

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 16, 2021 at 4:30 p.m. at Summer House Realty, 316 Ash Street, Fernandina Beach, Florida 32034.

Present and constituting a quorum were:

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

Also present were:

Ernesto Torres	District Manager
Jennifer Kilinski	District Counsel
Mike Yuro	District Engineer
Cheryl Graham	Field Operations Manager
Daniel Laughlin	GMS

The following is a summary of the discussion and actions taken at the November 16, 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 4:30 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Acceptance of Resignation of Wayne Couch

Mr. Torres informed the Board Mr. Couch will be remaining on the Board until January.

FOURTH ORDER OF BUSINESS

Discussion on Storm Drains

Mr. Yuro stated most of the depressions near the storm drains appeared as if they were in line with the underdrain, which comes out of the bottom of the storm drain or just behind the

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curb and gutter. My recollection is several were minor in nature that didn't appear to be an imminent threat so those we just want to keep an eye. When it does come time to investigate those, a contractor could dig behind the curb to expose the pipes. Typically, the storm inlets are prefabricated, and they have three- or four-foot PVC pipes that stub out to connect to an underdrain if it's necessary. The engineer isn't always called for underdrain, so in that case the stub should be plugged, but I've seen often where those stubs don't get plugged, or if there is underdrain and the connection isn't very good and that allows the soil above it to get into the underdrain pipe and that's what causes the depression. It's a fairly simple fix, particularly when you can dig down behind the road and curb gutter. You're able to not disturb the asphalt too much. They're not typically urgent matters, but it could be the kind of thing where when it's allowable in the budget, you can have all the areas of concern looked at one time. There was one area of concern that was right in the curve of Starfish Lane where you were already getting settlement in the curbing gutter and I think that was the one I recommended more immediate action simply because the longer you wait, the bigger the repair could turn out to be. It typically is not going to get any better until there are some corrective measures taken.

Mr. Watson also mentioned holes surrounding a drain on the corner of Heron Isles Parkway and Coral Reef. Mr. Graham informed the Board the County filled the holes on November 5th.

FIFTH ORDER OF BUSINESS

Ratification of Engagement Letter with Berger Toombs for Fiscal Year 2021 Audit Services

Mr. Torres noted he has signed the engagement letter for the fiscal year 2021 audit.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor the Fiscal Year 201 audit engagement letter with Berger Toombs Elam Gaines & Frank was ratified.

SIXTH ORDER OF BUSINESS

Ratification of Agreement with Magic Touch Commercial Cleaning Company for Janitorial Services

Mr. Torres noted he has already signed the agreement for janitorial services and the District's contract with Magic Touch is already underway.

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On MOTION by Mr. Watson seconded by Ms. Reams with all in favor the agreement for janitorial services with Magic Touch Commercial Cleaning Company was ratified.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2022-01, Amending the Fiscal Year 2021 Budget**

Mr. Torres informed the Board the purpose of the resolution amending the budget is to cleanup various budget lines, however he noted the District was under budget for the year overall.

On MOTION by Ms. Reams seconded by Ms. Blessing with all in favor Resolution 2022-01, amending the Fiscal Year 2021 budget was approved.

EIGHTH ORDER OF BUSINESS **Ratification of Revised Fiscal Year 2022 Meeting Schedule**

A copy of the meeting schedule revising the Fiscal Year 2022 meeting schedule including quarterly meetings on the third Tuesday of each month at 4:30 p.m. at Summer House Realty was enclosed in the agenda package.

On MOTION by Mr. Martyn seconded by Mr. Watson with all in favor the Fiscal Year 2022 meeting schedule was ratified.

NINTH ORDER OF BUSINESS **Consideration of Resolution 2022-02, Authorizing a Change in Registered Agent and Registered Office**

Mr. Torres noted the purpose of this resolution is to change the registered agent to himself and the registered office to GMS’s office.

On MOTION by Mr. Martyn seconded by Mr. Watson with all in favor Resolution 2022-02, authorizing a change in registered agent and registered office to Mr. Torres and the offices of GMS was approved.

TENTH ORDER OF BUSINESS **Consideration of Resolution 2022-03, Designating Officers**

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Mr. Torres informed the Board Mr. Jim Perry and Mr. Ariel Lovera need to be removed from the list of officers and he asked to add Mr. Daniel Laughlin and Ms. Marilee Giles to the list of officers for document signing purposes.

On MOTION by Ms. Blessing seconded by Ms. Reams with all in favor Resolution 2022-03, designating officers as noted above was approved.

ELEVENTH ORDER OF BUSINESS Consideration of Landscape Maintenance Agreement with The Greenery

Mr. Torres informed the Board the District’s landscape maintenance provider, Martex Services, has partnered with The Greenery. This agreement assigns the new entity with all the rights, responsibilities, and obligations in the form of agreement.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor the landscape maintenance agreement with The Greenery was approved.

TWELFTH ORDER OF BUSINESS Consideration of Proposals for Pressure Washing

Ms. Graham informed the Board there was a section of fencing from the corner of Heron Isles Parkway and Chester Road to Commodore Point that required pressure washing. She presented proposals from Nassau Pressure Wash totaling \$820, and from Blackwelder totaling \$250 and noted she went ahead and proceeded with Blackwelder given the low price.

THIRTEENTH ORDER OF BUSINESS Discussion on Speed Humps

Mr. Torres informed the Board he contacted the County regarding the inquiry into installing speed humps and there are a lot of questions regarding the location and roads. He asked if one of the board members would volunteer to work with staff to bring information back to the Board at a future meeting. The Board discussed speed humps being a contentious issue with half the community in favor and half against, in addition to residents not wanting to have a speed hump installed in front of their home. This item will not be investigated further.

FOURTEENTH ORDER OF BUSINESS Approval of Consent Agenda

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A. Approval of the Minutes of the August 4, 2021 Board of Supervisors and Audit Committee Meetings

There were no comments on the minutes that need to be addressed.

B. Financial Statements

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

C. Assessment Receipts Schedule

A copy of the assessment receipts schedule showing the District was fully collected for Fiscal Year 2021 was enclosed in the agenda package.

D. Check Register

A copy of the check register totaling \$85,064.69 was enclosed in the agenda package.

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

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel – Memo re: Stormwater Management Needs Analysis

Ms. Kilinski informed the Board of a legislative change requiring that local governments record a stormwater needs analysis for a 20-year period every five years. The memo included in the agenda outlines what the reports are required to include. She recommended engaging the District Engineer via a work authorization to prepare the report. The first report is due by June 30, 2022.

Mr. Torres noted the engineer has provided a work authorization to prepare this report at a fee of \$6,480. Given that this requirement was finalized after the Fiscal Year 2022 budget was finalized, this expenditure has not been accounted for in the budget. Mr. Torres provided an option of drafting a letter explaining that for budgetary reasons the District will miss the June 2022 deadline, and that the cost of the report would be included in the budget for fiscal year 2023. Missing the deadline may result in a finding within the audit for the year. The Board directed staff to work toward adding the expense to the Fiscal Year 2023 budget.

Ms. Kilinski reminded the Board that at the last meeting staff was directed to reach out to property owners and Nassau County about the ownership of the fence along Heron Isles

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Parkway. She explained staff cannot find any evidence that the District ever constructed the fence so the District never accepted ownership of the fence and did not expend funds to construct the fence, nor is the fence on District property so she sees no obligation that the District has to maintain the fence. Whose obligation the fence is, is less clear. The fence goes through a County right of way, so a letter was sent to the County, and a letter was also sent to the Blackrock Park Homeowners Association. Mr. Torres recommended the District does not tear the fence down given that it is in the County's right of way and is not on District property. Ms. Kilinski informed the Board she will be speaking with County representative Robert Companion on another issue and can bring this issue back up to him if the Board's request is that it be taken down. The Board also requested counsel reach out to the adjacent homeowner's association and also send them a letter.

B. District Engineer

1. Work Authorization for Preparation of a Stormwater Needs Analysis Report

There was no action taken on this item.

2. Work Authorization for Bi-Annual Stormwater Management System Inspection

Mr. Yuro informed the Board that bi-annual stormwater management system inspections are required per the operations and maintenance permit to ensure the system is working as it is designed and permitted. He presented a work authorization to perform this inspection for a total of \$2,200. Mr. Watson asked to table the item until February to get a better understanding of what is needed.

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.

She presented two proposals for the landscape beds at the corners of Heron Isles Parkway and Chester Road, Starfish and Chester Road, and Breezeway Court and Chester Road and asked

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if the Board preferred continuing with annuals or changing to shrubs, noting shrubs would just require routine maintenance. The Greenery's proposal for shrubs totaled \$3,401 and the proposal for seasonal annuals totaled \$2,106.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor the proposal from Martex/The Greenery totaling \$3,401.43 to install shrubs in the locations listed above was approved.

Ms. Graham informed the Board of a fish kill in the pond off of Graylon Drive and Bass Lane during the transition between the two pond maintenance companies due to a depletion of oxygen, however she noted Future Horizons is in full control now and has been doing a good job with maintenance.

Mr. Watson asked Ms. Graham if she has obtained a quote to repair the sinkhole on Starfish and stated that he thought sidewalk repairs in that area should be postponed until the sinkhole repair is completed to avoid damaging the new sidewalk. A quote has not yet been obtained.

SIXTEENTH ORDER OF BUSINESS
Public Comments

Supervisor's Requests and Public Comment

Ms. Wendy Emanuelson, 97519 Albatross, informed the Board of a couple of streetlights down between the circle and Blackrock next to the pond, as well as a light that is out at the roundabout at Swallowtail. Ms. Graham stated that she has reported the light that is down to FPL.

Ms. Emanuelson also asked about whether the HOA and CDD are splitting the cost of the mail kiosk cover. Ms. Blessing stated that she was under the impression the HOA was going to fund the cover so there were no more discussions amongst the CDD board on the issue. There were no objections from the Board on the HOA coordinating installation of the cover. Ms. Emanuelson then asked whether there would be additional parking at the mail kiosk. Ms. Graham stated the project was on hold, however she clarified there is going to be about 22 feet of concrete added between the sidewalk and the curb of the boxes to make it safer and 10.5 feet to the left side of the existing driveway.

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Mr. Jim Keenan, 96014 Out Creek, stated that several sidewalks within common areas are cracked and need to be repaired and most sidewalks need to be pressure washed. He also stated that on the traffic circle he would like to see a speed bump for east-bound traffic. Given that the road is a County owned road, Mr. Torres recommended residents contact the County officials on the speeding issues in the area as the Board has no authority over County roads. Mr. Watson stated that he would contact the County.

Supervisor Requests

Mr. Martyn stated that close to the bathrooms in the park near the water tank there is a huge hole with a concrete slab over it and the concrete slab has been broken leaving the hole open. Ms. Graham stated that she would like to fill the hole with dirt and then cover it again.

Mr. Couch discussed possibly resigning from the Board earlier than January to allow more time for interested candidates to express their interest in filling the vacancy.

Mr. Watson reminded Ms. Graham of the proposals obtained to install a six-foot vinyl fence to protect the irrigation wells. She presented quotes from Tri State Handy Help totaling \$2,400 and Wolfe Fencing totaling \$2,600.

On MOTION by Ms. Blessing seconded by Mr. Martyn with all in favor the proposal from Tri State Handy Help totaling \$2,400 was approved.

SEVENTEENTH ORDER OF BUSINESS **Next Scheduled Meeting – February 15, 2022 at 4:30 p.m. at Summer House Realty, 316 Ash Street, Fernandina Beach, Florida**

EIGHTEENTH ORDER OF BUSINESS **Adjournment**

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

DocuSigned by:
Daniel Laughlin
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Secretary/Assistant Secretary

DocuSigned by:
Greg Watson
6852A3DE8558488
Chairman/Vice Chairman