

MINUTES OF MEETING  
SAMPSON CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Sampson Creek Community Development District was held on Wednesday, March 22, 2017 at 6:00 p.m. at the St. Johns Golf & Country Club, Swim Club Meeting Room, 219 St. Johns Golf Drive, St. Augustine, Florida.

Present and constituting a quorum were:

Tracy Hayes	Chairman
Paul Armstrong	Supervisor
Steve Sharpe	Supervisor
Shawn Murray	Supervisor
Tom Hudson	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Alex Acree	District Engineer
Louis Cowling	Riverside Management
Leah Tincher	Amenities Manager
Mike Lucas	Basham & Lucas
Kelli Gibson	Basham & Lucas

*The following is a summary of the actions taken at the March 22, 2017 meeting. A copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 6:00 p.m.

**SECOND ORDER OF BUSINESS**

**Public Comment**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the February 15, 2017 Meeting**

Mr. Hudson stated under Ninth Order of Business, where it says "Jeff of the HOA...", it should read Jeff *Gibbons* of the HOA.

On MOTION by Mr. Armstrong seconded by Mr. Hudson with all in favor the Minutes of the February 15, 2017 meeting were approved as revised.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the February 15, 2017 Audit Committee Meeting**

On MOTION by Mr. Murray seconded by Mr. Sharpe with all in favor the Minutes of the February 15, 2017 Audit Committee meeting were approved.

**FIFTH ORDER OF BUSINESS**

**Discussion of Draft CDD Code of Conduct**

Mr. Oliver stated this is very similar to the Code of Conduct that was adopted by a previous board.

Mr. Murray asked the board members to review the draft and to make additions or subtractions. The document will be discussed at the next meeting.

The document is located in the agenda package and is available on the website.

**SIXTH ORDER OF BUSINESS**

**Series 2016 Capital Projects**

**A. Presentation Regarding Splash Pad concepts and Options**

Erica Cayhill and Sarah Shepherd were present from Vortex. They were given a range in price from \$150,000 to \$180,000. They gave a visual presentation that provided an overview of the Vortex splash pad system, construction, operations, options, and warranty.

Another vendor, Aqua Works, had to postpone at the last minute. They plan to attend the April meeting.

**B. Update Regarding Pool Renovation Project**

This item was not addressed.

**C. Ratification/Consideration of Series 2016 Requisitions**

Mr. Oliver stated there are six requisitions in your agenda package. They are No. 15 and Nos. 18 – 22. (Requisitions 16 and 17 were approved at the February meeting.) Requisition #15, #20, and #21 are reimbursing the Capital Reserve Fund for payments made.

On MOTION by Mr. Armstrong seconded by Mr. Hudson with all in favor to ratify Requisitions 15 and 18-22 was approved.

**D. Update Regarding Proposed Tennis Courts Improvements**

Mr. Oliver stated I spoke with Dan Zimmer, and he has no update on golf course land that can be used for the building of additional tennis courts.

**SEVENTH ORDER OF BUSINESS**

**Engineer's Report**

Mr. Acree stated we are finalizing the construction plan for the pool improvements, and they will be submitted to the county by the first of next week.

The geotech report and survey associated with the home on Eagle Point Drive that had the driveway issues has been reviewed. It is not a groundwater issue, but the base was wet. There is no flow. It is holding water and saturating into the asphalt through the cracks and getting into the base, which is causing the asphalt to fail. It can definitely be fixed. It will involve taking out some curb and reworking the asphalt and the base. Mr. Acree will develop proposed solutions, cost estimates, and timing considerations (related to future, more comprehensive road-resurfacing plans). Mr. Acree also evaluated the parking lot, and there are some issues including areas where there is only a half-inch of asphalt. It appears to be related to irrigation. He will continue his evaluation of the parking lot and certain entry road areas to determine cost and timing of repairs and/or resurfacing. The golf course will need to pick up part of the cost of the parking lot repairs.

**EIGHTH ORDER OF BUSINESS****Acceptance of Fiscal year 2016 Audit**

Mr. Oliver stated this is being provided to you in draft form. Once the audit is accepted, it will be put into final form and circulated and posted to the website. A copy will be provided to the auditor general in accordance with Florida statutes. The deadline is June 30. It is a clean audit. On the second page of the opinion letter, the auditor states, "In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, and each major fund of the Sampson Creek CDD, as of September 30, 2016, in conformity with accounting principles generally accepted in the United States of America." Over the next several pages are management's analysis and discussion for the year just ended September 30, 2016. There is an overview of the financial statements. On Page 8, under debt management, it references the fact that in March 2016, you refunded the Series 2006 bonds and refinanced those bonds. Page 30 has the independent auditor's report on internal control. On page 130, the auditor says, "During our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses." The management letter on Page 32 states there were no recommendations made in the previous audit report, and no recommendations are made in this audit report. It also states, "the CDD did not meet any of the conditions described in Section 218.503 of Florida Statutes." This is a good thing because those are negative conditions indicating financial problems. The auditor did not make any recommendations to improve financial management. On the last page, the report states, "In our opinion, Sampson Creek CDD has complied with in all material respects the aforementioned requirements."

On MOTION by Mr. Armstrong seconded by Mr. Hayes with all in favor to accept the draft 2016 audit was approved.
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**NINTH ORDER OF BUSINESS****Ratification of Agreements****A. Fourth Amendment to the Agreement with Giddens Security Corporation**

Mr. Oliver stated the only change to this agreement is the mileage rate went up.

On MOTION by Mr. Hudson seconded by Mr. Hayes with all in favor the renewal of the Giddens Security agreement was approved.

**B. Fourth Amendment to the Agreement with Rick Arsenault Certified Pool Consultant**

Mr. Oliver stated there is no change to the compensation on this agreement.

On MOTION by Mr. Hudson seconded by Mr. Armstrong with all in favor the renewal of the Arsenault Pool Maintenance agreement was approved.

**TENTH ORDER OF BUSINESS**

**Consideration of Temporary Construction Fence Easement and Maintenance Agreement**

Mr. Haber stated what you have in the agenda package is the easement that I drafted, this board reviewed, and authorized me to send to the golf course for their review. The revisions I got back were not redlined, but as I reviewed it and saw there were some substantive changes, I wasn't comfortable moving forward without bringing it back before the board. The biggest change was the easement that I drafted was a perpetual easement, and they changed it to a temporary easement. This is expressed in Paragraph 4. Mr. Haber stated I think that language gives them the absolute right to say we are going to use this fence for some arbitrary reason just to get rid of this easement, but he does not think that is their intent. He thinks they intend to exercise what was discussed in good faith, and the fence would only be removed if they were really going to change the purpose, however, it does give them a very broad right to do it. Perhaps the golf course can agree to make every effort to try and provide the same level of security that the fence was providing. Another item is the original agreement anticipated the District maintaining the fence. They changed it so that the golf course would maintain the fence, but then they said if the District makes a request for maintenance, the golf course will do it, but the District would have to pay for that maintenance. After discussion, the board decided to authorize the chairman and counsel to negotiate and execute final agreement assuming satisfactory deal points are made.

On MOTION by Mr. Hudson seconded by Mr. Sharpe with all in favor to have the Chairman and Counsel negotiate and execute final temporary construction fence easement and maintenance agreement with Billy Casper Golf was approved.

The board discussed their displeasure of how the golf course has not done things they have promised throughout the years. There was discussion regarding holding off on action on the easement related to golf clubhouse expansion.

On MOTION by Mr. Sharpe seconded by Mr. Hudson with all in favor to withdraw the approval for the easement related to the golf clubhouse expansion until otherwise approved.

**ELEVENTH ORDER OF BUSINESS                      Discussion of Draft Street Tree Policy**

Mr. Oliver stated this was discussed at the last meeting. Several meeting ago, the board directed staff to work with Supervisor Hudson and Mr. Jeff Gibbons (President of HOA) to come up with a tree policy regarding the processing of property owners to request approval for the removal of street trees in the right of way fronting their lots. The street trees are part of a tree plan that St. Johns County established at the inception of this development. Anytime a tree is to be removed, the District has to get approval from St. Johns County, along with guidance regarding any obligation for tree replacement in keeping with SJC tree mitigation requirements.. The covenants and restrictions of the HOA already have a landscaping requirement for replacement of trees. Supervisor Hudson and Mr. Gibbons, along with Mr. Haber and me, met several times and came up with a draft that is located in the agenda package. This will dovetail with the landscaping requirements of the HOA documents. This draft policy only involves street trees.

On MOTION by Mr. Armstrong seconded by Mr. Murray with all in favor the draft CDD street tree policy was approved.

**TWELFTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS      Staff Reports**

**A. Attorney**

Mr. Haber stated the legislative session has begun. Each year I give you an update of bills that will likely impact the CDDs and the way they operate, and one will be sent to you soon.

**B. Manager**

Mr. Oliver stated I don't have anything new to report.

**C. Amenities and Recreation Manager**

Ms. Tincher's report is part of the Operations Manager's report under Section XIII-E.

There were 31 who signed up for T-ball that starts Friday, and 23 have signed up for flag football. There are two flag football fields and two T-ball fields. Regarding the access cards, information sheets will be sent out in pdf format that can be filled out on the computer and emailed back along with an uploaded photo. Ms. Tincher will furnish a timeline for getting everything completed with the access cards.

Mr. Armstrong stated there is nothing on the calendar for Tennis, and Ms. Tincher responded she has emailed the appropriate person but has not received the information. She will pursue getting the information to post on the calendar.

**D. Operations Manager - Report**

Mr. Cowling reviewed his report that is located in the agenda package under Section XIII-E.

Carp stocking is on schedule for the end of March, and the CDD is getting 550 carp this year. Residents have contacted Mr. Cowling about having a fountain out front in the main pond. He has gotten some proposals back for this item and distributed them to the board members. Bids are ranging from \$14,000 to \$18,000. There was discussion of the benefit of having a fountain to help with algae growth or getting an aerator. The fountain would mainly provide aesthetics for the community. This item was tabled.

Mr. Hayes discussed security cameras. There are proposals for replacement of outdated NVR and adding two new cameras to expand coverage of CDD recreational facilities. Mr. Sharpe stated we have had zero dollars of vandalism in 13 years, and I don't understand why we need to update our security system and cameras around the pool when there has been no

vandalism. When a survey was done several years ago, the residents had concerns about security in the neighborhood, not around the pool.

On MOTION by Mr. Armstrong seconded by Mr. Hayes with Mr. Hudson and Mr. Murray voting yes and Mr. Sharpe voting no to accept the proposal from Jacksonville Sound for adding two new cameras and replacing the NVR in the amount of \$7,500 was approved.

**FOURTEENTH ORDER OF BUSINESS      Supervisors' Request**

Mr. Sharpe stated he would like to have on next meeting's agenda the proposals for security cameras.

Mr. Hudson stated there are leaning posts throughout the CDD. One is at the entrance to Stonehedge. He asked that Mr. Cowling address the issue with Duval. Mr. Hudson stated Eagle Point entryway landscaping is bad and would like to develop options to spruce up or upgrade the entryway. The AED machine for the pool area is located inside the men's room and asked if that is the right place for it. Ms. Tincher stated most places have the machine located in the men's room because it is protected from the weather. Mr. Hudson stated he edited an article that came out in *Living Magazine*, and he would like to make a correction for the minutes. The first draft of his article got printed, not the second draft. The article stated "the Developer issued the debt." Technically the developer didn't issue the debt, Sampson Creek CDD issued the debt.

Mr. Murray stated other entryways also need to be renovated. He thanked Mr. Hudson for writing the articles and has had people comment to him about how enlightening the information is.

**FIFTEENTH ORDER OF BUSINESS      Audience Comments**

An audience member stated I noticed on the fencing plan, they are calling for a gate, (tennis court area) and I don't think that is a good idea. I think that puts the homeowner in a position of liability because more kids will just come in. He stated we are paying all that money for the new card system, when someone can open the gate and let five or six of his friends in.

Mr. Jeff Gibbons stated when the resurface of the parking lot is needed, can we take a look at doing a capacity rehash on that. He suggested maybe taking out some islands and get some better parking. He also stated the HOA has to get onto people about signage in their yards, but they cannot get onto the CDD about signage on the CDD property. He asked that better management be done of the bandit signs promoting events. He would like to reduce the number of duplicate signs. Finally, there are locations where streetlights and trees are installed too closely and lighting is significantly diminished by tree limbs. He will work with Mr. Cowling to identify locations where this is a problem and develop options to remedy the situation including moving light poles.

**SIXTEENTH ORDER OF BUSINESS      Financial Reports**

**A.    Balance Sheet and Statement of Revenues & Expenditures**

Mr. Oliver stated you have the unaudited financials through February 28, 2017 in the agenda package. There are no unusual variances.

**A.    Special Assessment Receipts**

Mr. Oliver stated you are 96.70% collected.

**B.    Check run Summary**

On MOTION by Mr. Armstrong seconded by Mr. Sharpe with all in favor the Check Run Summary was approved.

**SEVENTEENTH ORDER OF BUSINESS    Next Scheduled Meeting**

The next scheduled meeting is Wednesday, April 19, 2017 at 6:00 p.m.

**EIGHTEENTH ORDER OF BUSINESS    Adjournment**

On MOTION by Mr. Murray seconded by Mr. Armstrong with all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman