

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 Wednesday, February 17, 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
Kyle Williams	Vice Chairman
Laura Webb	Supervisor
Brad Weger	Supervisor
Robert Patterson	Supervisor

Also present were:

Ernesto Torres	District Manager
Wes Haber	District Counsel
Alex Acree ( <i>via phone</i> )	District Engineer
Kate Trivelpiece	Amenities & Recreation Manager
Brian Stephens	Riverside Management
Steve Wilkinson	Life Fitness
Stacey Bone	Personal Trainer
Residents	

*The following is a summary of the actions taken at the February 17, 2021 meeting. A 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. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Resident Ms. Jennifer Hayes requested additional proposals for the meeting room floor for comparison purposes. Resident Mr. Jeff Frazee voiced concern about residents paying for a shade structure for the playground and non-residents using it. Resident Mr. Dorian Leary stated the maintenance path by the playground was in disrepair and dangerous.

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**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Resignation from Supervisor Kalke and Supervisor Hudson**

On MOTION by Mr. Sevestre seconded by Ms. Webb with all in favor accepting Ms. Kalke and Mr. Hudson’s resignation effective immediately was approved.

**B. Appointment of New Supervisors to Fill Unexpired Terms of Office**

**C. Oath of Office to Newly Appointed Supervisors**

Mr. Torres received resumes and letters of interest from Mr. Brian Southall, Mr. Brad Weger, Mr. Jack Maiher, Mr. Jeffrey Frazee, Ms. Jen Hayes, Ms. Megan Adams, Mr. Patrick O’Neill and Mr. Robert Patterson. All were well qualified. Each candidate introduced themselves and presented their qualifications. Ms. Haber stated Seat 2 held by Ms. Kalke expires in November of 2024 and Seat 3 held by Mr. Hudson expires in November of 2022. Under Chapter 190, the remaining Board Members would fill the vacancies. Mr. Williams selected Mr. Patterson, due to his HOA experience and Ms. Hayes, due to being a realtor. Ms. Webb selected Ms. Adams, due to her financial background.

Ms. Webb MOVED to appoint Ms. Megan Adams to Seat 2. There being no second, the motion failed.

On MOTION by Mr. Sevestre seconded by Ms. Webb with all in favor appointing Mr. Brad Weger to Seat 2 to fill the unexpired term of Ms. Kalke was approved.

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Brad Weger.

On MOTION by Mr. Williams seconded by Ms. Webb with all in favor appointing Mr. Robert Patterson to Seat 3 to fill the unexpired term of Mr. Hudson was approved.

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Robert Patterson. Mr. Haber provided a detailed explanation of the Sunshine Law, Public Records Law and Code of Ethics.

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**D. Election of Officers, Resolution 2021-02**

Mr. Torres stated Mr. Weger and Mr. Patterson would be added as Assistant Secretaries and the remaining slate of officers would remain the same.

On MOTION by Mr. Williams seconded by Mr. Sevestre with all in favor electing Mr. Weger and Mr. Patterson as Assistant Secretaries as evidenced by Resolution 2021-02 was approved.

**FOURTH ORDER OF BUSINESS**

**Discussion of Conservation Area Lots 89 – 91 Eagle Point Drive**

Mr. Torres stated in October and November, the Board authorized a survey of the conservation area. Based on the survey, Mr. Acree noted no way to identify which homeowner was responsible for the clearing and recommended self-reporting to the St. Johns River Water Management District (SJRWMD). They will evaluate it and assess the best corrected action. Mr. Haber questioned whether the CDD was in a better position self-reporting. Mr. Acree recalled the Board agreed with self-reporting.

On MOTION by Mr. Patterson seconded by Ms. Webb with all in favor self-reporting to the St. Johns River Water Management District on Conservation Area Lots 89 – 91 Eagle Point Drive was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Granting Partial Release of Easement (Cornwell-Irvin/1916 Cross Pointe Way)**

Mr. Torres stated 1916 Cross Pointe Way was built in an easement. Mr. Acree advised the plat that was recorded called for a 20-foot drainage easement conveying water from the property to the pond; however, a different survey showed a 15-foot unobstructed drainage easement. The new survey showed feet on one side and 7.9 feet on the other for a total of 18 feet of easement. Based on St. Johns County easement requirements, a 15-foot drainage easement was acceptable to the county.

On MOTION by Mr. Williams seconded by Mr. Sevestre with all in favor the Partial Release of Easement for Cornwell-Irvin/1916 Cross Pointe Way was approved.

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**SIXTH ORDER OF BUSINESS****Discussion of Trespass Area**

Mr. Torres stated trespassing was observed by the Chairman from outside of the District boundary into the CDD facility from Leo Maguire turning left onto St. Johns Golf Drive. Mr. Sevestre proposed installing additional fencing, signs with stronger language and that each employee wear an identification badge. Ms. Webb favored fencing. Mr. Williams always called security when there was trespassing. After further discussion, this item was tabled so Mr. Stephens could bring options to the next meeting.

**SEVENTH ORDER OF BUSINESS****Discussion of Resident Survey Results**

Ms. Trivelpiece presented the results of the survey:

1. *Should the CDD consider adding two pickleball courts?* No - 60%/Yes – 40%
2. *Should the CDD consider adding a tennis court?* No – 80%/Yes - 20%
3. *Should the CDD consider adding playground equipment to the existing area?* No – 61%/Yes - 39%
4. *Should the equipment in the Fitness Center be replaced?* Yes - 59%/No – 36%
5. *Should a tennis court like fence be installed around the basketball court?* No - 68%/Yes – 30%
6. *Should the frequency of food trucks be modified or eliminated so that trash is reduced?* No – 80%/ Yes - 18%
7. *Should a picnic pavilion be added near the basketball court similar to the playground?* Yes - 50%/ No – 48%
8. *Should a fire pit be constructed on the upper level of the pool deck?* No - 55%/ Yes – 44%
9. 181 responses for sidewalk improvements, landscape improvements, lighting on timers for the field and basketball court, food and beverage service, dog waste receptacles and enhancements of existing amenities.

Mr. Williams asked if there were restrictions on the type of improvements with the money available. Mr. Haber explained it must be a capital improvement or permanent fixture as reflected in the Engineer's Report such as:

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- Amenity Center Enhancements: Renovation of office space, Fitness Center, meeting room, restroom, pool deck, storage room, upgrading or replacing security, sound system, upgrading meeting room and an additional shade structure at pool.
- Recreational Enhancements: Playground, volleyball court, basketball court and soccer field. Conversion of courts for other recreational use such as pickleball, playground structure enhancements, additional lighting, repaving, fencing and shade structures as approved by the Board.
- Stormwater System Repairs: Complete restoration of Pond 25A to allow for adequate discharge and drawdown.

Mr. Williams questioned the next step in the process. Mr. Torres noted a time limit on spending the capital funds. Mr. Haber stated the CDD was under no obligation to follow the outcome of the survey and the next step was prioritizing the projects and obtaining proposals. After further discussion, the Board recommended a fountain for the lake in front of the community, sound abatement fencing, field access point, basketball court pavilion, security improvements and changing the lights on the tennis courts to LEDs. Ms. Trivelpiece will bring proposals to the next meeting for the pavilion, new fitness equipment and soundproofing areas with high vehicular traffic and post the survey results to the website. Mr. Torres will obtain recommendations from Basham & Lucas for soundproofing options.

## **EIGHTH ORDER OF BUSINESS**

### **Discussion of Life Fitness Equipment**

Ms. Trivelpiece stated based on the survey, 60% felt the current fitness equipment needed repair or replacement and presented a recommended list of replacement items for the cardio and weight fitness equipment. Most of the cardio equipment was rusted and the treadmills needed constant repair. She walked through the Fitness Center with Steve Wilkinson, Regional Sales Manager for Life Fitness and he provided proposals. Discussion ensued and the following was addressed by the Board:

- Ms. Webb questioned the benefits of leasing the equipment verses purchase. *Mr. Wilkinson* stated leasing was a financing option when the District was cash strapped and wanted to pay monthly. The District would not own the equipment.

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It would discipline the Board to replace the equipment every five years. Mr. Wilkinson recommended leasing the cardio and purchasing the weight equipment.

- Ms. Webb questioned the warranty. Mr. Wilkinson noted a two-year warranty on parts and one year on labor.

Ms. Stacey Bone, a local certified personal trainer, introduced herself to the Board. She received feedback from residents regarding the upkeep of the equipment. Leasing provided a standard pace to replace the equipment. Ms. Webb questioned what equipment was being replaced. Ms. Trivelpiece proposed replacing four treadmills, one with a stair climber, two ellipticals, one elliptical with a body arc trainer, two stationary bicycles, one rower with a newer model and new weights. After further discussion, the Board requested additional proposals for the next meeting.

#### **NINTH ORDER OF BUSINESS**

#### **Discussion of Neighborhood Tennis Tournament**

Mr. Torres noted no one was present representing the neighborhood tennis tournament. Ms. Lauri Thomas requested use of the tennis courts the weekend of March 27-28 or April 10-11. Mr. Torres voiced concern of the tournament using the facility exclusively, the charge to residents and promoting the event without an agreement. Ms. Mandy Riceman contacted him regarding the event and what insurance requirements were needed. After further discussion, the Board requested Mr. Torres invite Ms. Riceman to attend the next meeting. Mr. Haber will draft an agreement similar to the swim team agreement.

#### **TENTH ORDER OF BUSINESS**

#### **Consideration of Meeting Room Improvements**

##### **A. Proposals for Meeting Room Flooring**

Ms. Trivelpiece presented proposals for commercial grade high end waterproof flooring from Direct Flooring Liquidators and Henderson Flooring & Tile. Mr. Williams questioned the warranty. Ms. Trivelpiece will find out. Discussion ensued.

On MOTION by Mr. Williams seconded by Mr. Patterson with all in favor the proposal with Direct Flooring Liquidators to replace the meeting room flooring in the amount of \$6,541 was approved.

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Ms. Trivelpiece was asked to provide samples.

**ELEVENTH ORDER OF BUSINESS****Consideration of Proposals from  
Southern Recreation****A. Volleyball Court**

Ms. Trivelpiece provided a proposal from Southern Recreation to upgrade the volleyball net in the amount of \$2,344. Mr. Williams was against this, due to the close proximity to houses. After further discussion, the Board agreed not to take any action.

**B. Basketball Court**

Ms. Trivelpiece provided a proposal from Southern Recreation for a 42x72 backboard in the amount of \$3,269. Mr. Stephens presented a quote from Court Surfaces for a 48x72 polycarbonate backboard in the amount \$3,110. Ms. Trivelpiece noted polycarbonate could not be cleaned. Mr. Stephens requested the Board approve a not-to-exceed amount and he would choose the backboard.

On MOTION by Mr. Williams seconded by Ms. Webb with all in favor replacing the backboard on the basketball court in an amount not-to-exceed \$3,269 was approved.
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**C. Shade Structure**

Ms. Trivelpiece provided a proposal from Southern Recreation to provide covered seating, shading and trash cans to the right side of the basketball court between the parking lot and soccer field in the amount of \$18,275. Ms. Webb requested Ms. Trivelpiece provide a rendering. *After further discussion, this item was tabled until the next meeting.*

**D. Benches**

Ms. Trivelpiece received a quote from Southern Recreation for six park benches in the amount of \$3,250; two on either side of the basketball court and two at the playground.

On MOTION by Mr. Williams seconded by Ms. Webb with all in favor the proposal from Southern Recreation for four benches in the amount of \$1,040 was approved.
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residents. Ms. Webb recalled no non-residents last year. A representative of the Stingrays Swim Team stated they tried to keep it strictly to residents, but prior to the pool renovation and COVID-19, there was lower attendance, so a provision was granted to allow 20 to 25 extra swimmers through a secondary enrollment.

On MOTION by Mr. Williams seconded by Ms. Webb with all in favor the Swim Team Agreement with the St. Johns Stingrays Swim Team was approved.

Mr. Haber will update the agreement and circulate to the Board for approval at the next meeting. In response to a question, the representative of the Stingrays Swim Team noted a cost of \$50 per non-resident. A roster of non-residents was provided to the Board prior to the start of the season. Ms. Webb asked if the minimum age to swim was seven for 2021. The representative of the Stingrays Swim Team stated typically, leagues allow Age 4.

## **FIFTEENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

##### **1. Discussion of American Tower Plat**

This item was not discussed.

##### **2. E-Verify Memo and Memorandum of Understanding**

Mr. Haber explained E-Verify was a program that all units of government in the State of Florida were now obligated to participate and comply with. It was a system to confirm any employees meet all Federal requirements. The CDD did not have any employees, but it was still required to enter into a Memorandum of Understanding. If the CDD ever wanted to hire an employee, it must use the E-Verify system to confirm that the requirements were met. The District was also required to ensure any contractor uses the E-Verify System. Agreements going forward would have an additional provision saying that the contractor agrees to use the E-Verify System for their employees. It was required by law and recommended by Hopping, Green for all CDDs they represent throughout the State.

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On MOTION by Mr. Williams seconded by Ms. Webb with all in favor the Memorandum of Understanding for the E-Verify System was approved.

**B. Engineer**

There being none, the next item followed.

**C. Manager**

Mr. Torres was purchasing iPads for each Supervisor to use at each meeting. It will contain the agenda package and other materials. Agenda packages will still be transmitted electronically.

**D. Amenities & Recreation Manager**

Ms. Trivelpiece presented the Amenities & Recreation Manager Report, which was included in the agenda package.

**E. Operations Manager**

**1. Report**

Mr. Stephens presented the Operations Manager Report, which was included in the agenda package. New fencing was installed by the basketball court to direct traffic to the sidewalk. The landscaping was tabled until March. The slide was waxed and ready for the season. The painting and sealing of the frame structure holding the slide was on schedule. It should be completed by next week weather permitting. The surface rust will be treated and repainted with an oil-based paint. Mr. Williams requested that the Fitness Room front door be repainted as well as the cupulas.

**2. Discussion to Re-Plant Live Oak Trees**

This item was not discussed.

**3. Proposal from Court Surfaces**

This item was discussed.

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- **Public Comments** (*Item 17*)

Resident Ms. Alice Broadbent noted several sidewalk areas in Cross Pointe and Stonehedge that need to be replaced and power washed. There needs to be a sound barrier on the Cross Pointe pond, such as a fountain to buffer the noise from traffic. Mr. Williams recalled paying for a survey of the sidewalks and requested an update. Mr. Torres noted Mr. Acree did not provide one and this item would be placed on the next agenda. Ms. Broadbent questioned the length of time for the JEA project. Mr. Stephens stated JEA provided no timeframe.

A Resident suggested the District purchase rowers from Concept2 for \$1,000, as the current rower from Life Fitness were constantly in need of repair. Resident Mr. Dorian Leary reiterated that the maintenance path by the playground was in disrepair and a hazard and lights at the bottom of the path were necessary. With all of the recent storms, the sidewalk along the St. Johns Golf Drive soccer field was inundated with mud and sand. Mr. Stephens provided a quote of \$30,000, but the Board directed Mr. Acree to look into other possibilities. Resident Ms. Jennifer Hayes witnessed a contractor of the golf course breaking the sidewalk when they drove commercial trucks onto it. Mr. Sevestre stated the golf course should pay for the repair if they broke the sidewalk, the concrete should be high pressure concrete and use of the sidewalk should be restricted. Mr. Stephens was meeting with the golf course this week, but the CDD utilized the sidewalk for maintenance purposes. Resident Mr. Jeff Frazee noted many delivery trucks parking on sidewalks along Eagle Point Drive and speeding at the bus stop. Mr. Williams stated the Sheriff was in that neighborhood periodically setting speed traps.

- **Security Report** (*Added*)

A representative of Central Security Agency (CSA) conducted 306 patrols around the Amenity Center, tennis courts and tower. There were 12 citizen contacts and 7 reported incidents last month. One gentleman was trespassed and stole someone's wallet out of the gym. Two young high school boys allowed a third gentleman into the Amenity Center, knowing he was not a resident who was inebriated. He was asked to leave by the security guard, but was later arrested for larceny and credit card fraud. If someone knocked at the Fitness Center doors, it would be opened. There was no access control. Middle school kids were getting into the pool after hours. Mr. Williams requested a reminder to residents.

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**SIXTEENTH ORDER OF BUSINESS**

**Supervisors' Request**

Mr. Williams requested a reminder be sent to the residents about watering trees the District replaced. Ms. Webb noted the March 17<sup>th</sup> was the first day of Spring Break and requested it be changed. Mr. Weger requested a copy of the security reports. Ms. Trivelpiece would provide.

On MOTION by Ms. Webb seconded by Mr. Sevestre with all in favor moving the next meeting from March 17, 2021 to March 10, 2021 was approved.

**SEVENTEENTH ORDER OF BUSINESS**

**Public Comments**

This item was discussed.

**EIGHTEENTH ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. **Approval of Minutes of the November 18, 2020 Meeting**
- B. **Balance Sheet as of January 31, 2021 and Statement of Revenues & Expenditures for the Period Ending January 31, 2021**
- C. **Check Register**

On MOTION by Ms. Webb seconded by Mr. Williams with all in favor the Minutes of the November 18, 2020 Meeting, Balance Sheet as of January 31, 2021 and Statement of Revenues & Expenditures for the Period Ending January 31, 2021 and Check Run Summary were approved as presented.

**NINETEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – 03/17/21 @ 6:00 p.m. @ St. Johns Golf & Country Club Meeting Room**

Mr. Torres stated the next meeting was on Wednesday, March 10, 2021.

**TWENTIETH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Webb seconded by Mr. Williams with all in favor the meeting was adjourned.

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Sampson Creek CDD

DocuSigned by:

*Ernesto Torres*

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Secretary/Assistant Secretary

DocuSigned by:

*Robert Sevestre*

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Chairman/Vice Chairman