

MINUTES OF MEETING  
SAMPSON CREEK  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Sampson Creek Community Development District was held on Thursday, December 16, 2021 at 6:00 p.m. at St. Johns Golf & Country Club, Meeting Room, 219 St. Johns Golf Drive, St. Augustine, Florida.

Present and constituting a quorum were:

Robert Sevestre	Chairman
Brad Weger	Supervisor
Robert Patterson	Supervisor

Also present were:

Daniel Laughlin	District Manager
Wes Haber <i>(via phone)</i>	District Counsel
Alex Acree	District Engineer
Travis Jacques	Riverside Management Services

*The following is a summary of the actions taken at the December 16, 2021 meeting. A 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 6:00 p.m. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment** *(regarding agenda items listed below)*

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Discussion of Slide Restoration** *(Presenter: Travis Jacques)*

Mr. Jacques and Mr. Sevestre inspected the slide. A proposal was presented from Safe Slide Restoration, who was scheduled to be onsite on January 13<sup>th</sup>. The bolts on the slide were deteriorating, due to rust, but could be replaced at a per bolt charge. The last three feet of the

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yoke plates would be treated with a sealant paint. If the Board wanted to re-painting the support structure a different color, it could be done in-house. The proposal included the following options:

1. *Option A: \$17,544 - Sealing 7 fiberglass seams, polish and wax interior.*
2. *Option B: \$28,053 - Includes Option A plus painting the exterior of slide.*

Mr. Jacques and Mr. Sevestre agreed on a light cream color. The yoke plates were an additional \$4,167. Discussion ensued and the following was addressed:

- Mr. Weger asked why the yoke plates were not included in the proposal. *Mr. Jacques stated it was considered a separate project.*
- Mr. Sevestre agreed with repairing the inside of the slide, but for the outside of the slide, he preferred sandblasting, changing out the bolts from carbon to stainless steel and an inspection of the support plates by a Structural Engineer. *Mr. Haber suggested McVeigh & Mangum Engineering, which the Heritage Landing CDD engaged to inspect their tower slide. Mr. Acree was familiar with McVeigh & Mangum and would contact them.*
- Mr. Sevestre asked if they were responsible for labeling the seams. *Mr. Acree stated the seams were already identified.* Mr. Sevestre recommended a Civil Engineer inspect any cracks as he noticed a significant crack that could cause the concrete to spall. *Mr. Jacques stated there were other individuals within the firm that could inspect the cracks.* Mr. Sevestre requested a proposal.
- Mr. Patterson preferred Option B as it was normal maintenance.
- Mr. Weger wanted the slide to be inspected prior to the repair work as they could damage the slide. Mr. Sevestre agreed. *Mr. Jacques pointed out that Safe Slide Restoration may not be able to come back for several months, due to their workload in the Southeast Florida area.* Mr. Patterson pointed out that the slide was closed during the winter. *Mr. Jacques stated the slide was bolted together and was designed to come apart. Any repairs would be minor.*
- Mr. Patterson suggested approving the funding and then scheduling McVeigh & Mangum to perform the inspection. *Mr. Haber recommended approving a not-to-exceed amount.*

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On MOTION by Mr. Patterson seconded by Mr. Sevestre with all in favor selecting Option B and approving the funding in the amount of \$28,053, authorizing a Structural Engineer to inspect the support structure in a not-to-exceed amount of \$2,500 and presenting a report to the Board was approved.

**FOURTH ORDER OF BUSINESS****Consideration of Resolution 2022-01, Adopting Amended Prompt Payment Policies**

Mr. Haber presented Resolution 2022-01, which was based on discussion at the last meeting regarding the Prompt Payment Act, governing payments from the CDD to a contractor working on the CDDs behalf. There was a change in the State Law, obligating the CDD to take certain actions when there was a dispute in payment. If the CDD did not follow the dispute process, 2% would be owed to the contractor. The resolution and amended policy were included in the agenda package. Mr. Weger asked what made it a prompt payment. Mr. Laughlin referred to a provision on Page 5 under Item 6, Calculation of Payment Due Date, whereby payment was due from the District 45 days from the date stamp on the invoice. Mr. Patterson assumed there was language that the work was inspected and the CDD deemed it complete. Mr. Haber explained the CDD always had the right to state that the invoice was improper because the work was not performed in accordance with the contract.

On MOTION by Mr. Sevestre seconded by Mr. Patterson with all in favor Resolution 2022-01, Adopting Amended Prompt Payment Policies was adopted.

**FIFTH ORDER OF BUSINESS****Ratification of Requisition No. 137 & 138**

Mr. Laughlin presented Requisition 137 to Duval Landscaping for the entrance work that was already approved and Requisition 138 to Life Fitness for the gym equipment. Mr. Weger asked if the equipment arrived. Mr. Jacques stated not yet. Mr. Patterson questioned why they were paying for it. Mr. Jacques believed this was a final payment before the equipment was delivered. Mr. Patterson voiced concern paying Life Fitness before receiving the equipment. Mr. Laughlin referred to an email saying that it was set up as a cash in advance order. Mr. Jacques believed that Life Fitness was waiting for one elliptical.

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On MOTION by Mr. Sevestre seconded by Mr. Patterson with all in favor the approval of Requisitions 137 and 138 were ratified.

Mr. Patterson requested that staff stay on top of Life Fitness. Mr. Jacques noted \$10,000 remained to be paid after this payment.

## SIXTH ORDER OF BUSINESS

## Staff Reports

### A. Attorney

There being none, the next item followed.

### B. Engineer

Mr. Acree presented a proposal from Duval Asphalt in the amount of \$5,300 to excavate behind a drainage structure to determine if an area near a curb inlet that keeps eroding underneath the driveway at 1913 Cross Pointe Way was related to the underdrain system. There was sediment inside of the drainage structure. He felt the quote was reasonable. Mr. Patterson asked what happens if it was more than a simple repair. Mr. Acree would provide another estimate because they would not have the material to make the repair. Discussion ensued and it was suggested that the Board approve a not-to-exceed amount of \$7,500 and authorize the Chairman to work with Duval Asphalt and approve additional funds if a concrete replacement was necessary.

On MOTION by Mr. Patterson seconded by Mr. Sevestre with all in favor the proposal from Duval Asphalt for excavation, inspection, backfill and compaction behind a drainage structure to evaluate the underdrain system and authorization for the Chairman to approve up to a not-to-exceed amount of \$7,500 if additional work was needed was approved.

Mr. Acree reported a similar issue that Mr. Jacques was working on with Mr. Jason Webb of Duval Asphalt regarding the sidewalk along Leo Maguire Parkway. Mr. Webb would provide a proposal once it was determined that it was irrigation related. Mr. Jacques had not heard from Mr. Webb and was in the process of setting up a timeframe to get an Irrigation Technician onsite to run the wire for 10 to 15 minutes to see if anything under the ground was causing the runoff.

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Mr. Sevestre suggested filling it with stone, temporarily so no one fell into the hole until the Board received the proposal, hopefully by the January meeting.

### **C. Manager**

At the last meeting, Mr. Laughlin was asked to look into an easement encroachment. He spoke with the resident who interpreted it as a suggestion that the encroachment needed to be removed and did not remove it. As a result, the CDD hired a surveyor to survey the area, but the resident denied them access to the property because she did not know they were coming. After Mr. Laughlin spoke to the resident, the resident said she would remove the encroachment. He would verify if it was removed. If not, District Counsel would be asked to draft a letter to the resident.

### **D. Amenities & Recreation Manager**

Mr. Jacques presented the Amenities & Recreation Manager Report, which was included in the agenda package, as Ms. Trivelpiece was not in attendance. The Christmas lights were installed. They worked with JSC on the upgraded security and sound system. The amenities building will be painted on January 4<sup>th</sup>. The new tennis court benches were expected to arrive the middle of January. Mr. Patterson felt there was good progress and the doors on the Gym were much better. Mr. Weger asked if Ms. Trivelpiece had heard from the company completing the volleyball court. Mr. Jacques would verify. Mr. Sevestre asked if the gate on the tennis courts were repaired. Mr. Jacques stated according to JSC, when someone was onsite setting up the equipment, it may have been set on a different timer to remain open throughout the day and locked overnight. This would be resolved with the new system. Mr. Sevestre wanted the gates to close by itself. Mr. Jacques was looking into a self-closing mechanism versus a spring or a smaller fence.

### **E. Operations Manager - Report**

#### **1. Report**

Mr. Jacques presented the Operations Manager Report, which was included in the agenda package. The St. John's Golf, Eagle Point and Stonehedge entryway signs were being touched up and cleaned. They could not be pressure washed due to the material of the signs. New lights

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were installed on the patio and entryway. The interior of the pool area fence was re-painted and new annuals were installed on Friday. The existing fences were removed.

## **2. Duval Tree Replacement**

Regarding the five dead trees on St. John's Golf Drive and two on Meadow View Lane, Mr. Jacques presented a quote from Duval Landscaping for five Oak trees, five Gator water bags to be placed at the base of each tree and a moisture manager. The moisture manager would keep the soil moist if the tree was not watered appropriately. Mr. Sevestre agreed with having the watering bags and the moisture manager, but felt that the homeowner should be responsible for ensuring their tree was adequately watered. He wondered whether it was a good time of year to plant the trees. Mr. Jacques was told that this time of year was better than in the summer. Mr. Sevestre wanted to be contacted when Duval Landscaping installed the trees on St. John's Golf Drive to ensure the installation was done properly. Mr. Patterson noted a resident on Meadow View Lane wanted input on where the tree was going to be placed so it did not impact their driveway. Mr. Jacques would work with the Duval Landscaping. Mr. Weger asked if a letter should be drafted to the affected homeowners to refill the Gator bags. Mr. Jacques believed they needed to be refilled within a two to three day window, but would confirm. Discussion ensued regarding the trimming of trees.

<p>On MOTION by Mr. Patterson seconded by Mr. Sevestre with all in favor the proposal from Duval Asphalt for five Oak trees, five Gator water bags and a moisture manager in the amount of \$7,249.92 subject to the affected residents ensuring their tree was adequately watered was approved.</p>
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## **3. Release of Easement**

Mr. Jacques presented a Release of Easement for a portion of an easement at 1004 Eagle Point Drive for a pool equipment pad. This was approved by the HOA and the St. Johns River Water Management District (SJRWMD). His only concern was access for the lake maintenance company, but the equipment pad would be in their backyard, which was already enclosed, so it would not have any impact. Mr. Haber did not see any issues as long as the release of the easement would not adversely impact the District's ability to operate, maintain or repair their

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stormwater facilities. Once the Board approves it, Mr. Haber would prepare an agreement formally releasing the easement. Discussion ensued.

On MOTION by Mr. Sevestre seconded by Mr. Patterson with all in favor the Release of Easement for a portion of an easement at 1004 Eagle Point Drive for a pool equipment pad was approved.

#### **4. FPL Proposal Easement Release**

Mr. Jacques received an email on Monday from Florida, Power & Light (FPL) requesting that the District release a 15-foot easement at the front of CDD property along Old County Road 210 to add more power to the grid. The form of the Easement Agreement and recorded plat were included in the agenda package. Mr. Haber clarified it was the granting of an easement for the purpose of FPL installing their improvements as opposed to a release of easement. According to a representative that Mr. Jacques spoke with at FPL, they would be compensating the CDD \$47,300 for granting that release. Mr. Sevestre voiced concern about having a pole in front of the pond. Mr. Jacques would find out where the pole was going to be installed, but he may not get an answer until mid-January.

Mr. Haber recalled an easement was granted to the county to expand the pond and suggested finding out if granting easement rights to FPL conflicted with areas already granted to the county. Mr. Sevestre asked if they were granting the easement before they find out what was going to put there. Mr. Jacques replied affirmatively. Mr. Haber assumed FPL needed the right to do the improvements, but they may have condemnation rights. If the CDD did not grant the easement, they could get it by forcing the CDD to release it through a lawsuit, but the CDD must be compensated. Mr. Patterson questioned the timeframe for providing FPL with an answer. Mr. Jacques believed they needed to know within the next month or so when the plans were finalized. Mr. Sevestre proposed informing FPL that this matter was brought to the Board and the Board wanted to see the plans before they approved anything. After further discussion, this item was tabled.

Mr. Acree was informed by the HOA about a ramp at 1749 Meadow View Lane. They wanted the resident to remove it. He asked the resident and was informed that they had a disabled child that used the ramp. Mr. Sevestre was not aware of any child in a wheelchair on Meadow View Lane and wanted to investigate it further as it could cause stormwater to pool.

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Once the Board received information on whether it affected stormwater and how often the ramp was used, a decision would be made.

**SEVENTH ORDER OF BUSINESS**

**Supervisors' Request**

Mr. Weger will be deployed by the military in May or June of 2022 for 10 to 12 months. Mr. Sevestre asked if they must fill his seat. Mr. Laughlin stated they did not have to. One District had a four-member Board for two years when a developer left the company. The only issue was getting a quorum. Mr. Weger's seat expired in 2024.

**EIGHTH ORDER OF BUSINESS**

**Public Comments**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. Approval of Minutes of the November 18, 2021 Meeting**
- B. Balance Sheet as of November 30, 2021 and Statement of Revenues & Expenditures for the Period Ending November 30, 2021**
- C. Check Register**

Mr. Laughlin presented the minutes of the November 21, 2021 meeting, Balance Sheet as of November 30, 2021, Statement of Expenditures for the Period Ending November 30, 2021 and Check Register in the amount of \$100,659.17 for the General Fund and \$37,170.38 for the Capital Reserve Fund.

On MOTION by Mr. Sevestre seconded by Mr. Weger with all in favor the consent agenda items as stated above were approved as presented.

**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – January 20, 2022 @ 6:00 p.m. @ St. Johns Golf & Country Club Meeting Room**

Mr. Laughlin stated the next meeting was on Thursday, January 20, 2022 at 6:00 p.m. at this location.



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**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Patterson seconded by Mr. Sevestre with all in favor the meeting was adjourned.

DocuSigned by:

*Daniel Laughlin*

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Secretary/Assistant Secretary

DocuSigned by:

*Robert Sevestre*

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Chairman/Vice Chairman