

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, July 18, 2018 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
Shawn Murray	Vice Chairman
Tom Hudson	Supervisor
Kim Kalke	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel ( <i>via phone</i> )
Alex Acree	District Engineer
Ernesto Torres	GMS, LLC
Brian Stephens	Riverside Management
Danielle Simpson	Riverside Management
Leah Tincher	Amenities Manager
<b>Sgt. A.J. McCaffery</b>	Central Security Agency
Residents	

*The following is a summary of the actions taken at the July 18, 2018 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. and all Supervisors identified themselves. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Mr. Stephenen Rieck, a resident and competitive swimmer, provided an alternative for the cooling/heating situation for the pool. This item (pool water cooling cannon) would be discussed later in the meeting.

**THIRD ORDER OF BUSINESS**

**Security Update by Central Security**

Sgt. A.J. McCaffery of the Central Security Agency (CSA) reported an increase in activity from kids, especially later in the evening, which has been handled, as well as other suspicious activity, since the hours changed from 5:00 p.m. to 1:00 a.m. Eighteen to 20 individuals were intercepted entering the parking lot after 10:00 p.m.; half did not live in Sampson Creek; however, after the initial contact, they did not return.

Several weeks ago, there was a missing child search. In the process of the search, a new hangout spot for the neighborhood kids was discovered on a trail off of Hole #13, which had several bonfire pits, beer cans and garbage. CSA was closely monitoring this area. With the Fourth of July, several noise complaints were received. Someone was caught shooting fireworks off of golf course property and two individuals were reported to the Sheriff’s Office for shooting fireworks off of a public roadway. Last week, there was a kid operating an electric bike on the soccer field, but when security arrived, the parent and child were gone. Past problems with reckless operation of golf carts receded. There was a lot of positive feedback from residents about the license plate readers.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the May 2, 2018 Continued Meeting and the June 20, 2018 Meeting**

Mr. Hayes presented the Minutes of the May 2, 2018 Continued Meeting. Ms. Kalke submitted a typo, which would be incorporated, and clarified that she not in favor of installation the dog stations, as residents should be responsible for cleaning up after their dog.

On MOTION by Mr. Hudson, seconded by Mr. Murray, with all in favor, the Minutes of the May 2, 2018 Continued Meeting, as amended, were approved.

Mr. Hayes presented the Minutes of the June 20, 2018 Meeting. Mr. Hudson and Mr. Oliver submitted corrections, which would be incorporated into the minutes. Mr. Hudson clarified that he was not in favor of the CDD paying for the replacement of a large oak tree hit by lightning on St. Johns Golf Drive.

On MOTION by Mr. Murray, seconded by Mr. Hudson, with all in favor, the Minutes of the June 20, 2018 Meeting, as amended, were approved.

**FIFTH ORDER OF BUSINESS**

**Update Regarding Splash Park Construction**

Mr. Oliver recalled that, at the June 20 meeting, it was reported that comments were received from the Florida Department of Health (FDOH) for the final permit of the Splash Park.. Comments should have been submitted by FDOH back in mid-April rather than mid-June after most of the construction has been completed. The project contractor, Brad Correia of Crown Pools, has worked with Basham Lucas (Architect), Vortex (splash pad sub-contractor) and the Pool Engineer, H2O Aquatics, to obtain all required information, which was provided to FDOH. Both Crown Pools and Vortex are continuing to work with FDOH to finalize the Splash Park. If there were no additional comments, the inspection would be scheduled with St. Johns County and FDOH. Mr. Oliver clarified that the landscaping has not been installed yet, in case the tank had to be retrieved and reinstalled, due to any FDOH concerns. The Crown Pools June pay application is being held until the FDOH review of project team responses has been completed. Any target date of completion is based on permit approval by St. Johns County and FDOH.

**SIXTH ORDER OF BUSINESS**

**Discussion of Installation & Operation of Chiller or Heating Units for Swimming Pool**

Mr. Hudson requested water temperature readings of the pool in the morning. Ms. Tincher would measure the temperature and report back to the Board. Mr. Hayes, Ms. Kalke and were in favor of cooling the pool, but not heating it. Mr. Sharp’s email indicated his support to cool the pool water. Mr. Rieck recommended that the District install a pool cooler aerator for \$3,000, which decreased the water temperature from 8 to 10 degrees. Discussion ensued. Mr. Hayes recalled that Mr. Correia would install the chillers at cost. Mr. Hudson proposed deferring this matter until the next meeting. *After further discussion, there was Board consensus to defer this matter until the August meeting, to direct staff to take temperature readings and for Mr. Correia to provide proposals for the chillers.*

**SEVENTH ORDER OF BUSINESS**

**Discussion of Priority of Use of Contracted Security Services**

**A. General Responsibilities**

**B. Assistance in Enforcement of HOA Street Parking Policies**

Mr. Jeff Gibbons, Chairman of the Covenants Enforcement Committee (CEC), presented a procedure the Security to use for the enforcement of street parking.

Ms. Kalke noticed that a provision was added for Security to provide data to the CEC to act as necessary, which was a great compromise, since one or more residents, at the last meeting, were hesitant to allow CSA to perform HOA enforcement with CDD dollars. Mr. Hayes did not want CSA to enforce if there was a party, but to report to the CEC, if the same car was parked in the street every night. Mr. Murray felt that CSA’s priority was to protect CDD property, and the HOA should handle parked cars. Mr. Hudson disagreed. A lengthy discussion ensued between Mr. Murray and Mr. Hudson. Mr. Gibbons noted that the CEC enforced the covenants and would do whatever the CDD Board requested. Mr. Hayes felt that CSA had the team and technology to assist with the enforcement of street parking. Ms. Kalke agreed, as CSA knew where the habitual problems were.

Mr. Murray voiced concern about a family that had four cars. Mr. Hayes pointed out that CSA was sending letters to violators, not arresting them. Mr. Gibbons explained that, if the resident did not abide by the letter, the resident must attend the next CEC meeting or they would be fined \$100 for each occurrence up to \$1,000. In response to Mr. Murray’s concern, Mr. Gibbons stated that residents who parked in the streets did not use their garage for parking and parking in the street was a safety issue. Mr. Hayes stated that the policy could be changed at any time and directed Ms. Kalke to work with CEC and Security on executing the policy and for the CEC to report back to the CDD Board each month.

Mr. Hayes MOVED to approve Central Security Agency assisting in the enforcement of HOA street parking policies, and Mr. Hudson seconded the motion.

In response to Mr. Murray’s question, Mr. Hayes indicated that CSA would take pictures of the license plate of chronic violators. Mr. Murray questioned how CSA would determine whether someone was chronic. Mr. Hayes stated that Ms. Kalke would work with CSA. Ms.

Kalke believed that there was a provision in the covenants that if a driveway was full and there was nowhere else to park, street parking was allowed. Mr. Hayes clarified that the provision applied if there was a guest and a fifth car could not fit in the driveway, but if the fifth car was parked in the street every night, they were violating the policy.

On VOICE VOTE with Ms. Kalke, Mr. Hayes and Mr. Hudson in favor and Mr. Murray dissenting, approving Central Security Agency assisting in the enforcement of HOA street parking policies, were approved. (Motion Passed 3-1)

**EIGHTH ORDER OF BUSINESS**

**Discussion of District Communications Plan and Platforms**

Mr. Hudson recalled a comment from the last meeting about CDD communities around the state being sued for lack of ADA compliant websites for the visually impaired. He viewed five separate websites and digital newsletters, such as Durbin Crossing, and was impressed with a vendor called Unicorn. They proposed \$2,500 to get the CDD website ADA compliant and \$250 per month for assisting with a digital newsletter. Durbin Crossing sold advertising in their newsletter to help offset the cost. The District was currently paying \$200 for website maintenance. Unicorn would allow the CDD to have access to the website for the entry of data. Mr. Hudson and Mr. Torres will meet with Unicorn and provide information at the next meeting. Mr. Haber spoke with the attorneys representing the CDDs in the ADA lawsuits, and recommend that CDD take affirmative steps to hire knowledgeable experts to review their website to ensure they were compliant, and in the meantime, add a disclaimer to the website, for anyone who needs assistive technology to contact the website administrator or District staff.

**NINTH ORDER OF BUSINESS**

**Consideration/Ratification of Series 2016 Requisitions**

Mr. Acree presented the Requisitions. Mr. Hudson asked if the check was cut for Requisition #77. Mr. Oliver confirmed that it was, but it was for the May 31<sup>st</sup> pay application. The District still had \$210,000 available in the Construction Fund.

On MOTION by Mr. Hudson, seconded by Mr. Hayes, with all in favor, ratification of Requisitions #68 and #72 through #77, was approved.

**TENTH ORDER OF BUSINESS**

**Discussion of Fiscal Year 2019 Approved Budget (budget hearing to be held August 15)**

Mr. Oliver reminded the Board that the Public Hearing on the budget was scheduled for August 15, 2018. The budget was the same as the prior year budget and there was no increase in assessments.

Mr. Hudson pointed out that Supervisor Fees were estimated at \$200 per meeting for six meetings. Mr. Oliver will change this. Mr. Hudson recalled his suggestion to budget \$25,000 to get the website into ADA compliance. Mr. Oliver stated that the budget could be amended. Ms. Kalke asked if there were sufficient funds in the budget for the road repaving. Mr. Oliver stated no, based on the working number for a complete resurfacing of all CDD-owned roads is \$1.5 million. The project will not be funded by the operations budget, so the District will have to seek funding sources. Ms. Kalke suggested budgeting for a new pool chair lift. Mr. Oliver would obtain proposals for the August meeting. Mr. Acree stated that, according to the ADA requirements, the chair lift was supposed to be anchored to the deck. Mr. Oliver suggested getting a second opinion. Mr. Haber would research this matter and provide documentation.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Revision to Amenity Policies**

Ms. Tincher suggested changing the policies to include adding e-cigarettes to the non-smoking policy, prohibiting food and beverages within 3 feet of the pool’s edge and establishing a thunderstorm/inclement weather plan.

Mr. Hayes suggested using an app called Weather Bug, showing where the latest lightning strikes. Ms. Tincher instructed the lifeguards to follow the Red Cross recommendation to clear the pool deck, once staff hears thunder. Mr. Haber agreed. Mr. Gibbons suggested using a portable lightning detector. Mr. Hayes asked Ms. Tincher to investigate.

On MOTION by Ms. Kalke, seconded by Mr. Hayes, with all in favor, the amended Amenity Policies, were approved.

**TWELFTH ORDER OF BUSINESS**

**Other Business**

Ms. Kalke reported a bad accident with a golf cart on Drury Court, and discussion ensued regarding the status of registering golf carts. This item will be placed on the next agenda.

Mr. Murray asked about the policy of having younger kids in the gym. Ms. Tincher made badges for kids to wear in the gym, showing their picture and address. A resident stated that there was a hole in the wall in the gym, but by the time it was discovered, the video from the camera was erased. The resident asked if the cameras could have a motion sensor, so it did not record during the night when no one was in the gym. Mr. Hayes was more concerned about a broken mirror than broken drywall, and requested that the weight machine be moved away from the wall.

Mr. Murray asked if residents did not understand Security's role in the community. A.J. noted a couple of incidents where residents treated them as private law enforcement. Mr. Murray suggested including information with the newsletter, quarterly, educating residents on CSA's responsibilities. Mr. Hudson would handle this. Mr. Murray inquired about the tree on St. Johns Golf Drive. Ms. Kalke was worried about the tree falling, but it was not the CDD's responsibility to remove it. Mr. Stephens had a proposal from Bold City Tree Service for \$550 to remove and stump grind it. Mr. Gibbons stated that a letter was sent to the homeowner from the HOA, to replace the tree. Ms. Kalke asked Mr. Gibbons to follow up. Mr. Hayes felt that it was advantageous to the homeowner if the CDD removed the tree and the homeowner should respond to CEC.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer**

Mr. Acree was still evaluating Pond 25A, behind Foxtail Court, to find possible solutions to lower the water level to design elevation. A meeting will be held in the next week or two.

Mr. Hayes asked about the status of the homes on Stonehenge Trail Lane where backyards were sinking. Mr. Acree stated that a bulkhead would be placed behind a home in the cul-de-sac to stop the sinking.

**C. Manager**

Mr. Oliver would provide a draft policy to the Board regarding drainage situations occurring on private property, at the next meeting.

**D. Amenities & Recreation Manager**

There being none, the next item followed.

**E. Operations Manager - Report**

Mr. Stephens presented the Operations Manager Report and highlighted the following:

- Five Cypress Tree stumps were removed.
- All pool furniture was pressured washed and placed back onto the pool deck.
- The tennis court surfaces are complete, but there were some issues, which the contractor would address next week. \$30,000 was being held and would be released when all items were complete. *Ms. Kalke noticed bubbles on Court 4 in the serving area. Mr. Stephens believed that there was moisture in the rubber when it was sealed, which was an easy fix.*
- The fallen light pole on Leo Maguire Parkway was reported to FPL.
- There was noticeable improvement, since the bi-weekly landscape inspections were started with Duval. There will now be weekly inspections to expedite the improvements.
- Multiple tree limbs were removed from all roadways.
- Four or five poles were repaired on Eagle Point Drive.

Mr. Stephens presented landscape proposals. One to repair the irrigation outside of the new fencing, cap a valve underneath the Splash Pad to prevent running water underneath it and repair a number of irrigation heads, the second to reconnect the main line, to redirect a pressurized main line that was running through the Splash Pad and a third one to upgrade the irrigation pressure in a master valve by the irrigation controller at the Pump Station. This was recommended to help restore some pressure, but it did not have to be completed at this time. Ms. Kalke asked if there was a benefit to completing all of this work together. Mr. Stephens stated that the main line reconnection and repair of the irrigation outside of the fence should be completed at the same time, prior to installation of the sod.

On MOTION by Mr. Hayes, seconded by Mr. Hudson, with all in favor, the irrigation proposals, as stated above, were approved.

Mr. Stephens presented a proposal from Bold City Tree Service to trim 498 trees from the roadway. He will flag the trees that do not need to be trimmed. Mr. Hayes asked if the contractor would clean out the area after the trees were trimmed. Mr. Stephens indicated that the contractor will do the exact same work as last time. They will be lifting the canopy, so they did not scratch roofs. Mr. Hayes asked if Bold City could trim homeowner's trees at a discount while they were here. Mr. Stephens would ask.

On MOTION by Ms. Kalke, seconded by Mr. Hudson, with all in favor, the Proposal from Bold City Tree Service to trim 498 trees, in the amount of \$19,920, was approved.

Mr. Hayes directed Mr. Torres to send an email to the community, asking residents to provide their address if they were interested in having their trees trimmed.

Mr. Stephens presented proposals for new nets and poles for the tennis courts. Welch Tennis proposed \$4,000 for the installation of four sets of nets and poles, BSN Sports proposed \$2,140 for the materials only and Sports Surfaces proposed \$2,800 for the installation of four sets of nets and poles with ball holders. Discussion ensued.

On MOTION by Ms. Kalke, seconded by Mr. Hayes, with all in favor, the Proposal from Sports Surfaces for the installation of four sets of nets and poles with ball holders, in the amount of \$2,800, was approved.

Mr. Stephens estimated 80 sections of sidewalk replacements; 30 in dire need of replacement, 25 in minor need of repair and 25 needing minimal repair. He estimated 131 sidewalks to be grinded, which could be done in-house. Mr. Stephens had a proposal from CW Construction to repair 55 sections of sidewalks for \$4.25 per square foot or \$140 per section. Mr. Hudson figured \$7,700 for 55 sections of sidewalk. Discussion ensued.

On MOTION by Mr. Hudson, seconded by Mr. Hayes, with all in favor, the Proposal from CW Construction for the repair of 55 sections of sidewalks, in a not-to-exceed amount of \$8,000, was approved.

Mr. Hayes addressed the following:

- Proposed that after CW completes all 55 sections of sidewalk, Mr. Stevens re-evaluate what remained and start with the sidewalk on Stonehedge Trail Lane.
- Requested that the golf course remove weeds on Brookhaven Drive, 5 to 10 feet off of the roadway, and a tree that fell from the fairway onto the road.
- Asked Security about the kids using the golf cart paths. *A.J. stated that kids were constantly using the dirt access road, the trail behind the tower and a trail running through the woods behind the cemetery.*

**FOURTEENTH ORDER OF BUSINESS                      Supervisors' Request**

- Suggested that the lifeguards use a wireless laptop or iPad for screening residents entering the pool gate. The current screen was exposed for residents to see. Mr. Hayes suggested revisiting this in the winter.
- Supported Mr. Hayes complaints about the look of the neighborhood, and noted that everyone walked on the grass, instead of using the sidewalk on Hole #17. Spraying on the hedge line, where there were weeds, was needed. *Mr. Stephens spoke to golf course maintenance staff, and they are trying to kill army worms and replacing the sod. There was an issue obtaining sod.*
- The area where there is a bench on Eagle Point Drive facing the lake, needs sod.
- There is not enough attention on the landscaping at the Eagle Point Drive entrance.
- There are pot holes in the golf course parking lot.
- The Board needs to be educated on the responsibility of road improvements and how the District would finance \$1.2 to 1.5 million for the road resurfacing. Mr. Hayes has been working with Duval Asphalt and requested a presentation for September/October. *Mr. Murray wanted this matter to be discussed soon, as they were on the back end of the projects.* This item would be placed on the next agenda.

**FIFTEENTH ORDER OF BUSINESS                      Audience Comments**

Mr. Gibbons stated that residents who do yard work on Friday and Saturday, leave debris in the middle of the road, creating a safety hazard. Mr. Hayes suggested that Mr. Torres or Ms. Tincher write a reminder letter to residents. Mr. Gibbons noted that Republic will not pick up

yard debris, unless it is bundled and not weigh over 50 pounds. Mr. Hudson will include a reminder in the newsletter.

A resident asked if reserves were funded for road resurfacing, as recommended by the Reserve Study, or if they were unexpected reserves. Mr. Oliver indicated the original capital reserve study anticipated funding road projects, but after \$500,000 from the funds was spent for the Fitness Center expansion, the likelihood of fully funding the project from reserves was diminished. Subsequently, the reserve consultant's recommendation was to increase the capital reserve contribution from \$100,000 per year to \$200,000 per year. There are not sufficient funds in the capital reserve to resurface the roads; however, there could be a combination of funding with some type of debt issuance, loan or special assessment. The Capital Reserve Study shows a six-phased approach for road resurfacing, with the first phase in 2021.

Mr. Gibbons agreed with the revision to the rules, but noted that people used e-cigarettes to quit smoking. A resident requested a new American Flag, as it was faded. Mr. Hayes stated that the flag belonged to the golf course. Ms. Tincher will notify the golf course.

## **SIXTEENTH ORDER OF BUSINESS**

### **Financial Reports**

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

Mr. Oliver presented the unaudited financials through June 30, 2018. There were no significant changes. There was a balance of \$441,000 in the Construction Fund, but with the remaining contracts and commitments, there was a projected available balance of \$210,000.

Mr. Hayes noted that pool resurfacing was paid out of the Capital Reserve Budget, and asked if it could be paid out the refinanced funds, to open up more funds for the roads. Mr. Hudson believed that the pool resurfacing did not qualify for the refinanced funds. Mr. Oliver stated that if upgrades were involved, refinanced funds could be used towards the pool resurfacing. Mr. Haber would verify this with Bond Counsel.

#### **B. Special Assessment Receipts**

Mr. Oliver stated that as of June 30, 2018, approximately 100.42% of assessments were collected.

#### **C. Check Run Summary**

Mr. Hudson asked why there were invoices from St. Johns Sheriff's Office (SJSO) from 5:00 a.m. to 7:00 a.m. and what value they were receiving from them for \$35 an hour. Ms.

Kalke explained that the \$35 per hour was for extra detail. Mr. Hudson felt that what Corporal Greg Suchy of SJSO reported was insufficient and off-duty time was being used to enforce County rules. Mr. Hayes stated that the deputies randomly control traffic. Mr. Hudson felt that the Sheriffs were unnecessary, because of inactivity. Mr. Hayes asked if Mr. Hudson wanted to terminate the contract with SJSO. Mr. Hudson wanted to discuss the issue. Mr. Hayes understood that the purpose of the Sheriffs was for the peace of mind of the residents. Mr. Hudson was not asking to alleviate the Sheriffs but wanted a better understanding of what they were paying for and to re-allocate the time, so they get more value out of CSA. Mr. Hayes would speak to Corporal Suchy about providing further information. Mr. Hudson noted that roadway markings were faded or not close to the stop signs.

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

**SEVENTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – 08/15/18 @ 6:00 p.m.**

Mr. Hayes noted the next scheduled meeting. Mr. Oliver stated that there was a continued meeting on August 1, 2018, to provide an update on the Splash Park and discuss options regarding pool cooling. Mr. Hudson requested temperature readings to confirm the need for pool cooling.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Hudson, seconded by Mr. Murray, with all in favor, the meeting was continued to August 1, 2018 at 6:00 p.m., to provide an update on the Splash Park and discuss pool cooling options.



Secretary/Assistant Secretary



Chairman/Vice Chairman