

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 4, 2021 at 6:00 p.m. at Florida State College at Jacksonville Nassau Center, 76346 William Burgess Boulevard, Yulee, Florida 32097.

Present and constituting a quorum were:

Greg Watson	Chairman
Robert Martyn	Supervisor
Nicole Reams	Supervisor
Wayne Couch	Supervisor

Also present were:

Ernesto Torres	District Manager
Sarah Sandy	Hopping, Green & Sams
Cheryl Graham	Field Operations Manager
Jennifer Kilinski	KE Law Group
Daniel Laughlin	GMS

The following is a summary of the discussion and actions taken at the August 4, 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

Public Comment

A resident stated on item number VII where it says consideration of proposals, I won't walk under the archways anymore because they're crumbling. I walk every day with about six other people that clean up that Parkway every day. I also clean up both parks. It's not safe. All of the stones are falling off, just like all of the other ones that go through our Parkway. People are just kind of taking the stones and throwing them into the bushes. Somebody needs to walk the Parkway and look at the conditions, including the fencing that is so bad now. Who takes care of power washing that? I watch the janitors every Monday. They're wonderful people, they're so

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nice and they do a great job. They take every bit of trash and pick up. I just wanted to shout out to these people that we hired. The bathrooms always look good.

THIRD ORDER OF BUSINESS

Consideration of Retaining Hopping Green & Sams for Client Matters

Mr. Torres informed the Board the letter enclosed in the agenda package was sent to the Chairman and his recommendation was to bring the letter to the Board to consider. Sarah Warren was serving as the District's counsel under Hopping, Green & Sams. She has since left the firm and a letter was sent to each of her clients informing them that she now works for KE Law Group. There were three choices given to the Board. One is to retain Hopping Green & Sams, number two is to transfer to KE Law Group and number three is to issue a request for qualifications for legal counsel services.

Mr. Watson asked about the rates for KE Law Group. Ms. Kilinski responded that she believed Ms. Warren's billing rate was \$325 per hour at Hopping Green & Sams. KE Law's associates are billing at \$265 to \$285 per hour, Ms. Kilinski's rate is \$320 per hour, however she is willing to be more competitive with that rate. She noted anything that would be routine the paralegals and contract attorneys would handle, so the District would be billed at the lesser rate. Ms. Sandy also spoke and noted that Hopping, Green and Sams would propose she and Michelle Rigoni would work with the District. Ms. Rigoni would handle a large part of the District's needs at a lower billing rate as an associate. The billing rate for HGS would remain at \$285 for Ms. Sandy.

The Board discussed both firms and chose to transfer to KE Law Group with the motion below.

On MOTION by Mr. Watson seconded by Mr. Couch with all in favor choosing alternative #1 to transfer client matters to KE Law was approved.

FOURTH ORDER OF BUSINESS

Acceptance of the Audit Committee's Recommendation

Mr. Torres noted the Audit Committee recommended selecting Berger Toombs Elam Gaines & Frank as the audit firm for Fiscal Years 2021-2025 at a rate of \$16,755.

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On MOTION by Mr. Martyn seconded by Mr. Watson with all in favor accepting the Audit Committee's Recommendation to contract with Berger Toombs Elam Gaines & Frank was approved.

FIFTH ORDER OF BUSINESS

Discussion Regarding Heron Isles Parkway Fence

Mr. Torres reminded the Board that a decision was made at the last meeting to obtain proposals to remove the damaged fence along Heron Isles Parkway and shortly after the meeting, before staff was able to obtain a proposal to remove the fence a cease-and-desist letter was received from the law office of Tomassetti & Prince. The fence is within the County's right of way and therefore is not on the District's property.

Mr. Watson stated that he thought the best option would be to inform Blackrock Park that the District is considering removing the fence and they're welcome to maintain the fence if they wish. Ms. Kilinski responded that it is a viable option to respond to the letter disclaiming ownership of the fence. Given that the fence is not on District's property, there is no responsibility requirement. She noted the District could also contact the County to remove the fence given that it is on their property and is dilapidated. Mr. Couch noted the new Blackrock subdivision across the street may have an opinion on the fence as well. Mr. Torres stated that staff could also obtain an estimate on what it would cost to clean the fence up, communicate that to Blackrock homeowners and perhaps enter into an agreement to share costs of the maintenance of the fence if it is in their interest. Mr. Martyn stated that the fence has been a constant issue and he is not in favor of constantly expending funds to maintain the fence. Mr. Watson directed Ms. Kilinski to send a letter to Blackrock informing them the District will move toward removing the fence unless they would like to take ownership and maintenance responsibility.

On MOTION by Mr. Watson seconded by Mr. Martyn with all in favor authorizing staff to send notice to the Blackrock community and Nassau County that the fence along Heron Isles Parkway needs to be maintained or removed after researching ownership was approved.

This item will be included on the next agenda to discuss any updates.

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SIXTH ORDER OF BUSINESS**Update on Future Storm Drain Repairs**

Mr. Watson informed the Board he and the District Engineer walked the property to review various sinkholes. The engineer will investigate to see if the contractor who made a recent repair to a storm drain is at fault, and if not, a quote was obtained in the amount of \$4,500 to make the repair. Mr. Watson proposed filling the sinkholes with sand and/or dirt and monitor the holes to ensure they do not sink again. He offered to fill the holes himself. This item will be included on the next agenda to update the Board on the status of the holes.

SEVENTH ORDER OF BUSINESS**Consideration of Proposals****A. Painting of Community Sign**

Ms. Graham presented proposals for painting of the community signs noting a proposal was approved at the May meeting, however the approved vendor submitted a new proposal due to an increase in the cost of materials. Mr. Watson suggested approving Rineck's proposal, which does not include painting of the letters. A few letters are missing and will need to be replaced.

On MOTION by Mr. Watson seconded by Mr. Martyn with all in favor Rineck's proposal to paint the community sign was approved. Additionally, purchasing and installing replacement letters for the sign at an amount not to exceed \$500 was approved

Ms. Graham informed the Board she met with a contractor to inquire about getting the stones reset into the pavilion and two towers and she is awaiting a quote.

B. Park Bench Replacement

Ms. Graham informed the Board playground equipment was ordered after the last meeting and the pieces are scheduled to be delivered early September. While Ms. Graham was patching a crack in the slide, a resident asked Ms. Graham if sunshades could be installed, so she will obtain some quotes for the next meeting. The park benches are over 10 years old and the coating has peeled up. A proposal was included in the agenda package for \$2,889 for three benches. The Board opted to hold votes on the remaining items until all of the proposals have been reviewed.

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C. Pond Maintenance

Ms. Graham presented four proposals for lake maintenance ranging from \$733.60 to \$1,145 per month. She noted she's worked with the lowest bidder, Future Horizons in the past and they have been reliable.

D. Janitorial Service

Ms. Graham presented three proposals for janitorial service twice a week ranging from \$563.33 to \$720 per month, Amelia Cleaning being the lowest bidder.

E. Landscape Maintenance Services

Ms. Graham presented three proposals for landscape maintenance services ranging from \$60,852 to \$72,984 annually, the current contractor Martex Services being the lowest bidder. The Board discussed the complaints about the current service. Mr. Watson stated that he would meet with the owner to discuss the issues. Mr. Torres noted a 30-day notice could be provided at any time.

F. Roadway / Storm Drain Repair

A proposal from Dennis Armstrong in the amount of \$4,500 was included in the agenda package.

The Board voted on items B through F at this time.

On MOTION by Mr. Martyn seconded by Ms. Reams with all in favor purchasing replacement benches for the park at the quoted amount of \$2,889 was approved.

On MOTION by Ms. Reams seconded by Mr. Watson with all in favor Future Horizons proposal for aquatic maintenance services was approved.

Ms. Reams motioned to approve Amelia Cleaning's proposal for janitorial service. Mr. Watson seconded the motion.

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Mr. Watson mentioned that the owner of either Amelia Cleaning or Magic Touch was a resident of Heron Isles, but could not recall which. Ms. Reams suggested tabling consideration of the proposals until that is determined. Consideration of janitorial proposals was tabled.

The Board chose to stick with Martex for landscape maintenance services and Mr. Watson will meet with the owner to discuss the current service issues.

The roadway / storm drain repair proposal from Dennis Armstrong was tabled.

EIGHTH ORDER OF BUSINESS

Acceptance of the Fiscal Year 2020 Audit Report

Mr. Torres gave a brief overview of the audit report, noting it is a clean audit.

On MOTION by Mr. Watson seconded by Ms. Reams with all in favor the Fiscal Year 2020 audit report was accepted.

NINTH ORDER OF BUSINESS

Public Hearing to Adopt the Budget for Fiscal Year 2022

Mr. Torres noted the budget will be updated to reflect the newly approved lake maintenance fees. There is no change in assessments included in the budget.

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

There were no public comments.

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

A. Consideration of Resolution 2021-06, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2022

On MOTION by Mr. Watson seconded by Ms. Reams with all in favor Resolution 2021-06, relating to annual appropriations and adopting the budget for Fiscal Year 2022 was approved.

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TWELFTH ORDER OF BUSINESS Staff Reports

A. District Counsel

There being nothing to report, the next item followed.

B. District Engineer

The engineer was not in attendance. Mr. Watson asked that the engineer attend the next meeting at least by phone to discuss the sinkholes.

C. District Manager

There being nothing to report, the next item followed.

D. Field Operations Manager – Report

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

Martex provided a quote for mulching the landscape beds for a total of \$6,550. Mr. Watson stated that he felt installing mulch under the hedges as they did last install was a waste and that he would discuss it in his talk with the owner of Martex.

On MOTION by Mr. Martyn seconded by Mr. Watson with all in favor installing mulch in the landscape beds in the amount of \$6,550 was approved.

On the corners of Starfish and Chester Road and Heron Isles Parkway and Chester Road are two landscape beds with flowers installed. Ms. Graham suggested a Viburnum shrub along the hedges and a smaller yellow and green plant and reducing the number of flowers. The quote for this install is \$879. She asked for a not to exceed \$1,000 so she could work with them on the shrubs. Mr. Watson suggested asking if the HOA would contribute to the landscaping again.

**THIRTEENTH ORDER OF BUSINESS Supervisor’s Requests and Public Comment
Public Comments**

There were no public comments.

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Supervisor Requests

Mr. Couch asked about the status of a cover for the mailbox kiosks. Mr. Watson responded that the HOA is working on it. Ms. Graham noted that a verbal quote was obtained to add lighting to the mailbox area, however she was told to hold off until the HOA is able to coordinate a cover structure.

Mr. Martyn stated that the no turnaround signs at the end of Commodore Point still have not been installed. Ms. Graham will look into where the signs are at.

Ms. Reams stated that she had an owner on Commodore Point reach out to her a few times to ask that the Board discuss speed bumps on Commodore and the uneven, cracked sidewalks. Mr. Torres stated that staff can put something together for the next meeting for the sidewalks. In regard to speed bumps, Mr. Laughlin noted that due to the roads being District owned roads, a traffic study would have to be done at the District’s expense to determine if speed bumps would be approved by the County.

Mr. Watson informed the Board there is PVC piping located near the wells that needs to be protected from vandalism. He suggested a locked fence be installed around the piping. Ms. Graham suggested a wood fence to blend better with the landscaping and to block the view of the piping. Mr. Torres stated that he would get with Cheryl to come up with something.

FOURTEENTH ORDER OF BUSINESS

**Next Scheduled Meeting – November 4, 2021
at 10:30 a.m. at the Florida State College at
Jacksonville Nassau Center**

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

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Secretary/Assistant Secretary

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Chairman/Vice Chairman