

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 Tuesday, February 15, 2022 at 4:30 p.m. at Summer House Realty, 316 Ash Street, Fernandina Beach, Florida 32034.

Present and constituting a quorum were:

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| Greg Watson | Chairman |
| Kathy Blessing | Vice Chairperson |
| Robert Martyn | Supervisor |
| Nicole Reams | Supervisor |
| Wendy Emanuelson | Supervisor |

Also present were:

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| Daniel Laughlin | District Manager |
| Lauren Gentry | District Counsel |
| Mike Yuro | District Engineer (by phone) |
| Cheryl Graham | Field Operations Manager |

The following is a summary of the discussion and actions taken at the February 15, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS **Roll Call**

Mr. Laughlin 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 **Organizational Matters**

A. Acceptance of Resignation of Wayne Couch

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| On MOTION by Mr. Watson seconded by Ms. Reams with all in favor the resignation of Wayne Couch was accepted. |
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B. Consideration of Appointing a New Supervisor to Fill the Vacancy

A resume for Ms. Wendy Emanuelson was included in the agenda package for the Board’s review. Ms. Emanuelson was present and introduced herself to the Board.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor appointing Ms. Wendy Emanuelson was approved.

C. Oath of Office for Newly Appointed Supervisor

Mr. Laughlin, being a notary public for the State of Florida, administered an oath of office to Ms. Emanuelson.

Ms. Gentry gave Ms. Emanuelson a brief overview of some legal considerations including the Sunshine Law, the public records law and the ethics law.

D. Consideration of Resolution 2022-04, Designating Officers

Mr. Laughlin noted the current officers are as follows: Greg Watson is Chairman, Kathy Blessing is Vice Chairperson, and Nicole Reams and Robert Martyn are Assistant Secretaries. Also, from the District Manager’s office: Jim Oliver is Assistant Secretary, Marilee Giles is Assistant Secretary, and Daniel Laughlin is Assistant Secretary and Assistant Treasurer.

He recommended that he be made Secretary and Treasurer and Ernesto Torres be made Assistant Secretary and Assistant Treasurer for document signing purposes, and Ms. Emanuelson be made Assistant Secretary, with the balance of the slate of officers remaining the same.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor Resolution 2022-04, designating officers with the changes as listed above was approved.

FOURTH ORDER OF BUSINESS

Discussion on Possible Storm Drain Issue on Graylon Drive

Ms. Graham informed the Board an owner on Graylon Drive contacted her because his driveway is cracked and sinking. With the CDD currently investigating sidewalk and drain issues, Ms. Graham and All Weather Contractors inspected the site and noted there were no depressions in the ground around the storm drain area, including the roadway area. Mr. Yuro seconded that there is no definitive indication that there is a storm drain issue but noted there seems to be a water main in the general vicinity and he is inclined to believe the issue could be

caused by vehicles. His opinion is that it is currently a homeowner issue until it can be proven it is a CDD related issue.

FIFTH ORDER OF BUSINESS

Consideration of Increase to Landscape Maintenance Contract

Ms. Graham informed the board that the landscaping vendor has requested an increase to the monthly contracted amount from \$5,071 to \$5,324. She noted the increased fee is still significantly lower than the amounts proposed by other contractors when the District last sought proposals.

On MOTION by Mr. Watson seconded by Mr. Martyn with all in favor the monthly increase to \$5,324 for the landscape maintenance contract was approved.

SIXTH ORDER OF BUSINESS

Consideration of Mailbox Kiosk Structure

Ms. Graham reminded the Board that proposals were previously considered by the CDD board for adding a structure over the mailbox kiosk, and at the time the funds were not available in the budget. The HOA has taken on the project and has provided an illustration of what the proposed structure will look like. Given that the structure will be built on CDD property and the CDD will be responsible for ongoing maintenance of the structure, the HOA needs the CDD's approval.

Ms. Gentry noted her office would prepare a temporary construction easement.

On MOTION by Ms. Blessing seconded by Mr. Watson with all in favor allowing construction of the structure to cover the mailbox kiosk on CDD property was approved.

SEVENTH ORDER OF BUSINESS

Resolution 2022-05, Waiving a Portion of the Rules of Procedure Relating to Meeting Notices

Ms. Gentry informed the Board that the District's current Rules of Procedure require publishing a separate notice for each regular meeting held, however the Florida Statutes only require notices in a few specified situations such as the annual meeting notice and public hearings. Given that the meetings are noticed on the District's website and in the annual meeting notice, this resolution provides the option to rely on those forms of notices and to forgo publishing notices for the regularly scheduled meetings.

On MOTION by Ms. Reams seconded by Mr. Martyn with all in favor Resolution 2022-05, waiving a portion of the Rules of Procedure relating to meeting notices was approved.

EIGHTH ORDER OF BUSINESS

Approval of Consent Agenda

A. Approval of the Minutes of the November 16, 2021 Meeting

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

B. Financial Statements

C. Assessment Receipts Schedule

D. Check Register

A copy of the check register totaling \$94,100.44 was enclosed in the agenda package.

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

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Gentry informed the board her team is monitoring the legislative session for any bills that may impact the District. A few they're keeping an eye on is a bill that would allow remote meetings when there is a declared state of emergency, and a bill that would increase the discount for early payment on the property tax bills.

B. District Engineer - 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.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor the work authorization for the bi-annual stormwater management system inspection was approved.

The Board also considered a work authorization for preparation of a 20-year stormwater needs analysis, which is a report now required by the State that details the District’s plan for future maintenance of the stormwater management system. The estimated fee for this report is \$6,480.

On MOTION by Mr. Martyn seconded by Ms. Emanuelson with all in favor the work authorization for preparation of a stormwater needs analysis was approved.

C. District Manager

Mr. Laughlin informed the Board of a resident’s request to install a vending machine. The resident spoke to the Board noting the proposed location is between the restroom doors and the vending machines would offer various snacks and drinks. He will cover any maintenance on the machine himself and the District would receive 10% of the revenue. Ms. Gentry noted she would draft a license agreement to include requirements such as keeping the vending machines in good working and aesthetic order and to make it clear the District is not responsible for any damage. An outlet would need to be installed at the location, and the resident stated he could cover all or a large portion of the expense of the installation.

On MOTION by Mr. Watson seconded by Ms. Blessing with all in favor installation of vending machines was approved subject to a license agreement.

On MOTION by Mr. Watson seconded by Ms. Emanuelson with all in favor amending the previous motion to allow Ms. Blessing to work with staff to finalize the license agreement for the vending machine installation was approved.

On MOTION by Mr. Martyn seconded by Ms. Emanuelson with all in favor an amount not to exceed \$200 for installation of an outlet to serve the vending machines was approved.

D. Field Operations Manager – Report

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

Ms. Graham presented proposals from A Plus Construction Services, Inc., All Weather Contractors and KT Concrete to pour concrete to add additional parking at the mailbox kiosk. Ms. Graham will speak with the contractor performing the construction of the mailbox structure to see if they can provide a better deal for pouring the concrete while they're already on site.

At the corner of Starfish Lane and Coral Reef, there is a depression from storm drain erosion and the sidewalk is broken. Ms. Graham presented a proposal from All Weather Contractors to repair these areas for a total of \$2,385. Mr. Watson stated that this is a repair that the District Engineer noted needed to be taken care of. He also mentioned there is another portion of sidewalk on Sunfish that needs to be repaired, however Ms. Graham has not received pricing for that location. Mr. Watson suggested setting a not to exceed amount in the event the contractors discover further issues upon repair.

On MOTION by Mr. Watson seconded by Ms. Emanuelson with all in favor sidewalk repairs near 96534 Starfish Lane at an amount not to exceed \$3,500 was approved.

Mr. Watson stated that he would like to inspect the other potential storm drain issue areas mentioned in Ms. Grahams report before the Board votes on further repairs.

Ms. Graham also informed the Board of sections of sidewalks that are raised or broken on Commodore Point that need to be repaired. All Weather Contractors has quoted \$14,098 for those repairs. The Board discussed waiting on A Plus Concrete's proposal and also asking the mailbox structure contractor to bid on the repairs.

Mr. Watson asked if the slide has been delivered. Ms. Graham responded delivery is scheduled for February 22nd.

Mr. Watson also asked for an update on the fence along Heron Isles Parkway. Ms. Gentry responded that a letter has been received from the attorney for Blackrock asking for an extension to February 28, 2022, to respond to the initial letter sent by the District's attorney.

Mr. Martyn asked if the lights on the park are on a timer as he's driven by the park in the evening, and it's been very dark. Ms. Graham stated that she would check to make sure the bulbs are working.

**TENTH ORDER OF BUSINESS
Supervisor Requests**

Supervisor Requests and Public Comment

Ms. Reams asked if the Board could take their time to consider requests that come before the Board or if they need to provide an answer immediately. Mr. Laughlin responded that the Board can take their time.

Public Comments

A resident at 96015 Out Creek Way asked for an explanation on how the CDD fees work. Mr. Laughlin stated that he could get with her after the meeting to answer any further questions but summarized that the assessments are made up of two parts, the debt service portion and operations and maintenance portion. The debt service portion go towards the bonds that were taken out to construct the community and are typically 30-year bonds. There is also the option to do a one-time paydown, or to pay the debt service assessment off completely. The O&M portion will always be assessed as those funds are used to maintain the community’s assets.

Mr. Jim Keenan, 96014 Out Creek, stated that at a previous meeting there was a discussion on the speeding issues at the semi-circle at Heron Isles Parkway at Blackrock. Subsequent to that meeting, Mr. Keenan had a conversation with Jeff Grey who stated that nothing will be done with the roadway, but perhaps one day the County will perform a traffic study. Mr. Laughlin noted the CDD could request a speed study be done.

ELEVENTH ORDER OF BUSINESS

**Next Scheduled Meeting – May 17, 2022 at
4:30 p.m. at Summer House Realty, 316 Ash
Street, Fernandina Beach, Florida**

The Board changed the meeting time going forward to 5:00 p.m. to ensure the meeting space is available.

TWELFTH ORDER OF BUSINESS

Adjournment

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

Secretary/Assistant Secretary

Chairman/Vice Chairman