

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, August 6, 2020 at 6:00 p.m. using *Zoom* communications media technology pursuant to Executive Orders 20-52, 20-69 and 20-179 issued by Governor DeSantis, including any extensions and supplements thereof, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

Ricky Rowell	Chairman
Don Lyons	Vice Chairman
Robert Martyn	Supervisor
Kathy Blessing	Supervisor
Wayne Couch	Supervisor

Also present were:

Ernesto Torres	District Manager
Jason Walters	District Counsel
Mike Yuro	District Engineer
Cheryl Graham	Property Manager

The following is a summary of the discussion and actions taken at the August 6, 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 6:00 p.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Ms. Debra Tardiff, 96358 Commodore Point, stated I'd like to talk about the end of Commodore Point. We have two estimates in to have it cleaned up, new signage and new asphalt put down and I want to find out if that's going to get done.

Mr. Torres asked are you in favor of that?

Ms. Debra Tardiff responded yes, absolutely. Also, the K-Turn at the end of Commodore Point. We're having an issue with people parking there and there are no parking signs. I guess it's an easement, so we want to find out about getting the signs moved to the end of the easement. People are coming down to turn around and they see cars parked there and think it's a driveway, so they use an empty driveway to turn around and there's no sign that says it's a turnaround.

Mr. Joseph Abdela, 96388 Commodore Point, stated I just purchased a home a little less than a month ago so I just wanted to introduce myself to you guys and let you know I have not received any HOA information at all and need to know who I need to get into contact with to obtain that information.

Mr. Torres responded this is the CDD meeting, not the HOA, but we have Cheryl Graham present, who wears both hats.

Ms. Graham provided Mr. Abdela with her phone number.

**THIRD ORDER OF BUSINESS                      Affidavits of Publication**

Copies of the affidavits of publication for the meeting and public hearings were included in the agenda package.

**FOURTH ORDER OF BUSINESS                      Organizational Matters**

**A.    Acceptance of Resignation from Justin Blessing**

A copy of the resignation notice was included in the agenda package

On MOTION by Mr. Rowell seconded by Mr. Lyons with all in favor Mr. Blessings resignation was accepted.

**B.    Consideration of Appointing a New Supervisor to Fill the Vacancy**

A resume for Mr. Wayne Couch was included in the agenda package.

On MOTION by Mr. Lyons seconded by Mr. Rowell with all in favor appointing Mr. Couch to the Board was approved.

**C. Oath of Office for Newly Appointed Supervisor**

Mr. Torres, being a Notary Public of the State of Florida administered an oath of office to Mr. Couch.

**D. Consideration of Resolution 2020-05, Designating Officers**

The current slate of officers will remain the same, with Mr. Couch designated as an Assistance Secretary.

On MOTION by Mr. Rowell seconded by Mr. Martyn with all in favor Resolution 2020-05, designating Mr. Couch as an Assistant Secretary was approved.

**FIFTH ORDER OF BUSINESS**

**Approval of the Minutes of the May 7, 2020 Meeting**

There were no comments or corrections to the minutes.

On MOTION by Mr. Lyons seconded by Mr. Martyn with all in favor the minutes of the May 7, 2020 meeting were approved as presented.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposals**

**A. Landscape Maintenance**

Ms. Graham stated our current contractor is Martex. Depending on who you talk within the community they're either doing great or horrible. Their annual cost is \$60,852 a year and we do have a proposal from Trim All Lawn Service for \$87,231 a year. BrightView Lawncare is going to submit their proposal but it did not make it by today and I can't even guess what they're going to come in at, but just wanted to let you know the direction that it's going. I can't imagine it's going to be under what Martex is charging the CDD.

The Board agreed to continue with the current contractor, with staff to obtain more quotes.

**B. Asphalt Repair**

Ms. Graham stated this is for asphalt repair at the end of Commodore Point. For some reason the roadway was terminated three to five feet before the end of the property line for the community. There's a section at the end of Ms. Tardiff's driveway that is just dirt and weeds that continue to grow so we obtained two proposals to clear the weeds, cut it out and pour asphalt to

complete that section. Keelco's quote is \$2,400 and Masonry Plus Services is at \$3,200. Ms. Tardiff noted if item four on Keelco's proposal is done in conjunction with items one through three, the total quote would only be \$1,500.

On MOTION by Mr. Rowell seconded by Mr. Martyn with all in favor Keelco's proposal for asphalt repair in the amount of \$1,500 was approved.

**C. Culvert Issue**

Ms. Graham stated behind the home at 96072 Breezeway Court was a retention pond and there's a big culvert that eroded. We have some void areas around the culvert that need to be filled in. Absolute Contracting provided two options, one for filling the washout area, compact it and stabilize it for \$2,500, or he could fill the washout area, compact it, add sod, and then put in a catch basin that would redirect the water away from that spot and into the pond for \$3,750.

Ms. Graham also noted she received a verbal quote from another contractor for \$600. Mr. Torres suggested the engineer review the area to ensure the issue is properly addressed. The Board opted to approve a not to exceed amount to expedite the repairs as soon as the engineer is able to assess the area.

Mr. Lyons asked that the engineer also assess a depression in the road on Coral Reef.

On MOTION by Mr. Lyons seconded by Mr. Rowell with all in favor repairing the culvert erosion in an amount not to exceed \$3,750 was approved.

**D. Mailbox Pads**

Ms. Graham stated I only have one quote from Masonry Plus Services for 4x4x4 concrete bases for 15 cluster boxes if we relocate the mailboxes. All of the boxes would have to be re-keyed because it will change the addressing of how they're situated right now. The post office has a fee for re-keying. (Ms. Graham estimated a cost of \$2,800 for re-keying.)

The Board opted to review the remainder of the proposals to be considered and come back to the mailbox discussion at a later time.

**E. Irrigation Well**

Ms. Graham stated Martex has a company that they work with on the wells, which is WaterCare Irrigation and Well. Their thought was to have four wells installed along the Parkway at a total cost of \$78,876. Each one of these wells are up to 500 feet deep. We also have a second proposal that came in late today from Partridge Well Drilling for two wells, both going to 650 feet for a total of \$44,520. They do not handle the connection. They said Martex would be responsible for connecting the irrigation lines to it. If you only go with two wells from WaterCare, then you're looking at \$42,063. WaterCare includes all of the connections in their price.

Ms. Blessing asked that Ms. Graham obtain a quote from WaterCare Irrigation and Well for two wells. Mr. Torres noted he would prepare a budget amendment to add funds to the project improvement account to fund the project. Consideration of the proposals was tabled until a special meeting can be scheduled in September in order to approve the budget amendment and proposal for the project.

On MOTION by Mr. Rowell seconded by Ms. Blessing with all in favor tabling consideration of the irrigation well proposals was approved.

**F. Fence Along Heron Isles Pkwy**

Ms. Graham stated in your packet you have two proposals, one from Creative Services and Fence in the amount of \$15,600 and one from Superior Fence and Rail for \$13,734. Wolfe Fencing also provided a quote for \$6,700. All are for a six-foot vinyl fence that would run along Heron Isles Parkway next to the existing vinyl fence and head towards the roundabout and connect to the masonry column. Wolfe's proposal states 300-feet, whereas the other two proposals show a measurement of approximately 500 feet.

This item was tabled and will be considered at the special meeting to be scheduled in September to allow Ms. Graham to get clarification from Wolfe Fencing on their measurements.

On MOTION by Mr. Rowell seconded by Mr. Martyn with all in favor tabling consideration of the fencing proposals was approved.

**G. Swallowtail Shrubbery Buffer**

Ms. Graham presented a proposal from Martex for 167 three-gallon viburnum to be installed along the back of the homes on Swallowtail Drive for a total of \$3,429. This item was tabled and will be considered at the special meeting in September.

On MOTION by Mr. Rowell seconded by Ms. Blessing with all in favor tabling consideration of the shrubbery buffer proposal was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Addendum to Agreement with Leland Management, Inc. for Fiscal Year 2021**

Mr. Torres noted the increase in Leland Management’s agreement has been accounted for in the Fiscal Year 2021 budget approved at the May meeting.

On MOTION by Mr. Lyons seconded by Mr. Rowell with all in favor the addendum to the agreement with Leland Management, Inc. for Fiscal Year 2021 was approved.

**EIGHTH ORDER OF BUSINESS**

**Public Hearing to Adopt the Fiscal Year 2021 Budget**

Mr. Torres stated last year we established a capital reserve and improvement account. Many projects come up throughout the year that we have to fund and that’s where we try to pull the money from. We’re definitely trying to be conscious of any future road repairs that may be required and other repairs. You’ll learn about some environment issues that we’re having that Mike Yuro will speak on in a few minutes. The assessment levels will remain the same for Fiscal Year 2021.

On MOTION by Mr. Rowell seconded by Ms. Blessing with all in favor the public hearing was opened.

Mr. Greg Watson stated talking about the wells again, that discussion has been going on for about a year. I’m just thinking of all the money we could have saved if we had expedited this.

Hopefully at the September meeting once it's agreed on, we can start putting those wells in and start saving on that water bill, because that is a lot of our budget.

Mr. Torres stated it was last year that the Board approved a capital improvement account for projects like that and started contributing to capital reserves so we're off to a good start.

On MOTION by Mr. Rowell seconded by Mr. Martyn with all in favor the public hearing was closed.

**A. Consideration of Resolution 2020-06, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2021**

On MOTION by Mr. Lyons seconded by Ms. Rowell with all in favor resolution 2020-06 relating to annual appropriations and adopting the budget for Fiscal Year 2021 was approved.

**B. Consideration of Resolution 2020-07, Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Torres stated this resolution certifies the assessment roll, which will be provided to Nassau County.

On MOTION by Ms. Blessing seconded by Mr. Martyn with all in favor resolution 2020-07 imposing special assessments and certifying an assessment roll was approved.

**NINTH ORDER OF BUSINESS**

**Public Hearing to Adopt Amended and Restated Rules of Procedure; Consideration of Resolution 2020-08**

Mr. Walters stated this is a process that we started some time ago. This is our rules of procedure that governs the District. A lot of it is related to procurement and issues like that. This is largely governed by Statute and partially based off of best practices learned over the years. We are required by Statue to have rules of procedure and about every four to five years we as a firm go through the existing rules of procedure, we look for any statutory updates and put our heads together in terms of things that could operate a little more efficiently and this is what we roll out to all of the districts that we represent.

On MOTION by Mr. Lyons seconded by Ms. Blessing with all in favor the public hearing was opened.

There were no comments from the public on the rules of procedure.

On MOTION by Mr. Lyons seconded by Ms. Blessing with all in favor the public hearing was closed.

On MOTION by Ms. Blessing seconded by Mr. Martyn with all in favor resolution 2020-08 adopting amended and restated rules of procedure was approved.

**TENTH ORDER OF BUSINESS**

**Discussion of Wetland Stagnant Water and Man-Made Swale**

Mr. Yuro stated I was able to meet with the Katie Peay, the County Engineer that drafted the letter included in your agenda package on site last week. The residents in Glen Laurel have been complaining that the wetlands are filling up higher and coming further into their property. This letter was sent to Glen Laurel as well because the property boundary for the communities is right down the middle of the wetland. There was no evidence of ponding water last week when we were out there, and the area has been getting some heavy rains in the afternoon. I also didn't observe the swale that she was talking about in her letter. She and I agreed that there may not be anything for our community to do. It could be that whatever is happening is happening naturally. I did agree to investigate a little bit further by looking at some of the drainage maps. She agreed to send me some of the permitting exhibits that she had for both communities to review and then if need be, if we need to meet out there again, we can do so, so it's not anything that is immediately urgent. I intend to reach back out to Katie to let her know of my findings. I think it's going to be a non-issue for us and if I can get her to agree to that, I'll certainly request something in writing.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Walters assured the Board his firm is continuing to monitor the directives coming from state and local governments regarding the ability to hold virtual meetings.



Mr. Walters also informed the Board that he has drafted a letter to the residents adjacent to the easement surrounding the turnaround on Commodore Point to let them know parking is not permitted in the turnaround.

Ms. Blessing asked that the no parking signs be moved to the beginning of the turnaround. Ms. Debra Tardiff asked that a sign be installed stating that the area is a turnaround.

**B. District Engineer**

There being nothing to report, the next item followed.

**C. District Manager – Consideration of a Regular Meeting Schedule for Fiscal Year 2021**

A copy of the proposed meeting schedule was included in the agenda package.

On MOTION by Mr. Lyons seconded by Mr. Martyn with all in favor the Fiscal Year 2021 meeting schedule was approved as presented.

**D. Property Manager – Report / Community Project Updates**

Ms. Graham informed the Board of the following: the swings had been cut down by somebody and they still have not been installed so Ms. Graham will be picking them up and installing them herself. The access control system on the restrooms has been successful at deterring vandalism. There was a lightning strike on the irrigation time clock by the restroom facility. As soon as the power source for the time clock is located, the system will be repaired.

**TWELFTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

**Audience Comments**

Ms. Stephanie Lyle, 97543 Albatross, asked if a Little Library could be installed on CDD property near the restroom facility.

Mr. Rowell asked if there would be any legal issues associated with the installation of a Little Library on CDD property to which Mr. Walters responded there is typically a license agreement drawn up to grant the HOA permission to install and maintain the library.

On MOTION by Mr. Rowell seconded by Ms. Blessing with all in favor granting the HOA permission to install a Little Library on CDD property was approved subject to entering into a license agreement.

Ms. Debra Tardiff noted she would call the contractor approved to perform the asphalt repairs in the turnaround and ask him to move the signs mentioned earlier in the meeting.

Mr. Joseph Abdela asked if it would be feasible to put a booster pump in to increase the pressure to avoid having to install multiple irrigation wells. Ms. Graham responded that she would discuss the option with the vendors that provided proposals to install the irrigation wells.

### **Supervisors' Requests**

Mr. Lyons stated I forgot to put my name on the ballot for my seat so if someone else has put their name in, I will be out come November, but if they haven't I will put my resume in and take my chances of trying to fill a position.

Mr. Martyn stated the only thing I have is regarding the easement that exists for Lake Doctors and Martex to get to the pond bank. I know that Lake Doctors walks down to the pond between two houses but haven't been able to get the boat down. Martex goes around on the private property on the very last house at the end of Commodore Point. I don't know what we're doing with easement and access to get the ponds done.

Ms. Graham stated that is a problem that we're facing. It was always assumed just because of the gravel that was there for access that it was the easement area, but the actual easement is between lots 374 and 375, which is the new home that is parking in the K-Turn and the home next door. The owner has assured me the fence is not even to the property line, so something is askew there, especially when it comes to the 20-foot easement restrictions. I believe the other owner has even put in a request to install a fence, so we definitely have an easement problem and access to get to that pond. We do have a compliance letter out to the homeowner whose fence was installed too far into the pond bank. I will contact Martex and Lake Doctors and see if there is enough space to get a boat back there.

## **THIRTEENTH ORDER OF BUSINESS      Financial Reports**

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

Copies of the financial statements 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 \$68,625.17 was included in the agenda package

On MOTION by Mr. Rowell seconded by Mr. Lyons with all in favor the Check Register was approved.

**FOURTEENTH ORDER OF BUSINESS      Next Scheduled Meeting**

The Board scheduled a special meeting for September 9, 2020 at 10:30 a.m. during which the tabled proposals will be considered, as well as anything else that may properly come before the Board. Whether or not the meeting will be held in person or virtually via Zoom will be determined at a later date pending confirmation of any extensions of the Executive Orders from the Governor’s office.

**FIFTEENTH ORDER OF BUSINESS      Adjournment**

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

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman  
*Assistant Secretary*