

ABERDEEN
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Aberdeen Community Development District was held Tuesday, March 28, 2017 at 6:00 p.m. at the Aberdeen Amenity Center, 110 Flower of Scotland Avenue, St. Johns, Florida 32259.

Present and constituting a quorum were:

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| Rhonda Lovett | Chairperson |
| Angela Andrews | Vice Chairperson |
| Dennis M. Clarke | Supervisor |
| Hillary (Beth) Fore | Supervisor |
| Gary Davis | Supervisor |

Also present were:

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| Jim Oliver | District Manager |
| Carl Eldred | Hopping Green & Sams |
| Louis Cowling | GMS, LLC |
| Lauren Egleston | Vesta/Amenity Services Group |
| Dan Fagen | Vesta/Amenity Services Group |
| Bill Kinsey | Down to Earth |
| Tom Rowand | OPCO |

The following is a summary of the actions taken at the March 28, 2017 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Lovett called the meeting to order at 6:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Consideration of Candidates for Appointment to Vacant Board Seat 5

Mr. Oliver stated Supervisor Hogan who served for a number of years recently stepped down from the board and the board subsequently directed staff to issue a call for candidates to

fill that vacancy. We received five resumes from people interested in serving on the board and one was withdrawn and the four remaining candidates, Peter Andrews, Gary Davis, Brian Jones and Tiffany Bray-Pruitt are all registered voters living within the district. Typically the board would invite each candidate to introduce themselves and let them tell you why they wish to serve on the board then the board would select by majority vote someone to fill the vacancy.

Messrs. Andrews, Davis and Jones each introduced themselves, briefly reviewed their background and expressed their interest in being considered for the appointment.

After a brief discussion, the following action was taken.

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| On MOTION by Ms. Lovett seconded by Mr. Clarke with three in favor and Ms. Andrews opposed Mr. Gary Davis was appointed to fill the unexpired term of office. |
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B. Oath of Office for Newly Appointed Supervisor

Mr. Oliver being a notary public of the State of Florida administered the oath of office to Mr. Davis.

Mr. Oliver stated a community development district in the State of Florida is a form of local government and you are a public official and there are certain rules you will need to abide by and two of them that are particularly important are the public records laws as well as the sunshine law. The sunshine law limits your discussion of CDD matters with the other four supervisors to noticed meetings. You can have conversations with the other supervisors about anything under the sun but anything that may end up being CDD business you cannot have conversations with them orally, by email or through a conduit. You are limited to acting within public meetings. Any official business that we do, any documents that you get related to CDD business are subject to public records law and they can be requested and must be provided. Our office maintains the official records for the district and we will provide any response to public records requests. There may be some records that you have that we don't. For instance you will have your own email account and if someone requests certain emails on a particular subject you will be required to provide those. Having said that we recommend that you segregate your district emails from your other emails and personal business and you may want to set up a separate email account or at least keep a separate folder. In terms of other records anything you get at our meetings we have a set of records on file you are welcome to maintain records but

again we suggest you segregate those from any other records you have so if there is a records request it is a little easier to fulfill.

Mr. Eldred stated the main point is as a public official you are subject to these additional requirements, there is a financial disclosure form that you need to fill out and there is a code of ethics for public officers you need to follow and that steps through your ability to accept gifts, certain things and conflicts of interest that may arise. I will provide you with a handbook and I can provide that electronically if that is good for you. I will do that in the next couple of days and if you have any questions you can feel free to give me a call or Jim a call and we can step through that.

Mr. Oliver stated before you leave tonight we will have paperwork for you to sign. I have a copy of Chapter 190, F.S. the chapter that deals with community development districts, a document from the Florida Commission on Ethics that talks about the sunshine amendment as well as code of ethics. The form 1 financial disclosure needs to be completed and given to the supervisor of elections within 30 days. As a CDD supervisor you can be paid \$200 per meeting and most supervisors accept that and if you choose to accept that you will need to fill out a W-4 form and I-9 form.

Ms. Lovett stated I want to thank everyone who applied.

C. Consideration of Resolution 2017-03 Election of Officers

Mr. Oliver stated what you have is the previous resolution and slate of officers and we would want to adopt this resolution and add to it Gary Davis serving as an assistant secretary.

On MOTION by Ms. Andrews seconded by Ms. Fore with all in favor Resolution 2017-03 was approved adding Gary Davis as an assistant secretary.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the February 28, 2017 Meeting

On MOTION by Mr. Andrews seconded by Ms. Fore with all in favor the minutes of the February 28, 2017 meeting were approved as presented.

Ms. Lovett stated we have a new item, which is a letter to assign a name shift for Down to Earth, our landscape contractor.

Mr. Oliver stated we would like to amend the agenda so that it is on the agenda, briefly explain what it is and then give the audience an opportunity to make comments if they have any since we didn't have it on the agenda. We are looking for a motion to add this item to the agenda, which is the district's acknowledgement that Down to Earth is changing their name, they are having an internal reorganization with SSS R&D OPCO and this would change their name but they would operate under the existing contract.

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| On MOTION by Ms. Andrews seconded by Ms. Lovett with all in favor the agenda was amended to add the item to the agenda. |
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Consideration of Assignment of Agreement from Down to Earth to SSS R&D OPCO

Mr. Kinsey stated basically what we are doing is a regional organization, the company that bought our company in the last year is trying to get stronger in North Florida with everything from better quality, better employees, combining all of our assets to better service our clients. It is an internal reorganization but for us up here it is actually combining two past entities into one because we were separate before even though we were only 20 miles part. Tom is going to run maintenance I am going to run installation and construction, pretty much everything else will stay status quo for the time being to make sure everybody has a good transition. We will try to make this as seamless as possible.

Mr. Rowand stated we are trying to get stronger and maximize our strengths. Bill's strength is in landscape installation and our strength as a service provider is landscape maintenance. We deal with a lot of HOAs from Nocatee to Amelia Island and we are in an industry where we are highly scrutinized and our job is to make communities look the best they can while working within a budget. We were a large company but we were running it like a small operation and it made sense to combine everything. The crews out here are going to be the same, the supervisor is going to be the same we are just going to have more resources, more eyes scrutinizing the work that we do internally.

There being no comments or questions from the audience, the following action was taken.

On MOTION by Ms. Fore seconded by Ms. Andrews with all in favor assignment of the Down to Earth agreement to SSS R&D OPCO was approved and district counsel was authorized to prepare the assignment for execution by the chair.

Landscape Proposal

Mr. Cowling stated several new areas have come online one of them being the center median plantings, section 1 is maintenance of the beds, which is primarily weeding of those beds, roughly 35,000 to 40,000 square feet and this probably needs to start quickly. The other section is irrigation inspections that will be something in the amendment; there is mulch, fertilization, irrigation and that can be something done outside the contract, they are one-time costs for the pine straw and palm tree pruning. I don't know if we need to do pine straw this year but we will probably put that in the contract for next year and it will be about 1,700 pine straw bales.

Section 2 is basically the new common areas that D.R. Horton have brought online and Down to Earth has been kind enough to maintain those but we need to put that into the contract.

Section 3 is additional ponds some are quite large. That is the yearly price for doing those ponds.

Ms. Lovett stated these new ponds don't have any houses on them at the present time. Is there any option to cut ties with the pond banks and make sure people know we don't mow those?

Mr. Cowling stated all of the new houses that are going in, none of them are doing improvements on the pond banks, I think they are sodding down to the water's edge. It wouldn't stop the district from saying we are not going to mow these areas. If you start now that might be a good thing.

Ms. Lovett stated it is almost like you are starting with a fresh slate and if there are no houses there yet if we could somehow let them know.

Mr. Cowling stated currently we are mowing the ones down in Sullivan Forest on an as needed basis.

Mr. Oliver asked what do the HOA covenants and restrictions say?

Mr. Cowling stated the HOA covenants have the resident maintain to the water's edge.

Mr. Oliver stated I think we get into trouble when we start deviating from that.

Mr. Eldred stated it sounds like maybe an education piece to the people. Maybe working with the HOA and let them know exactly what their obligations are as an owner of property.

Ms. Lovett stated I think even before that with the sales office. That is where some of it came into play with some misinformation. I think you are right education across the board from point A to point B.

Mr. Eldred stated I think the HOA has the restrictive covenants in place and that is really what drives this and maybe a combined effort between the board and the HOA to educate and maybe inform the sales office. I don't know how much the personnel changes there as to whether that even comes up, unless they are asked I don't think they are obliged to tell anybody that this is your obligation. When you close you get a copy of the restricted covenants but how many of us actually read through those. It may be an education piece between the board and the HOA to reach out to those new owners to let them know what their obligations are.

Ms. Lovett stated maybe a letter specific to that from the HOA that goes in a packet for the homeowners. We are almost to the point where we have to grandfather existing, if it is not improved and we are at a point where the covenants already say that or can you grandfather stuff.

Mr. Oliver stated I think there is a way to grandfather because people have developed and improved their back yards based on their understanding that they weren't responsible from top of bank down to the water line. Those areas where no one lives yet they shouldn't necessarily be granted that privilege.

Ms. Andrews stated I agree but I think everybody was told. The problem was when some residents bought a house they had the developer throw in a fence and they didn't put in access so they didn't go by the HOA rules because they were blocked. I think it is education.

Mr. Cowling stated the way it is set up now is they are not mowing the St. Augustine turf that is irrigated because we don't have control over the irrigation system. If we come through and scalp it or cut it a little too low we are liable and don't have the ability to put down insecticide and water especially on a pond bank.

Ms. Andrews asked are they putting irrigation in these new areas?

Mr. Cowling responded no, that is to maintain the irrigation system. The palm trees will require a little bit of battening down and adjusting, water all the trees and there is a drip irrigation on all the grasses. It is going to be a pretty good inspection process.

On MOTION by Ms. Fore seconded by Ms. Lovett with all in favor the Down to Earth landscape proposals for Section 1 (Cr 244/Aberdeen roadside Bahia sod and plantings maintenance in the amount of \$13,659 and Section 2 (entry features, parks, common areas of irrigation St. Augustine sod in the amount of \$1,788 were approved and consideration of mowing of additional new pond banks was tabled.

FIFTH ORDER OF BUSINESS

Consideration of Second Amendment to the Agreement with Aberdeen Rays Swim Team, Regarding the Use of the District's Competition Pool

Ms. Egleston presented the second amendment to the agreement with the Aberdeen Rays Swim Team and stated the schedule is tentative I want to get a better grasp of the age groups and have a much more strict way to have practices because I would like to have two lanes open. By April I will have everything in place to streamline the times a little more so we are not impacting three afternoons a week and three mornings a week.

Ms. Andrews asked did we have complaints last year?

Ms. Egleston responded they complain anytime someone is in the lap lane and they can't have a single lap lane to themselves. We didn't get a lot of complaints. The team has grown and some residents moved last year to RiverTown and want to come back here for the swim team.

Ms. Andrews asked do non-residents pay more?

Ms. Egleston stated we could, that is something to look at. The 65 that we had was manageable. Non-residents could only use the pool during practice and not hang out prior or after practice. I think it would be feasible to charge more. I will have a better grasp in April but we had a lot of people outside this club that are interested. I told people I would accept applications and I would get back to them.

Mr. Fagen stated in Lauren's new role she is the amenity manager not the manager of the swim team. She is speaking on behalf of the swim team; however she is in a different role. If we can agree on a percentage of non-residents such as 15% to 20% that can be up to that percentage and the strong majority are residents that would give the swim team a little wiggle as far as being able to say we can allow 10 non-residents. We do that in other districts and it is a good partnership and being a good neighbor. We could charge an additional \$25 or \$50 and that would come back to the district.

Ms. Lovett stated it doesn't matter to me what the percent looks like but if we are maxed out with residents and there is no space, you physically can't accommodate then I prefer to keep it to residents.

Ms. Fore stated I agree.

Ms. Andrews stated also there would need to be something as far as legal to be drawn up.

Mr. Eldred stated I want to talk to Dan as to how we have dealt with it in different districts. I have not done this at any of my other districts. One thing we have attached to this agreement, which was attached to the prior amendment and original agreement, is that team members must be district residents, paid users of the district's facilities. That is something we would need to address in this document if that is the way the board wanted to go. I want to look at our policies and also look at this other fee question.

Ms. Lovett asked what is your timeline?

Ms. Egleston stated I have a meeting on April 10th and I should have a much firmer answer as to how many people are interested and going by the previous year we had 30 people leave from the first time we had done it when it was not a structured swim team to last year when we were in full competition and I had 30 people to replace them. I think the max for us would be about 80 and some come in the morning and some in the afternoons.

Mr. Eldred stated one way we can handle this is for the board to authorize staff to work with an identified member of the board to evaluate the question of non-residents being on the swim team and the appropriateness of the fee. I think generally the board could give direction if there was a percentage of non-residents that they would be willing to accommodate subject to staff's review of the issue and also a fee that they would be interested in charging subject to staff's review, which would at least give some direction. I could work with the person on the board to finalize those details prior to the next meeting and the board could ratify that at the next meeting.

Ms. Andrews stated I will do that.

Mr. Eldred stated we need to approve the amendment to the agreement otherwise the other one ends March 30th and we need to extend that recognizing that this will need to be amended

On MOTION by Ms. Andrews seconded by Ms. Fore with all in favor the second amendment to the agreement with the Aberdeen Rays Swim Team was approved subject to any changes the board may or may not consider at the next meeting.

SIXTH ORDER OF BUSINESS

Update Regarding Capital Improvement Planning

Ms. Lovett stated we had 584 responses to the survey on capital improvements and used three different avenues, the HOA sent out an email blast, the CDD sent out an email blast and we also had Facebook. The fitness center, kids splash pool and lazy river had the highest response for strong support. I added strongly support and support and in terms of overall rank the fitness center was no. 1, pool deck lighting was no. 2, shade structures at the current pool was no. 3, expand current playground at the amenity center was no. 4, 5 was kids splash pad, 6 was lazy river. I will sum these up and provide it to you and I think we have a little more clarity on some of the interest from people. We can take this and maybe have focus groups, make sure we have all the feedback. Dennis had a couple more things that I don't think will take a lot of space or a lot of money except the zip line probably would. I think we have a good place to start and maybe get pricing and options.

Mr. Oliver stated I think you are in a good place and we will develop cost estimates and bring that back to the board and it makes sense for the board to craft a follow-up survey and say we have done this our next task is to look at funding sources and let people see what the costs are and the impact is on the budget and the impact on assessments for the capital expenditures and continuing operations and maintenance of those. You will get different results when you do that.

SEVENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Eldred stated at the last meeting there was discussion about the desire of the board wanting to provide some type of food at the pool during the summer and the direction was for us to work with Jim on some licensing options. The most simple option is to borrow the food truck model, whether it is a food truck that we have out there or whether it is a vendor that we have

that comes out here and sets up on the pool deck, hot dog stand whatever it is that would be fine so long as we follow the same license agreement that we have currently in place for the food truck. Essentially what that says is we are allowing you to come do this for a specific period of time and you are going to maintain the necessary insurance, give us a copy of that insurance, and more importantly you are responsible for obtaining the necessary license from the city, county and state, whatever licenses you are required to obtain. That is the way to solve this problem if that is something the board wants to do. Staff can look at how to do that and I recommend that we have this form filled out each time and not enter into a contract necessarily. Doing it on a weekend by weekend or day by day basis at least initially the board isn't locking themselves in. The district has policies against alcohol being on the pool deck and that is up to the board if the board wanted to reconsider that you could.

Ms. Lovett stated a hot dog cart or sandwich cart to make things available for residents with the proper licensing and instead of every Saturday maybe once a month.

Mr. Eldred stated however often you want to do it. My only caution would be as you start this out you may not want to lock yourself into some set agreement with that entity but we can craft it however you want. The key is we require them to provide us the necessary evidence of license and insurance and we get them to sign a license agreement.

Ms. Fore asked do we get a percentage of their proceeds?

Ms. Egleston stated we have not to this point.

Mr. Eldred stated you could charge for the license agreement whether it be a nominal \$25, \$50, whatever, and that would be your fee.

Mr. Oliver stated Bartram Springs was able to do that because of the proximity to Jacksonville and they were able to attract a lot of trucks but as you are more remote at least in the early stages of establishment if you have food truck Friday's it is typical to charge them and bring them in.

Ms. Egleston stated at Bartram they all paid \$25 every time they came in and they grumbled because they had so many food trucks and they kept the trucks down to two and they still charged and they still complained because less and less people came. The more trucks you have the more likely you are going to have more people but it is not going to be a food truck rally. We haven't found the appropriate mix here, we tried food trucks every week this month by accident and some of the trucks are having a tough time. I'm not sure charging \$25 is the way to

go. I would hold off until the summer and maybe start October 1 and have a \$10 or \$20 charge something small and nominal.

Mr. Oliver stated ultimately it is a service for the residents.

Ms. Egleston stated I will try two days during the week nothing will be on Friday and one day on the weekend to see if it works and we will try it in June when the kids are out of school.

Mr. Eldred stated we don't need any formal motion from the board just direction for staff to slightly edit the food truck agreement we have to incorporate this concept and take Jackie's name off the contract. We can do that and that will be the staff organizing the event.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. Oliver stated we will bring the proposed budget to the board at the late May meeting for approval and over the next 60+ days you will refine that budget and have a public hearing for adoption in August.

D. Operation Manager - Report

Mr. Cowling reviewed the items outlined in the monthly memorandum, which was included in the agenda package.

Mr. Cowling stated we have the two proposals to replace one of the air-conditioners in this room, one from Air Doctors for about \$7,500 and Florida Air was \$8,900.

On MOTION by Ms. Andrews seconded by Ms. Fore with all in favor the purchase of a new air-conditioner was approved in an amount not to exceed \$9,000 and staff was authorized to review the proposals with Supervisor Fore then proceed immediately with the purchase and installation.

E. Amenity Center Manager - Report

Ms. Egleston reviewed the amenity center activities and maintenance items, which were outlined on the monthly memorandum, which was included as part of the agenda package.

NINTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet as of February 28, 2017 and Statement of Revenues and Expenses for the Period Ending February 28, 2017

A copy of the financials was included in the agenda package.

B. Assessment Receipt Schedule

A copy of the assessment receipt schedule was included in the agenda package.

C. Approval of Check Register

On MOTION by Ms. Fore seconded by Ms. Andrews with all in favor the check register was approved.

TENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

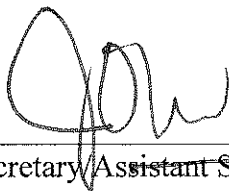
There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Next Scheduled Meeting – 04/25/17 @4:00 p.m. @ Aberdeen Amenity Center

Ms. Lovett stated our next scheduled meeting is April 25, 2017 at 4:00 p.m.

On MOTION by Ms. Andrews seconded by Ms. Fore with all in favor the meeting adjourned at 7:41 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman