

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, April 21, 2022 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
Robert Patterson	Supervisor
Brad Weger	Supervisor
Laura Webb	Supervisor

Also present were:

Daniel Laughlin	District Manager
Wes Haber	District Counsel
Alex Acree	District Engineer
Kate Trivelpiece	Amenities & Recreation Manager
Travis Jacques	Riverside Management Services
Deputy Casey Romein	St. Johns County Sheriff's Office
Duval Landscaping Representatives	

The following is a summary of the actions taken at the April 21, 2022 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)*

Mr. Laughlin opened the public comment period and the following residents addressed the Board:

- Mr. Andy Frisch, 204 St. Johns Golf Drive, commented that the lights were as bright as a Walmart parking lot.

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- Mr. Michael Yuro, 1001 Meadow View Lane, hoped that the Board considered other landscaping companies. The landscaping never looked worse, there were many fire ants and the common areas were not being hedged. Mr. Sevestre spoke with Mr. Jacques yesterday about presenting other options to the Board for review. Regarding the Florida Power & Light (FPL) easement request, Mr. Yuro wanted the District to be compensated versus donating the property and preferred underground lines. Mr. Sevestre reported on his meeting with FPL. Mr. Yuro questioned the proposal on the roadway repairs as there was no evidence of a pavement failure or degradation. Mr. Acree sent quotes to Waste Management for the oil spill and making sure there were no separation issues with the roadway.
- Mr. George Weigel, 1742 Pepper Stone Court, agreed that the landscaping needed improvement and was against having light shields. He suggested doing a lumens check, providing an example and the Board take a wait and see approach.
- Ms. Rosana Leary, 212 St. Johns Golf Drive, was in favor of the shields.
- Ms. Leah Day of 1521 Drury Court was not in favor of the shields and suggested that the affected residents get blinds or curtains.
- Ms. Christen McDonnell, 1119 Eagle Point Drive, was in favor of the lights for visibility and wanted a compromise for residents who did not want the lights.
- Mr. Greg Leary, 212 St Johns Golf Drive, stated that the lights partially lit the soccer field and basketball court, which violated Sampson Creek Recreation Center Policies.
- Mr. Jeffrey Asher, 208 St. Johns Golf Drive, noted that five additional lights were added from the original plan and with 15-foot poles, the shields were necessary.
- Mr. Jay Brielle, 220 St. Johns Golf Drive, was in favor of the shields, due to the glare into his home.
- Ms. Heather Wade, 1743 Pepper Stone Court, questioned the cost for the shields.
- Mr. Glenn Healey, 1578 Drury Court, was in favor of the shields, but questioned the wattage of the bulbs.

A resident submitted a petition with 23 signatures.

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THIRD ORDER OF BUSINESS

Discussion with Duval Landscape

Mr. Laughlin recalled that a letter of deficiency was sent to Duval Landscaping per the Board's direction. Mr. Jacques met with the new Account Manager yesterday to follow up on the completed and pending items. Mr. Mario Anderson, Foreman for Duval Landscaping confirmed that all items listed in the deficiency letter were completed and that Duval Landscaping would provide a higher level of service. He would work with Mr. Jacques on what needs to be done, what has not been done, when they can do it and what they can do to make it better. Mr. Patterson voiced concern that they had to send a letter to get their attention.

Discussion ensued regarding the condition of the soccer field. Mr. Sevestre stated that the soccer field was maintained by the golf course. Mr. Greg Leary, 212 Saint Johns Golf Drive, spoke to an expert of soccer fields and it may need to be dug up completely or left idle for a day. Mr. Sevestre would contact the golf course to see if they could improve it and if not, they would bring in an expert.

FOURTH ORDER OF BUSINESS

Discussion of Amenity Center Lighting Shields

Mr. Jacques presented a proposal from Beacon Electric to install nine 180-degree light shields on the new pathway lighting in the amount of \$4,480. The lights were on the opposite side of the sidewalk going towards the basketball courts and soccer field.

Discussion ensued by the Board. Ms. Webb was against the shields as residents requested the lighting and an engineer verified that the prior lighting was not compliant with their footcandle reading. Mr. Weger was against the shields and suggested installing them on a trial basis. Mr. Sevestre was in favor of the shields and asked if there was liability if the lights were turned off. Mr. Haber advised that the District had sovereign immunity; however, since the Board chose to put up the lights, they must operate them as intended. Mr. Patterson was amenable to having low lighting on the soccer field but was not in favor of the shields. Discussion ensued from residents on why the shields were not necessary. Mr. Haber advised that to the extent that there was a valid claim against the CDD for a nuisance, it would be viewed by a court on a case-by-case basis, taking the entire picture into consideration.

Mr. Sevestre MOVED to approve the purchase of lighting shields for the Amenity Center. There being no second, the motion failed.

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- **Discussion of Off Duty Sheriff's Security Rate Increase**

Deputy Casey Romein of the St. Johns County Sheriff's Office requested an increase of \$40 to \$55 per hour for the off-duty officer and proposed a change in the current schedule from four hours per week to six hours every other week or three hours per week, to offset the cost difference. In his opinion, the speeding on St. Johns Golf Drive and Leo Maguire Parkway increased while speeding on Eagle Point Drive decreased and was focusing his enforcement on golf cart drivers failing to stop at stop signs. Ms. Webb asked if the hours increased during the summer months. Deputy Casey Romein stated that it was the same four hours every week throughout the year; however, the hours switched from the morning to afternoon or later at night to keep an element of surprise. Mr. Patterson asked if there were any issues with the increase for budgeting purposes. Mr. Laughlin stated that the actual increase was \$3,100 annually, which could be worked into the budget. Mr. Patterson was in favor of keeping the same hours.

On MOTION by Mr. Sevestre seconded by Mr. Patterson with all in favor the increase in the off-duty sheriff rate from \$40 an hour to \$55 an hour with the current hours was approved.

FIFTH ORDER OF BUSINESS

Consideration of FPL Easement Request

Mr. Sevestre and Mr. Jacques met with FPL and their engineer yesterday. They could not place the lines underground because of heat issues due to the cable size and amperage load. Mr. Sevestre asked the District Engineer to determine if the District owned enough land to go around the back of the pond as the right-of-way must be 25 feet on either side of the line and if it was feasible for the lines to go underground. Mr. Sevestre would continue meeting with FPL to push for the underground wiring rather than place poles across the entrance of the community along C.R. 210. Mr. Haber advised that FPL has eminent domain power and must pay the District the appraised value of the easement. Mr. Acree stated that the area around the pond was conservation area, which they could not go into. Mr. Patterson asked if FPL could do whatever they wanted on the CDD easement. Mr. Haber explained that the form of easement was broad, meaning that FPL could do what they wanted, but it would be more expensive for them than limiting their rights within the easement. Mr. Sevestre noted that poles would not need to be placed across the entrance of the community along C.R. 210 if they negotiated with Beaches

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Energy who owned the ROW across Leo Maguire Parkway. After further discussion. this item was tabled so the Chairman could do additional research on the type of wires and meet with FPL.

SIXTH ORDER OF BUSINESS

Discussion of Amenity Center Golf Cart Policy

Ms. Trivelpiece stated that under the current policy, the driver of a golf cart must be 16 years old, but the county law was 14. Most of the kids driving golf carts were 12 to 13. Ms. Webb was in favor of having their policy reflect the county policy of 14 years of age. Ms. Trivelpiece recommended sending a letter to each resident regarding the new policy and the suspension of privileges for not following it.

Ms. Webb MOVED to approve the policy change for golf cart drivers from 16 to 14 years of age and authorize staff to execute changes and Mr. Patterson seconded the motion.

Mr. Sevestre suggested affixing stickers on golf carts for identification. Ms. Webb questioned how it would be enforced. Mr. Haber stated that the District could deny access for golf carts to CDD amenities as the CDD owned the golf cart parking areas. Mr. Weger voiced concern about the expense of the sticker. Mr. Haber explained if there was a charge, the District must go through a public hearing process and requested a Board Member make the final approval. Ms. Webb appointed the Chairman.

On VOICE VOTE with all in favor the policy change for golf cart drivers from 16 to 14 years of age and restrict amenity privileges if the policy was not followed, authorization for staff to execute changes and for the Chairman to have final approval was approved.

SEVENTH ORDER OF BUSINESS

Discussion of Pool Slide Structural Observation Report

Mr. Laughlin presented the Structural Observation Report on the pool slide tower from McVeigh & Mangum, which was included in the agenda package. Mr. Sevestre voiced concern about rust causing issues with the concrete, the condition of the handrails and caulking. Mr. Patterson was in favor of obtaining bids. Mr. Sevestre stated that McVeigh & Mangum wanted

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to oversee the work, which he had no problem with, but it should be completed after the summer swim season. Mr. Haber suggested obtaining a proposal for the entire scope and eliminate items that were not needed. Mr. Acree recommended handling the structural integrity items first; although there was a recommendation that the upper landing be addressed as soon as possible. Mr. Weger an assessment from a General Contractor unless any items needed to be handled now from a safety issue. Mr. Acree did not believe that the structure was failing and would get a timeframe on items that should be done immediately as well as proposals.

EIGHTH ORDER OF BUSINESS**Discussion of Off Duty Sheriff's Security Rate Increase**

This item was discussed.

NINTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Mr. Haber had no report. Mr. Sevestre reviewed the expenses and questioned whether they were allowed to dispense allergy medicine, aspirin and DayQuil™, which were included in the first aid kit at the Amenity Center. Mr. Haber recommended not dispensing these items as it exposed the District to liability.

On MOTION by Mr. Sevestre seconded by Ms. Webb with all in favor removing allergy medicine, aspirin and DayQuil™ from the first aid kit at the Amenity Center was approved.

Mr. Sevestre received another letter about a washout from tree roots at 849 and 853 Eagle Point Drive. Mr. Laughlin was supposed to receive a proposal before this meeting from a contractor, but did not receive it, so he was going to go elsewhere. Mr. Yuro believed that a homeowner caused the issue when their pool was built. The District had the right to fix it, but not an obligation to; however, if it was affecting the pond, then the District had the right to participate in the repair. Mr. Sevestre requested a proposal from another contractor.

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B. Engineer

Mr. Sevestre requested “*No Trespassing – Violators Will be Subject to Arrest and Prosecution*” and “*St. Johns Golf and Country Club Homeowners and Guests Only - Homeowner Key Fobs Must be Present*” signs with the supporting Florida Statute. Ms. Webb asked where the signs would be posted and who would enforce it. Mr. Sevestre wanted them everywhere as it would be easier to control if people had their key fobs and suggested sending letters to the HOAs for Gables and Wynnfield Glen stating that the Amenity Center was private property.

Mr. Sevestre MOVED to approve the no trespassing signs.

Mr. Patterson requested a proposal and the sign locations.

Mr. Sevestre withdrew the prior motion.

Mr. Haber suggested the “*St. Johns Golf and Country Club Homeowners and Guests Only - Homeowner Key Fobs Must be Present*” sign say, “*St. Johns Golf and Country Club Residents, Guests and Authorized Users Only - Homeowner Key Fobs Must be Present.*” Mr. Sevestre would coordinate with Ms. Trivelpiece on the signs and questioned a streetlight bill for \$3,574.62 for Leo Maguire Parkway. Mr. Laughlin would obtain the utility chart for the meter.

A Board Member questioned the status of the resident ramp. Mr. Acree stated that there was no ADA requirement to have it as it was a private residence. From a drainage standpoint, there was room for water to flow underneath the ramp. It may backup slightly during a rainstorm event, but there was no standing water behind it. Mr. Sevestre was in favor of allowing the ramp, if it did not cause any issues. Ms. Webb was conflicted because another resident was asked to remove it. Mr. Haber advised for public owned facilities there was a general obligation to make reasonable accommodations and based on his review, there should be something to accommodate the disabled person. Mr. Weger felt that it was reasonable to allow the resident to have a ramp the width of the wheelchair. Ms. Webb suggested that any future requests come before the Board. Mr. Laughlin recommended establishing a procedure. Mr. Acree recommended setting an ADA accessible route width of 36 inches. There was Board consensus for Mr. Laughlin to provide a draft procedure to the Board at the next meeting.

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C. Manager

Mr. Laughlin noted that the June meeting was on June 16th, but the deadline to approve the Proposed Budget was June 15th. There was Board consensus to circulate the Proposed Budget prior to the May meeting and decide at the May meeting whether to move the June meeting to June 9th.

D. Amenities & Recreation Manager

Ms. Trivelpiece presented the Amenities & Recreation Manager Report, which was included in the agenda package. The volleyball court project was completed, but some leftover sand was causing issues; however, the contractor noted that it was a low-lying area and the sand would wash out. They were currently working with JSC to complete the video and audio projects. It should be working by the end of the month. Mr. Patterson reported that the speakers under the awning were dented from vandalism and suggested sending a letter reminding residents that they were personally responsible for their children's actions.

1. Proposal for Life Fitness

Ms. Trivelpiece presented a proposal from Life Fitness for a heat row machine to replace a broken hydro rowing machine that could not be repaired.

On MOTION by Ms. Webb seconded by Mr. Patterson with all in favor the proposal with Life Fitness for a heat row machine in the amount of \$2,331.94 was approved.

Mr. Patterson noticed some fitness equipment needed to be serviced. Ms. Trivelpiece stated that the service contractor was supposed to send a technician out.

E. Operations Manager - Report

1. Report

Mr. Jacques presented the Operations Manager Report, which was included in the agenda package.

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2. Proposal from Duval Asphalt for Road Repair

Mr. Jacques asked if the Board wanted to take action on the proposal from Duval Asphalt to mill and repair the roadway at St. Johns Golf Drive and Country Club Road, which was due to expire. Ms. Webb asked if Republic Services was contacted. Mr. Jacques stated that Republic claimed a pool company caused the damage. Ms. Webb did not want to approve it as the roadway was not deteriorating. Mr. Jacques evaluated the sidewalks and Eagle Point Drive had the most significant issues. There was Board consensus for Mr. Jacques to obtain quotes, so the Board could approve the repair in a phased approach.

TENTH ORDER OF BUSINESS

Supervisors' Request

Discussion ensued regarding a request that Ms. Webb received for Beachside High School to use their pool for their swim team. This item will be placed on the next agenda and Ms. Webb would ask the new Athletic Director of Beachside High School to attend. Mr. Patterson witnessed people opening the Gym door for people without a key fob and requested that a letter be sent to residents. Mr. Laughlin would provide a proposal for cost to send a letter to all residents about this matter.

ELEVENTH ORDER OF BUSINESS

Public Comments

Mr. Michael Yuro of 1001 Meadow View Lane requested that the Splash Pad be evaluated as there were cracks and faded paint. Ms. Trivelpiece recalled that the Splash Pad was resurfaced and repainted last fall, but the pool chemicals caused it and the work was no longer under warranty. Mr. Yuro suggested looking at a different company. Mr. Laughlin would obtain proposals.

TWELFTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of Minutes of the March 10, 2022 Meeting**
- B. Balance Sheet as of March 31, 2022 and Statement of Revenues & Expenditures for the Period Ending March 31, 2022**
- C. Check Register**

Mr. Laughlin presented the minutes of the March 10, 2022 meeting, March 31, 2022 Balance Sheet and Statement of Expenditures and Check Register in the amount of \$121,311.87 for the General Fund and \$29,300 for the Capital Reserve Fund.

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

THIRTEENTH ORDER OF BUSINESS

**Next Scheduled Meeting – May 19, 2022
@ 6:00 p.m. @ St. Johns Golf & Country
Club Meeting Room**

Mr. Laughlin announced the next meeting date and time.

FOURTEENTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:
Daniel Laughlin
B48FC211DC1144D...
Secretary/Assistant Secretary

DocuSigned by:
Robert Sevestre
9724814CA626440...
Chairman/Vice Chairman