He also explained that when the bonds are issued if for any reason the bond funds are depleted and construction costs more than what was issued, the developer pays that overage and that happened with this District.

On MOTION by Mr. Swan seconded by Mr. Jentz with all in favor the public hearing was closed.

1. Consideration of Resolution 2023-11, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2024

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor Resolution 2023-11, imposing special assessments and certifying an assessment roll for Fiscal Year 2024 was approved.

EIGHTH ORDER OF BUSINESS

Proposals for Consideration

A. Landscape Enhancements

Ms. Mullins presented proposals for improvements to Fallen Leaf and Champlain.

Mr. Robinson noted the proposals for the Fallen Leaf improvements stem from residents requesting the buffer between the wetland on Fallen Leaf be made to look like Cherry Creek.

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The proposal from Down to Earth totals \$30,475.92 and the proposal from BrightView totals \$66,552.27. Mr. Robinson recommended approval of Down to Earth's proposal.

Ms. Gentry noted that if the Board goes with the current landscape maintenance vendor's proposal, there is a much better chance of the plant material being warrantied. She also noted that the proposals were not apples to apples as BrightView's proposal contains more plants and once the plant material is reduced, BrightView's proposal appears to come out lower than Down to Earth's.

The motion below was made for a not to exceed amount to see what BrightView's proposal looks like once the amount of plant material is reduced.

On MOTION by Mr. Robinson seconded by Mr. Swan with all in favor landscape improvements for Fallen Leaf were approved at an amount not to exceed \$35,000 with the Chair authorized to finalize the plans.

Mr. Robinson provided an overview of the two proposals submitted for installation of irrigation and sod on open spaces on Champlain totaling \$24,283.74 from BrightView and \$9,650 from Down to Earth.

Jennifer Hatton stated that she was told some sod was going to be replaced on her property.

Mr. Robinson stated that the sod to be replaced is included in the proposal submitted.

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor landscape improvements for Champlain were approved at an amount not to exceed \$10,000 subject to legal review of the improvements to be done on property of a private homeowner.

B. Wetland / Preserve Area Beaver Removal

Ms. Mullins presented proposals for beaver remediation, one of which includes debris removal, a T-post install and monthly maintenance for a total of \$12,000 and another that just includes clean-up on an as-needed basis for \$500.

Mr. Laughlin noted that the cost for this work would be shared with North Hampton.

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On MOTION by Mr. Jentz seconded by Mr. Robinson with all in favor the proposal from CritterPro totaling \$12,000 was approved.

C. Tree Trimming Along Majestic Walk

Ms. Mullins presented a proposal from Tree Surgeons totaling \$1,900 to lift the tree canopies to 16-feet to allow for RVs to travel underneath the trees.

On MOTION by Mr. Jentz seconded by Ms. Murphy with all in favor the proposal from Tree Surgeons was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Gentry informed the Board that she has been working with the Chair and Ms. Mullins to put together an inventory of work not performed by Trim All. A letter is being drafted to inform Trim All of the amounts that will be withheld from their final invoice due to services not received.

Ms. Gentry also introduced Mr. Corey Roberts from her firm.

B. District Engineer

Mr. McCranie informed the Board that he submitted the annual engineer’s report to the bondholders. A copy will be provided to the Board in the next month’s agenda package.

C. District Manager – Consideration of Designating a Regular Meeting Schedule for Fiscal Year 2024

Mr. Laughlin presented a meeting schedule for meetings to be held each month on the third Tuesday with exception to November, which is proposed to be held on the second Tuesday of the month.

On MOTION by Mr. Robinson seconded by Mr. Jentz with all in favor the Fiscal Year 2024 meeting schedule was approved as presented.

D. Amenity / Field Operations Manager – Report

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

Ms. Mullins informed the Board the contractor for the fountain repairs is still trying to locate parts for the fountains in Ponds 3 and 15. The installation of access control at the tennis court gates is in progress.

TENTH ORDER OF BUSINESS Audience Comments

Don DeCanio commented that he objects to the District installing a shed when the residents are not permitted to do the same.

Buddy Price asked if there are any contingency plans in the event there is total road failure if that is the only way in and out of the community. He also asked why the District does not have the ability to restrict traffic on the roads if the District owns the roads.

Ms. Gentry responded that a CDD only has the powers granted to it by Chapter 190 and traffic control powers are not one of those powers. If there is an imminent safety danger, that is different, however so far that does not seem to be necessary.

ELEVENTH ORDER OF BUSINESS Supervisor Requests

Mr. Robinson stated that he has seen several emails and Facebook posts regarding landscaping. BrightView is a new provider and there will be mistakes, however Ms. Mullins is communicating very well. He also stated that Ms. Mullins is the only person that can give direction to BrightView on where to mow, how to trim and how to maintain.

Mr. Swan stated that the tennis reservation system is up on the website. Ms. Mullins will be making an announcement.

Jennifer Hatton commented that there have been a lot of posts regarding joining pickleball, however posts have been made inviting people outside the District.

Mr. Swan stated that he would speak with Fred about that.

Cindy Enfinger stated that part of the concern is if there is one resident per four courts and each resident brings the maximum allowed number of guests. She asked if there is a limit on how many non-residents could buy access to the facilities.

Mr. Laughlin responded no; the District has to offer the option for non-residents to purchase access to the facilities. He noted the fee for the buy-in can be changed by the Board.

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Mr. Jentz stated that he'd like the Board to eventually consider a separate guest limit for the tennis and pickleball courts.

TWELFTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Financial Reports

- A. Financial Statements as of June 30, 2023**
- 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 \$84,792.02.

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

FOURTEENTH ORDER OF BUSINESS Next Scheduled Meeting – August 15, 2023 at 2:00 p.m. at the Amelia Walk Amenity Center

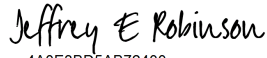
FIFTEENTH ORDER OF BUSINESS Adjournment

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

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 Chairman/Vice Chairman