

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, February 3, 2021 at 6:00 p.m. at the Story and Song Bookstore Bistro, 1430 Park Avenue, Fernandina Beach, Florida.

Present and constituting a quorum were:

Greg Watson	Chairman
Kathy Blessing	Vice Chairman
Robert Martyn	Supervisor
Nicole Reams	Supervisor
Wayne Couch	Supervisor

Also present were:

Ernesto Torres	District Manager
Sarah Warren	District Counsel by telephone
Cheryl Graham	Facilities Manager
Luanne Smith	Associa Community Management Services
Erick Wilson	Wood Development

The following is a summary of the discussion and actions taken at the February 3, 2021 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**

Mr. George Terwilliger, Commodore Point Drive, stated we are here because of the consideration of the utility easement, which is going to run through our backyard. There's been a lot of conversation and I'm shocked that there aren't more residents here that live on Albatross and Commodore that were promised that the land would never be developed, and it was a preserve area. We spent the money that we did to get that piece of property and now to have a 30-foot-wide easement coming through there that is going to tear down trees, we're not in favor of that at all.

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A resident stated we second that.

Mr. Mike Velasquez, a resident on Albatross Drive, stated we're right where the X marks the spot.

A resident stated I live on Albatross. It took me five years to figure out where I was going to retire, and I just cannot believe we're in this situation now. I came from an overpopulated area up north and I saw what all of that did to where we lived up there, so I wanted to get away from that and come here and retire where I thought they used the word preservation, and they also said I had a wide upland buffer behind my property and the homes that went along Albatross Drive. This has left such a bitter taste in my mouth about what's important and I am very surprised that my neighbors are not here. My one neighbor can't leave the house and my other neighbor is a caretaker and she can't leave the house as well. There really is a need for outreach because having talked to these people, they basically feel the same way. People are getting ready to leave because they feel they're being chased out from over development. I understand when they first started building that it was shocking to the people that had been living here for 70 years but it's just overkill now and this is really going to hurt us in many ways because of our love for the land and it's going to ecologically change the environment and us as well.

Mr. Torres stated as far as the buffer and preserve, this would be permitted through the St Johns Water Management District, so this is not something that someone is just going to go out there and move. The developer can explain those steps. It's going to go through the permit process if the Board decides to proceed.

### **THIRD ORDER OF BUSINESS**

#### **Organizational Matters**

##### **A. Oath of Office for Newly Elected Supervisors**

Mr. Torres stated Greg Watson has already taken his oath through the Supervisor of Elections.

##### **B. Consideration of Appointing a New Supervisor to Fill Seat 5 Vacancy**

Mr. Torres stated in your agenda package is one resume received for the resume from Ms. Nicole Reams. Also, there is a letter on the table from a previous supervisor we had on the Board, Mr. Don Lyons.

The Board discussed the two candidates and a motion to appoint Ms. Reams followed.

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On MOTION by Mr. Watson seconded by Mr. Couch with Ms. Blessing in favor and Mr. Martyn opposed appointing Nicole Reams to fill the seat 5 vacancy was approved.

*The following items were taken out of order.*

**D. General Information for New Supervisors**

**E. Consideration of Resolution 2021-03, Designating Officers**

Mr. Torres stated we need a Chair and Vice Chair; the rest of the Board members will become Assistant Secretaries and we will keep GMS staff as officers for check and document signing purposes.

On MOTION by Mr. Couch seconded by Ms. Blessing with all in favor Mr. Watson serving as Chairman was approved.

On MOTION by Mr. Martyn seconded by Mr. Couch with all in favor Ms. Blessing serving as Vice Chairperson was approved.

Mr. Torres stated the remaining supervisors will serve as Assistant Secretaries.

**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 Ms. Reams.

**FOURTH ORDER OF BUSINESS**

**Consideration of Proposed Utility Easement to Accommodate Blackrock Cove**

Mr. Torres stated in your agenda package is a proposal from Blackrock which gives you a concept of what they're proposing. At the end is the monetary compensation if you were to agree to provide the easement, which is \$30,000 for the force main and then another \$30,000 for the water main.

Mr. Rick Wood gave an overview of the easement request noting it would impact some wetlands and would also go through some uplands. The easement would be 150-feet from the rear of the first lot on Albatross and would have very little impact on the Albatross residents.

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The Board discussed the request and made the following motion opting not to approve the request.

On MOTION by Mr. Watson seconded by Mr. Martyn with all in favor Blackrock’s request for an easement was not approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-04, Changing the Designating Registered Agent**

Mr. Torres stated the representative from Hopping Green and Sams that will serve as the registered agent will be Roy Van Wyk.

On MOTION by Ms. Blessing seconded by Mr. Martyn with all in favor Resolution 2021-04, changing the designated agent was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Addendum to Amenity Rental Agreement**

Ms. Graham stated the members of the community have the ability to reserve exclusive use of the playground areas for hosting events. We can’t not allow other owners to come to the park and use the restrooms, but you can have parties there with proper notification through the association and making the District aware of it for liability purposes. The District hasn’t charged a fee. In consideration of the COVID virus, we’ve added some additional verbiage to the rental agreement to make sure those renting the facilities are aware of the social distancing requirements and the maximum capacity of 50 people.

On MOTION by Ms. Blessing seconded by Mr. Watson with all in favor the amenity rental agreement addendum was approved.

**SEVENTH ORDER OF BUSINESS**

**Approval of Consent Agenda**

**A. Approval of the Minutes of the November 5, 2020 Meeting**

There were no comments on the minutes.

**B. Financial Statements**

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

**C. Assessment Receipts Schedule**

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A copy of the assessment receipts schedule showing the District is 96.96% collected was enclosed in the agenda package.

Mr. Couch asked if the bonds could be refinanced.

Mr. Torres responded that he would speak with the underwriters to see if refinancing is an option.

**D. Check Register**

A copy of the check register totaling \$161,425.41 was enclosed in the agenda package.

**E. Ratification of Agreement with Riverside Management Services for Facility Maintenance Services**

Mr. Torres stated Riverside Management was approved to provide operations management services to the District at the November meeting.

**F. Ratification of E-Verify Memorandum of Understanding**

Mr. Torres stated there is a new requirement that we must register the District with E-Verify. Going forward any agreements with contractors providing services for the District will need to include language requiring them to be in compliance with E-Verify. E-Verify is used to verify I-9 forms through the Department of Homeland Security. I've already signed the memorandum on your behalf.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor the consent agenda was approved.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel – Consideration of Hopping Green & Sams Rate Increase Letter**

Ms. Warren introduced herself to the Board and stated we are gearing up for the start of Florida's legislative session and as we do each year, we will be monitoring any legislation that may impact the District's operations or you in your role as board members going forward and will keep you up to date on anything you should be aware of.

Ms. Warren gave an overview of her firm's rates that are being proposed to increase. A copy of the letter was enclosed in the agenda package.

Mr. Torres noted the District is under budget for district counsel services.

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On MOTION by Ms. Blessing seconded by Mr. Martyn with all in favor Hopping Green & Sam's rate increases were approved.

**B. District Engineer**

There being nothing to report, the next item followed.

**C. District Manager – Consideration of Revision to Meeting Schedule**

Mr. Torres stated obviously I had a conflict which required moving the meeting to today and I also have a conflict in August. There is another gentleman in my office that could handle the meeting on the original date, or we could move the meeting.

On MOTION by Mr. Watson seconded by Ms. Reams with all in favor the meeting schedule revisions were approved.

**D. Property Manager**

**1. Report**

**2. Consideration of Proposal for Meeting and Coronavirus Awareness Signs**

Ms. Graham gave an overview of her report, a copy of which was included in the agenda package.

Ms. Graham stated the plan in 2020 was to add an additional two wells, which will then complete the overall plan. Enclosed is a proposal for your consideration for those wells. I don't think it will be voted on until we look at the budget.

We've had some areas of depression in the roadways that have been addressed. There are still some other areas of concern, one being at the corner of Coral Reef and Heron Isles Parkway. We have a contractor that is inspecting these and will give the District Manager his recommendation on what we need to do to get those taken care of.

Mr. Torres stated for the contractor to do the site visit it's \$2,500. I don't have a clear understanding if the \$2,500 is then applied to the repair so I'm waiting to hear back on that. I would like to at least get it repaired if the \$2,500 is applied to the repair and then set up a meeting with the contractor and Greg onsite.

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On MOTION by Mr. Watson seconded by Mr. Couch with all in favor D Armstrong Contracting LLC's quote of \$2,500 for a site visit was approved subject to the \$2,500 being applied towards any future repairs.

Ms. Graham noted Lake Doctors is checking the lake levels and concerns with wildlife deaths.

Ms. Graham informed the Board the community signs at the entrances need to be repaired and repainted and noted she has requested bids for the refurbishment.

Ms. Graham informed the Board many of the casings of the entrance lights are cracked and various other repairs and additions are needed. A quote was included in the agenda package at a total of \$5,095 and Ms. Graham is working on obtaining additional quotes.

Ms. Graham informed the Board she was asked to obtain quotes for adding two additional parking spaces at the mailbox kiosk and received one for \$3,000.

Mr. Watson asked if the fence on Heron Isles Parkway discussed in Ms. Graham's report is on CDD property.

Mr. Torres responded I need to read the agreement that was entered into between the District and the County before we spend any money on the fence.

Mr. Martyn stated right now we're also doing the landscaping right there. Somebody else needs to take that responsibility.

Mr. Torres stated let me do some digging and I will come back to the next meeting with my findings.

**NINTH ORDER OF BUSINESS  
Public Comments**

**Supervisor's Requests and Public Comment**

Ms. Stephanie Lisle, 97543 Albatross asked if the HOA needs the CDD's approval to update the camera system since the HOA is paying the monthly costs and managing the system.

The Board did not express any objections to the HOA upgrading the system.

A resident stated that he felt the cost should remain with the CDD due to the area of coverage being the CDD's property.

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**Supervisors' Requests**

Mr. Martyn asked who handles the streetlights? I had someone ask me about putting one in at the end of Commodore.

Ms. Graham responded FP&L. I can give them a call and ask them to put one in.

Mr. Torres stated it would need to come back to the Board for approval.

Ms. Blessing stated I'd like to get some nicer flowers in the front. Hickory Village has a beautiful array of red plants. I'll send you a picture. Before the next budget adoption, I'd like to get some kind of road estimates and timeline on when they're going to deteriorate. We don't have any idea what they're going to cost and that's a huge expense.

Mr. Torres stated I will get with Mike Yuro on that.

A resident stated the parking lines at the playground are very faded. I also talked to Cheryl about there being a lot of trampled plants around the playground and I think some of them have even been removed. Also, pressure washing around the playground area and the signage around the playground is really faded.

Ms. Graham noted she would run the proposal through the District Manager once a quote is received to refurbish or replace the playground signs.

**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – May 6, 2021 at 10:30 a.m. Location to be determined.**

Mr. Torres informed the Board the budget will be approved at the May meeting and noted there may need to be a budget line created for stormwater line and road repairs.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

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


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Secretary/Assistant Secretary

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Chairman/Vice Chairman