

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, November 29, 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	Vice Chairman
Steve Sharpe	Supervisor
Shawn Murray	Supervisor
Tom Hudson	Supervisor

Also present were:

Jim Oliver	District Manager
Alex Acree	District Engineer
Wes Haber	District Counsel
Louis Cowling	Operations Manager
Leah Tincher	Amenities Manager
Chief Jesse Harrigan	Central Security Agency
Jen Bachman	Resident
Kim Kalke	Neighborhood Watch

*The following is a summary of the actions taken at the November 29, 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**

Mr. Hayes requested that agenda items be discussed now, not when the item was discussed.

Mr. Yuro stated support the construction of the fifth tennis court, as it was part of the refinancing and below budget. He asked that the Board consider how much in the Capital Projects Fund was spent to date, the proposals compared to the budget and what other projects would be considered.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the October 30, 2017 Meeting**

On MOTION by Mr. Murray, seconded by Mr. Armstrong, with all in favor, the Minutes of the October 30, 2017 Meeting, were approved.

**FOURTH ORDER OF BUSINESS**

**Consideration of Proposals for Splash Park Construction**

Mr. Hayes recalled that three proposals were received for the Splash Park construction. The highest bidder, Harrell Construction dropped out and the remaining bidders were Crown Pools and Sufside Pools. A large portion of the bid was the wood pavilion, which was \$100,000. Crown Pools total bid was \$611,000. The civil engineering plans included expanding the pool deck, including additional shade and a Splash Pad.

Mr. Brad Correia, President of Crown Pools, explained that the project was split into two phases, and Crown Pools would construct the Splash Pad, the shade structures and a paver area. There would be cost savings by using an alternative from the wood pavilion, which was included in the proposal.

Mr. Hayes asked if permits could be obtained before the end of the year. Mr. Correia stated that it was a possibility, if the issues with the spray feature were resolved; however, the Department of Health is requiring a UV system on Splash Pads after January 1, which would increase the cost from \$8,000 to \$16,000. Board Members voiced concern about the ramifications of not including the UV system in the future. Mr. Correia noted that if the code was changed, the District must eventually be compliant. Mr. Hayes requested a cost estimate of the UV system.

On MOTION by Mr. Hayes, seconded by Mr. Murray, with all in favor, the Crown Pools Proposal for the Splash Park construction, in the amount of \$611,000, and authorization for District Counsel to prepare an agreement for review and execution by Supervisor Murray, was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Options Related to Resurfacing Pool**

Mr. Hayes asked about the 15-year warranty included in the proposal.

Mr. Cowling stated that Mr. Arsenault was working with the installer, on providing the 15-year warranty.

Mr. Hayes requested tabling this matter until the warranty was provided in writing by Mr. Arsenault. Mr. Haber would include this in the contract, once it was determined.

**SIXTH ORDER OF BUSINESS**

**Ratification of Proposal from Duval Asphalt**

Mr. Acree reported that Duval Asphalt repaired a sinkhole in Eagle Point, which was caused by a broken pipe. Mr. Hayes believed that AT&T or another entity drilled a hole through the pipe when burying a cable. Mr. Acree stated that Duval also patched a small hole in Pepper Stone. The Eagle Point repair should be completed late next week. A special part had to be ordered.

On MOTION by Mr. Hayes, seconded by Mr. Armstrong, with all in favor, the ratification of the Duval Asphalt Proposal for pipe repairs at Eagle Point and Pepper Stone, was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Recreational Center Policies**

Mr. Haber revised the Recreation Center Policies to allow alcohol use at any CDD owned recreational facility, subject to a resident obtaining permission in writing and signing a waiver form. The Suspension and Termination Policy would be noticed for the December meeting, as it required a 29 and 30-day notice. Mr. Haber recommended that it be implemented after the public hearing.

On MOTION by Mr. Hudson, seconded by Mr. Hayes, with all in favor, the revisions to the Recreation Center Policies, to allow alcohol use at any CDD owned recreational facility, subject to the resident obtaining permission in writing and signing a waiver form, and noticing a public hearing for a Suspension and Termination Policy at the December meeting, was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Discussion of Golf Cart Registration**

Ms. Kim Kalke, of the Neighborhood Watch, reported issues with teenagers on golf carts, shooting BB guns, throwing sticks and causing accidents. There were discussions with the St. Johns Sheriff's Department about the golf cart registration process. Sheriffs were taking the teenagers home and making the parents handle it, as opposed to arresting them. Ms. Kalke recommended registering golf carts.

Mr. Armstrong stated that there was an agreement with the County, but not with the State. The County requires that a golf cart driver possess a valid driver's license. An incident was reported with a 14-year-old driving a golf cart.

Mr. Hayes felt that someone under 14 was not mature enough to drive a golf cart and wanted the Board to take golf carts seriously, because the CDD did not have any traffic enforcement authority over golf carts on CDD roads, even though the CDD owned the roads. Mr. Hayes recommended requiring that all golf carts be registered.

Mr. Armstrong noted the rules on golf carts, as of July 31, 2017:

- In May 2013, the Board authorized allowing golf carts on CDD roads.
- Florida Statute 316.212(1), prohibited the use of golf carts on public roads, unless certain conditions were met, with final jurisdiction by the County.
- St. Johns County Ordinance 2010-48 outlined operational requirements such as:
  - All golf carts having headlights and blinkers.
  - The operator being 16 years old and having a valid State of Florida Driver's License. An operator could operate a golf cart with a Learner's Permit, if accompanied by someone age 21 or over with a valid Driver's License.
  - The golf cart may not be operated in excess of 20 MPH.
  - Golf carts may not be operated on sidewalks within the community.
  - The maximum number of occupants in a golf cart may not exceed 4

individuals.

Mr. Hudson asked if the Board could suspend residents' privileges for operating a golf cart inappropriately on non-CDD property. Mr. Haber noted that this was a County enforcement matter for CDD-owned roads, but the Board could take action on golf carts operated on CDD recreation property. Mr. Hayes suggested instructing Sheriffs to write tickets or send violation letters.

Ms. Kalke offered to work with a Board Member to identify the owners of golf carts, define a process and a plan of action. Mr. Hayes recommended that Mr. Armstrong work with Ms. Kalke and present at the next meeting. Mr. Haber stated that requiring the registration and operation of a golf cart, must be in accordance with local, State and Federal laws. Mr. Hudson suggested filling out a form acknowledging the rules of the road during the registration process and calling a parent to inform them that their child was out of control.

Mr. Hudson MOVED to require the registration of golf carts for use on CDD recreational property, and Mr. Armstrong seconded the motion.

Discussion ensued. Mr. Hayes wanted enforcement from the State and County, for Ms. Kalke and Mr. Armstrong to explore other options by visiting other communities such as Eagle Harbor and bringing their findings back to the Board. Mr. Armstrong was in favor of issuing the decal first and then working out the rules. Mr. Murray voiced concern about doctored decals. Mr. Armstrong suggested a florescent sticker.

On VOICE VOTE with Mr. Hayes, Mr. Armstrong and Mr. Hudson in favor, and Mr. Sharpe and Mr. Murray dissenting, requiring the registration of golf carts for use on CDD recreational property, and Mr. Armstrong working with Kim Kalke of Sheriff's Advisory Council and leadership of the HOA, to review best practices at other golf course communities and develop a registration process, requirements and implementing a timeline, was approved. (Motion Approved 3-2)

- **Stingray Swim Team Update**

Mr. Hayes received a request from the Swim Team for the Board to allow non-residents to participate on the swim team to fill out the roster for the 2018 season. According to the agreement between the District and the Swim Team, Mr. Hayes stated that the Swim Team had the discretion to allow whomever they wanted; however, the District could have 75% of the team comprised of residents or paid users and 25% members of the public. Mr. Hudson suggested charging \$500 for non-residents. Mr. Oliver reminded the Board that the agreement could be terminated at any time. Mr. Murray suggested approving the request for one year and monitoring it.

Mr. Sharpe MOVED to allow non-residents to participate on the Stingray Swim Team to fill out the roster for the 2018 season, and Mr. Hayes seconded the motion.

Mr. Sharpe recommended charging \$50 per non-resident swimmer. Mr. Haber clarified that this would be a CDD fee, requiring a public hearing and a 30-day notice. Mr. Hudson pointed out that there was not a charge for tennis or soccer.

After further discussion, the Board will prepare rates for non-residents who participate on the swim team and advertise a rate hearing, tentatively for February 21, 2018.

On VOICE VOTE with Mr. Hayes, Mr. Armstrong, Mr. Sharpe and Mr. Murray in favor, and Mr. Hudson dissenting, allowing non-residents to participate on the swim team to fill out the roster for the 2018 season, was approved. (Motion Approved 4-1)

**NINTH ORDER OF BUSINESS**

**Update Regarding Series 2016 Projects**

**A. Discussion of Fifth Tennis Court**

Ms. Jen Bachman, a resident, presented a detailed plan and cost estimate for the placement and construction of a fifth tennis court, adjacent to the four existing tennis courts, which residents were in favor of, based on a survey completed in 2016. \$285,000 was budgeted for sport court improvements. Sports Surfaces provided an estimate of \$127,000, which included an upgraded court surface, fencing, site work, tree removal, grading, new cart path, new shrubs, landscaping to shield the court and a windscreen. LED lighting would cost \$32,500, resurfacing four courts was \$69,800 and \$500 for lines on the fifth court, for a grand total of \$230,000.

There was \$18,560 in the current Maintenance Budget allocated for resurfacing. The preferred location would be adjacent to the four existing tennis courts, separated by a gate.

A resident from the cul-de-sac nearest the installation of the tennis court voiced his opinion.

Ms. Bachman listed the reasons for having an additional tennis court:

- Increase in tennis usage
- Accommodating the new Tennis Pro who gives lessons to kids
- Additional tennis teams

Mr. Hayes asked about the resurfacing. Ms. Bachman provided a proposal. Mr. Hayes noted a \$20,000 difference between surfaces. Ms. Bachman preferred a softer surface and noted that the company with the \$20,000 difference was no longer involved and the current proposer had a \$10,000 difference. The number of layers were the same. Mr. Hayes felt that four tennis courts were sufficient, which was similar to other communities and voiced concern about tennis teams from outside the community playing on the additional tennis court.

Mr. Sharpe MOVED to construct a fifth tennis court with the Plexicushion resurfacing and Mr. Hudson seconded the motion.

Mr. Hayes requested tabling this matter for further evaluation.

On VOICE VOTE with Mr. Sharpe and Mr. Hudson in favor, and Mr. Armstrong, Mr. Hayes and Mr. Murray dissenting, constructing a fifth tennis court with the Plexicushion resurfacing, was not approved. (Motion Failed 2-3)

Mr. Hayes agreed with Mr. Yuro regarding an evaluation of remaining construction funding and cost to complete potential capital projects.

**B. Discussion of Resurfacing of Existing Tennis Courts**

This item was discussed.

**TENTH ORDER OF BUSINESS**

**Stingray Swim Team Update**

This item was discussed earlier in the meeting.

**ELEVENTH ORDER OF BUSINESS**

**Consideration/Ratification of Series 2016 Requisitions**

Mr. Oliver presented Requisition #52, payable to Matthews Design Group, in the amount of \$756.

On MOTION by Mr. Armstrong, seconded by Mr. Hayes, with all in favor, the ratification of Requisition 51, was approved.

Mr. Hudson recalled that Mr. Cowling was going to research costs for heating the pool.

Mr. Armstrong stated that the research was for the pool pump and maintenance costs. The funds reserved for the water jets, would fund this expenditure, which would keep the pool cooler in the summer and extend the season.

Mr. Cowling noted that maintenance costs were 88 cents per unit per hour or \$2,500 per year, based on 15 hours of run time.

**TWELFTH ORDER OF BUSINESS**

**Other Business**

Mr. Hayes introduced Chief Jesse Harrigan of the Central Security Agency (CSA).

Chief Harrigan stated that CSA combines law enforcement and military service with customer service, as their employees were former Police Officers and military members. Security vehicles were equipped with I-pads and GPS. Statistics were generated to show on a month-to-month basis where crime occurred. Chief Harrigan had good relations with the Sheriff's Office, because he was a former Deputy Sheriff. Along with body cameras, each employee was equipped with a walkie-talkie.

Ms. Kalke appraised Chief Harrigan of the teenage golf cart situation and felt that his presence would deter teenagers from using golf carts. A child was hit this Sunday. Ms. Kalke noted that Chief Harrigan was highly recommended by the Sheriff's Office and the value for the money was tremendous with the upscale security that CSA would offer.

A lengthy discussion ensued between the Board and the audience regarding services provided by CSA.

Mr. Hayes compared CSA's contract to Giddens.

Mr. Haber advised that the contract could be terminated by the Board, immediately, for cause or 30 day's notice without cause, but did not know when the contract for the current contractor expired.

Mr. Hayes stated that Giddens charged by the hour plus mileage, which equated to \$4,100, compared to Chief Harrigan receiving \$23 per hour for 56 hours per week, for a difference of \$1,500. The St. Johns County Sheriff's Office (SJSO) was in the community between 3:00 p.m. and 10:00 p.m., but not at 5:00 a.m., when most of the crime occurred and suggested that SJSO patrol when Chief Harrigan was not on duty.

Mr. Sharpe asked if CSA would provide hands on security approach to secure the neighborhood of the 1:00 a.m. to 5:00 a.m. theft group that walks through the neighborhood to check for unlocked cars and garage doors and interact with unruly teens.

Mr. Hayes wanted CSA to handle the same 3:00 p.m. to 11:00 p.m., shift as Giddens, and move the Sheriffs from 11:00 p.m. to 6:00 a.m. Mr. Hayes requested a modified proposal from CSA and that Chief Harrigan attend the next meeting to answer questions. Chief Harrigan would provide information sheets and a proposal at the December meeting.

**THIRTEENTH ORDER OF BUSINESS      Staff Reports**

**A.      Attorney**

Mr. Haber would prepare a contract with Crown Pools for the resurfacing and requested a detailed description of the project and for a Board Member to review and execute it.

**B.      Manager**

Mr. Oliver had nothing to report.

**C.      Amenities and Recreation Manager**

Ms. Tinchler presented her report. There would be a 5K run in December and a new Zumba instructor. On Friday, there was a holiday event from 5:00 p.m. to 8:00 p.m. Santa was coming at 4:00 p.m., due to people standing in line prior to the event, last year. At other properties, residents signed up for appointments with Santa. Ms. Tinchler suggested the same approach for Sampson Creek. Mr. Hayes agreed.

Mr. Hayes asked about the soccer field lights. Ms. Tincher stated that the lights were rented and she would turn them off when she left for the day, at 8:00 p.m. Mr. Hayes asked Ms. Tincher to keep track of the light usage.

The Board was happy with the holiday decorations. Ms. Tincher would receive the bows tomorrow. Mr. Cowling would ensure that everything was working tomorrow night. The golf course was contributing to the parking lot lights. On Friday, the entire circle would be lit and have wreaths.

#### **D. Operations Manager**

##### **1. Report**

Mr. Cowling presented his report and reported the following:

- Water fountain – Installed.
- Fences - Repaired in December. Would be placed on the I-95 side, due to limited access.
  - Mr. Sharpe requested moving the pine trees.
- Ponds - Progress was made on Pond 25B. The pond contractor was purchasing a smaller boat, which would carry a 20-gallon tank. All ponds were in good condition and would be sprayed in January or February.
  - Mr. Sharpe asked that the bank be sprayed when the water level was low.
- The light pole at the entry was ordered. It arrives in five weeks.
  - Mr. Hayes noted a damaged curb.
  - Mr. Cowling asked St. Johns County to repair the curb, as it was on a County Road.
- JEA repainted manholes.
- FPL planned to install poles in December.
- Duval was installing new landscaping. Mr. Cowling was working with Duval, due to their lack of detail. Duval was following their dormant schedule. Weeds were sprayed, but would take two weeks to eradicate. Pine straw was installed and annuals were rotated.

##### **2. Entrance Landscape Plan**

Mr. Cowling presented a proposal from Duval for the St. Johns Golf Drive entrance landscaping. The price of \$7,169.38 was reasonable, compared to other quotes. There will be brown mulch, versus pine bark mulch. Discussion ensued.

Mr. Sharpe would contact the golf course to see if they wanted to participate in funding the entry.

On MOTION by Mr. Hayes, seconded by Mr. Armstrong, with all in favor, the Entry Landscape Plan and installation of the landscaping by Duval Landscape, in the amount of \$7,169.38, was approved.

Mr. Hayes wanted to re-evaluate the amount of mulch for the next bid cycle. Mr. Sharpe asked about the tennis court resurfacing. Mr. Hayes wasn't ready to resurface the tennis courts until the Board made a decision, so that they could concentrate on the Splash Pad. Ms. Bachman suggested resurfacing in May when there was downtime. Mr. Cowling stated that the contractor was flexible regarding the start time.

#### **FOURTEENTH ORDER OF BUSINESS      Supervisors' Request**

Mr. Hudson requested open discussion of the effectiveness of *Living Magazine* for the next agenda. Issues were noted about deadlines, not receiving a proof, small pictures and too many advertisements. An e-blast was suggested, linked to the District's website. Discussion ensued. This will be an agenda item at next meeting.

Ms. Tinchler requested another row machine in the gym. Proposals will be requested. Mr. Haber advised that the placement of the machine must be ADA compliant.

#### **FIFTEENTH ORDER OF BUSINESS      Audience Comments**

Mr. O'Neill recalled a golf cart document from May of 2013, and suggested revisiting it regarding the rules of the road. Mr. Hayes requested that staff post it on the District's website.

Ms. Bachman was against the decision of the Board on the additional tennis court, because the Board supported it in the past. Mr. Hayes wanted to handle one major project at a time and consider the amount remaining in the Capital Projects Fund.

Mr. Gibbons felt that all questions should be answered during the discussion of agenda items before the Board votes, supported Mr. Murray's motion to place stickers on golf carts and voiced concern about CDD dollars supporting non-residents and suggested charging a reasonable fee.

. Ms. Bachman asked if there was a time limit on use of the bond money. Mr. Oliver indicated that as a rule of thumb, it was three years from the date of issuance, which was in 2016.

Mr. Yuro felt that Board Members were choosing projects to rally support, and clarified that his comments about accounting for bond funds, pertained to whether the District was going to be over budget.

Mr. Oliver reviewed the construction schedule that was attached to the financials. He stated \$940,000 in the construction fund as of October 31, 2017. On November 2, an additional \$84,000 was transferred in, which were the anticipated excess debt service funds resulting from the Series 2016 bond refunding. The adjusted total is \$1.024 million. \$611,000 was obligated tonight for the splash park project and license plate reader cameras were still pending. There is \$413,000 remaining for projects.

Mr. Yuro suggested that the District Manager run meetings, the Board consider rotating the Chair every year and expressed disappointment over the tennis court vote.

**SIXTEENTH ORDER OF BUSINESS      Financial Reports**

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

Mr. Oliver presented unaudited financials through October 31, 2017. The new fiscal year started on October 1. There were no unusual variances.

**B.      Special Assessment Receipts**

Mr. Oliver stated that tax bills were sent out on November 1 and \$125,000 in operation and maintenance (O&M) assessments have been collected to date.

**C.      Check Run Summary**

On MOTION by Mr. Hudson, seconded by Mr. Hayes, with all in favor, the Check Run Summary, was approved.

**SEVENTEENTH ORDER OF BUSINESS      Next Scheduled Meeting – 12/20/17 @ 6:00 p.m.**

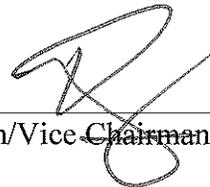
Mr. Oliver noted the next scheduled meeting.

**EIGHTEENTH ORDER OF BUSINESS      Adjournment**

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



Secretary/Assistant Secretary



Chairman/Vice-Chairman