

MINUTES OF MEETING  
HERON ISLES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Heron Isles Community Development District was held on Thursday, November 5, 2020 at 10:30 a.m. at the Story and Song Bookstore Bistro, 1430 Park Avenue, Fernandina Beach, Florida.

Present and constituting a quorum were:

Ricky Rowell	Chairman (by phone)
Don Lyons	Vice Chairman
Robert Martyn	Supervisor
Kathy Blessing	Supervisor
Wayne Couch	Supervisor

Also present were:

Ernesto Torres	District Manager
Roy Van Wyk	District Counsel
Luanne Smith	Associa Community Management Services
David Hoffman	Heron Isles HOA

The following is a summary of the discussion and actions taken at the November 5, 2020 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Torres called the meeting to order at 10:33 a.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes**

- A. **August 6, 2020 Meeting**
- B. **September 9, 2020 Special Meeting**

There were no comments or corrections to the minutes.

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On MOTION by Mr. Lyons seconded by Mr. Martyn with all in favor the minutes of the August 6, 2020 Board of Supervisors meeting and the September 9, 2020 special meeting were approved as presented.

**FOURTH ORDER OF BUSINESS**

**Ratification of Engagement Letter with Berger, Toombs, Elam, Gaines & Frank for the Fiscal Year 2020 Audit**

Mr. Torres stated the Board of Supervisors convened as the audit committee several months ago and made a recommendation and the Board approved the recommendation to engage Berger, Toombs, Elam, Gaines & Frank as the auditor for the District. This is the engagement letter that has already been signed by me and sent back to the audit firm.

On MOTION by Mr. Martyn seconded by Mr. Rowell with all in favor Berger Toombs Elam Gaines and Frank’s engagement letter for the fiscal year 2020 audit was ratified.

**FIFTH ORDER OF BUSINESS**

**Consideration of Proposals for Field Operations Services**

- A. First Coast CMS, LLC**
- B. Riverside Management Services, Inc.**
- C. Associa Community Management Services (provided under separate cover)**

Mr. Torres stated several weeks ago Leland Management gave us notice that they would be discontinuing their services of field operations to the District effective October 31<sup>st</sup>. There are two proposals in your agenda package for you to consider today and a couple of days ago Luanne called to introduce herself as the new company that is transitioning on the HOA side and she indicated they would also be interested in providing the operations part as Leland was as well so I emailed that proposal to all of you. The proposed fees are within our budget. Whoever is selected we would ask District Counsel to prepare an agreement.

Ms. Blessing stated I don’t think we should have the same management company as the homeowner’s association because we don’t want to be put in this position again and I think we have a much smaller footprint.

Mr. Rowell stated I agree with that.

Ms. Blessing stated the other two both look like good companies.

Mr. Rowell asked have you been in contact with them and the person that’s going to be our property manager will not be overloaded, correct?

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Mr. Torres responded correct.

On MOTION by Mr. Rowell seconded by Mr. Martyn with all in favor the proposal from Riverside Management Services, Inc. was approved.

**SIXTH ORDER OF BUSINESS**

**Discussion on Re-Opening District Facilities for Rentals and Regular Use**

Mr. Torres stated when I was working with Leland Management, we received correspondence from a resident who wanted to rent the pavilion for a party. At the last meeting we did not approve reopening of the facilities because we were concerned with the capacity level and maintaining social distancing, so we left things the way they are, so I'm bringing this back to the Board to see how you feel now. If there's no change, that's fine, we will continue to enforce that.

Mr. Rowell stated I would like to hear from District Counsel on what they recommend and what other communities are doing.

Mr. Van Wyk stated I believe the majority of them have decided to reopen now that we're in phase three. Some of them are requiring indemnification signatures from each individual who wants to use the property, but the majority have returned to normal operations with notices, hand sanitizer out, and signs saying please wear a mask and that type of thing. Barring any local restrictions, there would be nothing preventing you from opening it up.

Following a discussion among the Board, a motion was made to reopen the facilities with Mr. Rowell requesting that District Counsel draft a waiver of liability for any rentals of the facilities.

On MOTION by Mr. Rowell seconded by Mr. Lyons with all in favor reopening the District facilities subject to a waiver of liability for any rentals of the facilities was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-01, Declaring a Vacancy in Seat 5**

Mr. Torres stated I've had a conversation with Ricky about this. This his seat for which he did not qualify so we will ask the Board to approve this resolution declaring the seat vacant

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effective November 17, 2020 and at that point we will seek letters of interest from the community and bring those back to the Board at the next meeting for an appointment.

On MOTION by Mr. Lyons seconded by Ms. Blessing with all in favor Resolution 2021-01, declaring a vacancy in seat 5 was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-02,  
Amending the Fiscal Year 2020 Capital  
Reserve Fund Budget**

Mr. Torres stated the budget amendment balances out the budget, and this is amending your capital reserve fund budget for fiscal year 2020.

On MOTION by Ms. Blessing seconded by Mr. Martyn with all in favor Resolution 2021-02, amending the fiscal year 2020 capital reserve fund budget was approved.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

The Board held a moment of silence for Mr. Jason Walters who served as District Counsel for many years. Mr. Van Wyk reported that Ms. Sarah Warren would be taking over District Counsel duties in the future and clarified any open items that still need to be taken care of on their end; one of which being the need for a license agreement to be drafted for a Little Library placement within the community.

**B. District Engineer**

Mr. Lyons stated JEA and FPL both came over to Coral Reef and mapped out the electric and water lines where the sinkhole is. Nothing has been done to the sinkhole. I had a question for the engineer just to ask if there were any plans on rectifying that problem. There is also a sinkhole in the yard across the street from it.

Mr. Torres stated I will give the engineer a call.

**C. District Manager**

Ms. Blessing asked for an updated on the status of the well project. Mr. Torres noted the installation should be complete within a few weeks.

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**D. Property Manager**

There being none, the next item followed.

**TENTH ORDER OF BUSINESS****Supervisor's Requests and Audience Comments****Audience Comments**

Mr. Greg Watson, 85078 Furtherview Court, stated my wife and I were walking to check the mail the other day and a lady had fallen. She had parked in the concrete parking space near the mailboxes. On both sides people were pulling in and it's not wide enough so it's creating ruts and she had got her heel caught in that rut, fell down and cut herself a couple times on her hand and put a lump on her head. I'm just thinking for safety reasons, maybe we want to widen that. Secondly, so I understand, resumes will be accepted for seat 5 at this time?

Mr. Torres stated yes, after this meeting we will send an announcement out and it will have a cutoff period.

Mr. David Hoffman, 96425 Commodore Point, stated I've had several quick issues that I don't know if they've gotten taken care of by Cheryl. The sidewalks on Commodore; they were supposed to be repaired. On the agenda in the past there's been a discussion on moving of the mailboxes. I hope that's a dead issue. I have talked extensively with the manager over at the postal service and he said since that is a contract service that it's not going to happen. I put in a work order through Dee to fix the lights, particularly the sign at the end of Commodore Point where the lights are broken, and she said she had something working, but I don't know what happens when you change companies. The last thing I wanted to ask about was the fence beyond the traffic circle that people were complaining about.

Mr. Torres asked for clarification on the lights, were they streetlights?

Mr. David Hoffman responded no, the lights that shine on the Heron Isles sign. Half of them around the neighborhood are broken, but one at Commodore in particular is broken off.

Mr. Couch asked if a list could be created of repairs and projects needed throughout the community.

Mr. Torres stated we will add the landscape lighting to the list given to the new field operations manager right away. We've had that issue for several months now.

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Ms. Smith stated through our HOA we have a town square platform which allows residents to get online and tell us what's wrong and they can do it 24/7 and it will come straight to me.

### **Supervisors' Requests**

Mr. Martyn asked was the easement at the end of Commodore Point ever resolved? I've seen the landscape people and Lake Doctors people there, but I don't think those fences are far enough apart that they can get down there and Cheryl was working on that.

Mr. Torres stated this was an issue that was being handled with Leland Management because they approved the gentleman to block the easement with the fence. On the other property there is an easement as well, but it's also blocked and the homeowner has allowed passage through his gate, so all the details have not been worked out with that. Eventually once we're staffed completely again, we are going to have to look at that and perhaps enforce the easement encroachment and no party is going to win on that one.

Mr. Martyn stated the K-Turn the signs still haven't been moved nor has the turnaround sign been put up.

Mr. Torres stated I'll add that to the list along with the landscape lights.

Mr. Lyons stated I wanted to go back and readdress the issue you were talking about with the lady that fell. What is your recommendation to fix that problem?

Mr. Greg Watson stated I think you're going to have to pour more concrete. Even if you filled in the rut with dirt the rain and cars are going to create another rut. The only way to fix it is to concrete both sides.

Mr. Torres stated I'll go by there today and take pictures of it and send it to our engineer to get his recommendations and bring it back to the board.

Mr. Greg Watson suggested approving a not to exceed amount to get the repairs completed prior to the next meeting and the Board made the following motion.

<p>On MOTION by Mr. Lyons seconded by Mr. Rowell with all in favor an amount not to exceed \$3,500 for concrete or asphalt repairs at the mail kiosk parking area was approved.</p>
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Mr. Couch asked the three new houses that they're building on the corner of Graylon and Heron Isles Parkway, how are they getting into the system with the assessments? I know this sheet says 748 homes are assessed and now it's going to be 751.

Mr. Torres stated whether there is a house there or not, it's assessed so there's no additional revenue that is going to be gained by it. We don't need to do anything.

Mr. Couch informed the Board there will be a public hearing regarding the new subdivision that is going to be at the corner of Black Rock and Heron Isles Parkway and a traffic study will be discussed, however the traffic study does not address Heron Isles Parkway.

Ms. Blessing asked if new flowers could be installed at the front entrance. Mr. Torres responded we have a landscape contingency line. We can address that.

## **ELEVENTH ORDER OF BUSINESS                      Financial Reports**

### **A.    Balance Sheet & Income Statement**

Mr. Torres gave an overview of the financial statements, copies of which were included in the agenda package.

### **B.    Assessment Receipt Schedule**

A copy of the assessment receipts schedule reflecting the District being collected at 101% was included in the agenda package.

### **C.    Approval of Check Register**

A copy of the check register totaling \$78,244.41 was included in the agenda package.

On MOTION by Mr. Rowell seconded by Mr. Lyons with all in favor the Check Register was approved.
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Ms. Blessing stated I'd like for the engineer to take a look at the road system to give us some kind of estimate. It would be nice to have when we're looking at capital funding for future years because that's a major expense we're going to have. Mr. Torres stated I will talk to him about it.

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**TWELFTH ORDER OF BUSINESS**

**Next Scheduled Meeting – February 4, 2021  
at 6:00 p.m. Location to be determined.**

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Lyons seconded by Ms. Blessing with all in favor the meeting was adjourned.

DocuSigned by:

*Ernesto Torres*

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Secretary/Assistant Secretary

DocuSigned by:

*Greg Watson*

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Chairman/Vice Chairman