

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, August 25, 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
Kyle Williams	Vice Chairman
Laura Webb	Supervisor
Mike Yuro	Supervisor

Also present were:

Daniel Laughlin	District Manager
Wes Haber <i>by phone</i>	District Counsel
Joe Brown <i>via phone</i>	Kutak Rock, LLP
Travis Jacques	Riverside Management Services
Kate Trivelpiece	Riverside Management Services
Jerry Lambert	Riverside Management Services
Alison Mossing	Riverside Management Services

*The following is a summary of the actions taken at the August 25, 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:

- Resident commented on the sidewalk project and the replacements need to be made.

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- Ms. Ernest (Meadowview Lane) commented on the discussion on the landscaping for the common areas. She noted there are beds full of weeds and it has never looked worse than now. She asked that this be completed with a sense of urgency and seriousness.
- Resident commented on landscaping.

There being no further comments, Mr. Laughlin closed the public comment period.

**THIRD ORDER OF BUSINESS**

**Affidavit of Publication**

Mr. Laughlin stated the affidavit shows publication of the meeting.

**FOURTH ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Supervisor Patterson’s Resignation**

Mr. Laughlin stated Supervisor Patterson’s resignation was received

On MOTION by Mr. Sevestre, seconded by Mr. Williams, with all in favor, Accepting the Resignation of Supervisor Patterson, was accepted.

**B. Appointment of a New Supervisor to Fill the Unexpired Term of Office (11/22)**

Mr. Laughlin asked for suggestions on who to fill the seat. He suggested Mike Yuro to fill the seat.

On MOTION by Ms. Sevestre, seconded by Ms. Webb, with all in favor, the Appointment of Mike Yuro to Fill the Unexpired Term of Office, was approved.

**C. Oath of Office for Newly Appointed Supervisor**

Mr. Laughlin performed the oath of office for Mr. Mike Yuro.

**D. Election of Officers, Resolution 2022-04**

Mr. Laughlin stated that the officers needed to be elected and Mr. Yuro will be added as Assistant Secretary. He asked the Board if they would like to keep the same slate of officers and add Mr. Yuro. It was noted they will elect officers again in November.

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On MOTION by Mr. Sevestre, seconded by Mr. Yuro, with all in favor, Resolution 2022-04 Appointing Mr. Yuro as Assistant Secretary, was approved.

**FIFTH ORDER OF BUSINESS**

**Acceptance of Fiscal Year 2021 Audit Report**

Mr. Laughlin reviewed the Fiscal Year 2021 audit report. It was noted there were no deficiencies reported and the District was in compliance. He noted this report was reviewed by counsel.

On MOTION by Mr. Williams, seconded by Mr. Sevestre, with all in favor, Accepting the Fiscal Year 2021 Audit Report, was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-05, Resetting the Public Hearing Date to Adopt the Fiscal Year 2023 Budget**

Mr. Laughlin reported this was to be adopted at the July meeting, this will move to adoption to this meeting.

On MOTION by Ms. Webb, seconded by Mr. Williams, with all in favor, Resolution 2022-05, Resetting the Public Hearing Date to Adopt the Fiscal Year 2023 Budget, was approved.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing to Adopt the Fiscal Year 2023 Budget**

Mr. Laughlin asked for a motion to open the hearing to allow public comments.

On MOTION by Mr. Williams, seconded by Mr. Sevestre, with all in favor, Opening the Public Hearing, was approved.

Mr. Laughlin asked for public comments. A resident commented on the future of the electricity and lights being shut off at midnight to save money. Other concern was increase of office supplies. He was corrected that office supplies went from \$500 to \$100. It was noted that total cost of electricity this year was \$60,000. It was noted they are approving at cost going from

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\$68,000 to \$76,000 to be approved in this budget. District counsel advised the Board not to turn off electricity at night because it was a liability. Mr. Laughlin explained that money can be moved from line item to line item. This was the bottom-line expenditure.

Another resident asked if they had looked at the possibility switching out lights that are more efficient. It was noted that was in progress. He asked about shields and was stated they have been ordered. It was asked if the timers could be corrected.

Resident asked about an open action items list or spreadsheet, the operations team is working on a list that could be seen by homeowners.

Mr. Laughlin asked for other comments. Hearing none, he asked for a motion to close the public hearing.

On MOTION by Mr. Williams, seconded by Mr. Sevestre, with all in favor, Closing the Public Hearing was approved.

**A. Consideration of Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2023**

The Board asked for clarification about moving funds internally within the line items and the start date. It was noted the start date for this fiscal year budget is October 1, 2022 and goes through September 30, 2023. A Board member asked for clarification about a \$350,000 expenditure. It was noted that was capital project funds and it was multiple charges. A question on the carry forward surplus was asked if it was for future surplus saving for future expenses. It was explained that it is extra funds and taxes collected and can be used at the Board's discretion.

On MOTION by Ms. Webb, seconded by Mr. Sevestre, with all in favor, Resolution 2022-06 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2023, was approved.

**B. Consideration of Resolution 2022-07, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2023**

Mr. Laughlin reviewed the resolution and asked for a motion if there were no questions.

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On MOTION by Mr. Yuro, seconded by Ms. Webb with all in favor, Resolution 2022-07, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2023, was approved.

**EIGHTH ORDER OF BUSINESS****Discussion of Pool Maintenance Service**

An overview was presented on a new vendor for the pool maintenance and transitioning to a new pool service vendor. It was also noted the proposal is less than current costs. Overall costs, chemical costs, and insurance were discussed. The Board asked to have the pool chemical cost broken out. After discussion the Board decided to table this for the next meeting.

**NINTH ORDER OF BUSINESS****Discussion of Landscape RFP**

Mr. Laughlin noted the RFP was included under separate cover. It was noted the goal was to send out the RFP, get the proposals back by the next meeting to approve. After that they will proceed with termination of the old company and start with the new company. The Board asked to have an overview presented of the scope of services. The scope included the common areas, mulching, pine straw, pruning, annual change and number included, visits, mowing, the schedule, and the scoring. The Board asked if this included working on the soccer fields and it was noted it was included.

Discussion included the vendors and how other communities have handled this item, the overall scope, and schedule. Another question was asked on putting out the RFP immediately and the Board being able to tweak the scope and the mandatory pre-proposal. It was noted this would make it difficult for vendors to submit a proposal. The Board suggested adding a provision to the contract about the terms not being met and withholding of money. Clarification was made that withholding money can only be done if a letter of deficiency is sent.

The Board asked if counsel could have something written into the contract about payment. Ms. Webb asked who maintained the islands of the parking lot. Further discussion ensued on annuals, spraying, treatments, and monthly irrigation reports. The notice to Duval was discussed. It was noted that most contracts start in October and if changes are needed that can be done. It was noted that the proposals would be sent out and the deadline will be before the next meeting.

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On MOTION by Mr. Williams, seconded by Mr. Yuro, with all in favor, the Landscape RFP, was approved.

**TENTH ORDER OF BUSINESS** **Consideration of Proposal for Pool Lift**

The pool lift proposals were reviewed and it was noted the current motor is more than 10 years old. It was noted this is an ADA requirement and the proposal includes installation. After discussion the Board made the motion to approve the Central Florida Stairlift proposal.

On MOTION by Mr. Williams, seconded by Mr. Yuro, with all in favor, the Pool Lift Proposal From Central Florida Stairlift for the Ranger 2 Model in the Amount of \$5,495, was approved.

**ELEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2022-08, Designating Registered Agent**

Mr. Laughlin noted this designates counsel as the Registered Agent.

On MOTION by Mr. Williams, seconded by Mr. Sevestre, with all in favor, Resolution 2022-08 Designating Registered Agent as ,was approved.

**TWELFTH ORDER OF BUSINESS** **Discussion of FPL Easement Request**

After discussion the Board decided to table this topic.

**THIRTEENTH ORDER OF BUSINESS** **Update Regarding Stormwater Needs Analysis**

Mr. Laughlin noted this was completed and needed Board approval. Mr. Yuro abstained because his company created the report. There was discussion of some current maintenance issues with trash.

On MOTION by Ms. Webb seconded by Mr. Williams, with all in favor and Mr. Yuro abstaining, The Stormwater Needs Analysis, was approved 3-0.

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**FOURTEENTH ORDER OF BUSINESS                      Staff Reports**

**A.     Attorney**

There being none, the next item followed. It was asked that counsel check on the landscape RFP payment issue.

**B.     Engineer**

There was one item in the report for a washout repair.

**C.     Manager – Discussion of Fiscal Year 2023 Meeting Schedule**

Mr. Laughlin announced the meeting schedule is set for the 3<sup>rd</sup> Thursday of each month.

On MOTION by Mr. Williams, seconded by Ms. Webb, with all in favor, the Fiscal Year 2023 Meeting Schedule, was approved.
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**D.     Amenities & Recreation Manager**

The Amenity Manager reviewed updates and activities at the facilities. A question on the speaker systems was asked and it was noted there are still issues.

**E.     Operations Manager**

**1.     Report**

Mr. Jacques presented the Operations Manager report. He reviewed several proposals.

**2.     Consideration of Proposals for Sidewalk Project**

Mr. Jacques has asked for an update on the proposal costs since previous proposals are no longer valid. He expects the costs will increase. The Board suggested getting a fresh quote from Premier. Discussion ensued on the proposal differences and comparisons of the companies.

After discussion the sidewalk project was tabled.

**3.     Consideration of Proposals for Washout Repair**

Mr. Jacques updated the Board on the washout issue and noted the CDD is not responsible. He further noted this is the homeowner's property. After discussion the Board agreed this proposal should be denied.

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On MOTION by Mr. Williams, seconded by Mr. Sevestre, with all in favor, Denying the Proposal for Washout Repair, was approved.

**4. Consideration of Proposal for Golf Cart Pay Repair (under separate cover)**

Mr. Jacques updated the Board on the new proposal specifics and stated they are still waiting on updated costs. The area for repair was discussed and the increase in concrete costs were noted. After discussion the proposal for golf cart pay repair was tabled.

**5. Consideration of Proposal from Down to Earth for Sod Replacement**

Mr. Jacques noted the cost differences in the proposals. Discussion ensued on the damage to the sod and the specific area affected. The Board was concerned that it was not their responsibility to pay for this replacement. Since there are issues with the current landscape company the Board agreed to wait until a new landscaper was selected. After discussion the proposal from Down to Earth for sod replacement was tabled.

**6. Consideration of Proposal from Aquaseal for Splash Pad**

Mr. Jacques stated he had the same proposals and discussed the specifics. He noted he was waiting for updates. Installation problems and specific issues were discussed. It was decided to table a decision for another meeting. They decided to withhold payment and work with staff to give them a notice of deficiency. Termination was discussed.

Mr. Jacques noted this will be his last meeting and another person is being trained and has been onsite for the last couple of days. The Board noted the new person needed strong attention to detail.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors' Request**

Ms. Webb noted the algae concerns on the poles and street signs. It was noted they will pressure wash before replacing. She also noted the monuments looked moldy and the front entrance asphalt that has been torn out.

The concerns were noted on the slide and getting the company to repair. That concern has been noted and they are reaching out for a vendor proposal.

A comment was made on the back door locks not working properly. Gates are still remaining open and continues to be a concern.



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Concern noted on the Operations contract going from \$21,000 to \$75,000 last year and this year's budget being over \$78,000. Comments were on part-time/full-time contract. The concern is the District took a \$55,000 hit without additional services. Continued operation concerns are not being addressed. It was noted accountability is needed. Clarification on the positions and responsibilities are needed. Ms. Webb asked for a job description.

**SIXTEENTH ORDER OF BUSINESS                      Public Comments**

Resident commented on concerns with sidewalk squares, concrete, asphalt repair and replacement costs. The Board needs to work with the golf course and path usage.

**SEVENTEENTH ORDER OF BUSINESS      Approval of Consent Agenda**

- A.      Approval of Minutes of the June 16, 2022 Meeting**
- B.      Balance Sheet as of July 31, 2022 and Statement of Revenues & Expenditures for the Period Ending July 31, 2022**
- C.      Check Register**

Mr. Laughlin presented the minutes of the June 16, 2022 meeting, July 31, 2022 Balance Sheet and Statement of Expenditures ending July 31, 2022, and Check Register in the amount of the general fund for \$212,033.26 and the capital reserve at \$26,160.62. There was a correction to Mr. Grahams comment on light shields and that it was to add lights, not remove.

On MOTION by Mr. Williams, seconded by Ms. Webb, with all in favor, the Check Register, was approved as presented.

**EIGHTEENTH ORDER OF BUSINESS                      Next Scheduled Meeting – September 15, 2022 @ 6:00 p.m. @ St. Johns Golf & Country Club Meeting Room**

Mr. Laughlin announced the next meeting date and time.

**NINETEENTH ORDER OF BUSINESS                      Adjournment**

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

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Sampson Creek CDD

DocuSigned by:

*Daniel Laughlin*

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Secretary/Assistant Secretary

DocuSigned by:

*Robert Sewestre*

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Chairman/Vice Chairman