

Minutes of Meeting  
Armstrong Community Development District

The regular meeting of the Board of Supervisors of the Armstrong Community Development District was held Thursday, April 14, 2022 at 3:37 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida.

Present and constituting a quorum were:

Liam O'Reilly	Chairman
Mike Taylor	Vice Chairman
Blake Weatherly	Supervisor

Also present were:

Marilee Giles	District Manger
Lindsay Whelan	District Counsel by telephone
Zach Brecht	District Engineer by telephone
Alex Boyer	Armstrong CDD Facility Manager

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Giles called the meeting to order at 3:37 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 Resignations**
  
- B. Appointment of New Supervisors**
  
- C. Oath of Office for Newly Appointed Supervisors**
  
- D. Election of Officers, Resolution 2022-01**

This item tabled.

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**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the October 14, 2021 Meeting**

On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor the minutes of the October 14, 2021 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Ratification of Transfer Letter Regarding Legal Services**

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor the transfer letter regarding legal services was ratified.

**SIXTH ORDER OF BUSINESS**

**Consideration of Fee Agreement with Kutak Rock LLP**

Ms. Whelan stated this is the same agreement that you approved with the firm we were with previously, Hopping Green & Sams including rates and other relevant terms.

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor the fee agreement with Kutak Rock LLP was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02 Designating Registered Agent and Registered Office**

Ms. Whelan stated this is cleanup from our transition taking the district's registered agent Katie Buchanan status to Kutak Rock which is now the location of the district's registered office.

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor Resolution 2022-02 was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Addendum to Tree Amigos Agreement**

Ms. Giles stated this addendum is to add the hedges across from the amenity center to the contract. This is to ratify the quote that we have and to approve the addendum to the agreement.

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On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor the addendum to the agreement with Tree Amigos was approved.

**NINTH ORDER OF BUSINESS**

**Ratification of Agreement with City Wide Maintenance**

Ms. Giles stated as a reminder at our last meeting we had asked for proposals for facility maintenance and we chose City Wide Maintenance and I believe they have started and this is to ratify that agreement.

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor the agreement with City Wide Maintenance was ratified.

**TENTH ORDER OF BUSINESS**

**Consideration of Addendum to ViewPoint Agreement for Security Services**

Ms. Giles stated the last time we met we needed to change the language in the agreement to seven days per week and under payment terms for total hours worked of preceding service period for the net 30 of receipt.

On MOTION by Mr. Weatherly seconded by Mr. Taylor with all in favor the addendum to the agreement with ViewPoint was approved.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03 Instructing the Clay County Supervisor of Elections to Conduct the General Election**

Ms. Giles stated this resolution is in accordance with Chapter 190, Florida Statute and instructs the supervisor of elections to conduct the district's general election. The term of office for those individuals to be elected is for four years and the new board members will assume office the second Tuesday following the election. That is for seats 3 and 4 and the other one is a landowner seat.

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor Resolution 2022-03 was approved.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

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**1. Needs Analysis that Districts Providing Wastewater or Stormwater Management Services Must Complete by June 30, 2022**

Ms. Whelan stated there was legislation during the last session that required all cities, counties and local governments including the district to complete what is called a stormwater needs analysis. It has to be completed by June 30, 2022 and it is on the agenda listed under the district engineer and it is a work authorization for the engineer to perform that work.

**2. Prompt Payment Requirements**

Ms. Whelan stated next is changes from the legislative session related to the prompt payment act. You already have prompt payment policies that tracks the statue. At your next board meeting we will bring a resolution that memorializes these changes to your prompt payment policy to conform your policy to current Florida law.

Ms. Giles stated the form of resolution is in the agenda package and we will ask the board to approve it in substantial form and my office would add the district name, my contact information, and the tax-exempt number.

Ms. Whelan stated I'm fine with that.

On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor Resolution 2022-04 was approved in substantial form.

**B. District Engineer**

**1. Ratification of Requisition 98-100, 2019A Construction Account**

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor requisition 98-100 from the 2019A construction account were ratified.

**2. Consideration of Work Authorization No. 8 State Mandated Stormwater Needs Analysis (20 years)**

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor work authorization No. 8 in an amount not to exceed \$10,000 was approved.

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### **C. District Manager**

Ms. Giles stated over the next couple of months we will be looking for board guidance as we prepare the FY23 budget. We will approve the budget at our next meeting, May 12<sup>th</sup> and adopt the budget July 14<sup>th</sup>.

### **D. Facility Manger**

#### **1. Report**

Mr. Boyer stated since early January we wrapped up quite a bit of expense items. We brought a facility person in and felt that was the better fit for the expectations. He has been working in his part time duties, we are rotating three different days each week, some is because we are trying to get people used to someone being there onsite. We will eventually have designated office hours. We have had three incidents within the past month that dealt with residents gaining access with their fobs and using the facilities inappropriately. We are finding that more of our issues are with people who have access to the facility than we do now.

We have spent a little over \$10,000 on repairs to date and our budget for the year was \$9,000. We would like to know how you want us to proceed to continue to maintain the facilities. We have the number for the umbrellas and will be able to provide the projection for the fans, but if anything is broken from now until then we need to know your direction.

Mr. O'Reilly asked what is the range on a monthly basis?

Mr. Boyer stated what I have listed was replaced since January. We should not exceed more than \$1,000 per month on routine maintenance. I don't want to give you a number because I don't know what is going to come up or become an issue.

Mr. O'Reilly stated use the \$1,000 monthly for the next six months.

Mr. Boyer stated anything over our projected \$1,000 a month I will reach out to get confirmation. We are already into the reserve.

Mr. O'Reilly asked are there any line items that have excess, not reserves.

Mr. Boyer stated there is a small window just because we haven't necessarily spent it yet. I can come back next month on potential areas that we are not going to exceed the number, but I don't have that answer now.

Mr. O'Reilly stated I think knowing that Marilee's office is going to be reviewing the budget and proposing a draft, that is the more appropriate time because you will have your spent

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to date and the forecast for the year and we can go through line by line to see where we can move money around before we talk about increasing the budget.

Ms. Giles stated we can do that. By the end of this month we will need any increases that we know about so we can plug it into the proposed budget.

## **2. Monthly Quality Inspection Report**

A copy of the monthly quality report was included in the agenda package.

### **THIRTEENTH ORDER OF BUSINESS      Supervisor's Requests and Audience Comments**

Mr. Lopez stated I want to go over a couple things with Tree Amigos. There is a section on the Phase 1 of Heatherbrook past the mailbox area, there is always trash along that whole area around the tree line from the construction sites. There is trash that has been there for months. The section where there is still dirt on the sidewalks across the street from the amenity center and is a hazard. They still put up orange blockades and I don't know if we need to keep those up because there is dirt there or find a way to remove the dirt.

The pest control part, are they taking care of the green area to the left of the amenity center as well?

Mr. Boyer stated they should be treating it. It is probably once a month not every time they are here. It seems to be wet a lot and the water washes it away. The soil doesn't drain.

Mr. Lopez asked do you have an estimated cost to replace the umbrellas? Will that come from reserves?

Mr. Boyer stated the information I have is it was basically a swap out of what was there, possibly a newer version of it and they are \$3,500 to \$3,800 each.

Mr. Lopez stated Kendrick and I asked you to fix them so \$3,800 can go back into your budget to use on things. We took the parts and we fixed one on Sunday and we are going to fix the other one. When we got the instructions from the company we found they were wiring them backwards. They are now properly fixed. I suggested to Brian if you want one of us to take a look at it, we can do that, but he did not reply.

Mr. O'Reilly stated thank you for doing that. If you could give someone a heads up if you are going to take it into your own hands so we know what is going on.

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Mr. Lopez stated yes, it has been a sore subject and the parts were just sitting there for seven or eight months. The same day we cleaned the embankment on the pond and wiping down the tables and chairs at the amenity center.

Mr. O'Reilly stated I saw the note from Nicole. Is the new cleaning vendor not doing that? That was the whole point of switching vendors because we were dissatisfied with the old vendor.

Mr. Lopez stated I have seen them once outside in that area but all they are doing is arranging and dusting off, they are not wiping them.

Mr. Boyer stated I will get with Brian and make sure.

Mr. O'Reilly stated if Carl is onsite he can potentially be there at the same time City Wide Maintenance is there and walk the facility. I assume there was some sort of introduction and walk the facility with the new company to make sure they are doing their scope.

Mr. Lopez asked is there a registry of residents that have the key fobs? The reason for the question is one for security officers can follow-up on damage and that family household needs to be acknowledge and say what happened. The second one is there are some families that have lost their key fobs and some children that I know don't live here using key fobs that they found at the amenity center. If they are using the key fobs and they don't live here, they probably need to be deactivated.

Mr. Boyer stated this is the first I know that people have lost their key fob. It is hard for us to turn it off when we don't know it is lost. The key fob goes with the house. If you know someone who has lost their fob we need to know so we can turn it off. If we have identified someone has come in and done something inappropriate, we have shut their fob off. They lose access until we have a conversation or identity who it is.

Mr. Lopez stated the cushions at the amenity center are disgusting. Do we have anything in the maintenance program so they could laundered?

Mr. Boyer stated I will ask City Wide and see if that is a service they have.

Mr. Lopez stated I know the cleaning crew doesn't do power washing but is there a way we can get the area underneath that covered area power washed? I did complain to the security people about the light timers.

Mr. Boyer stated Carl is working on that.

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Mr. Lopez stated we don't know who is what and is there a way to get an updated list because we thought Michelle was no longer then we see emails from Michelle. We don't know who to contact.

Mr. Boyer stated as of today your CAM is Michelle, your primary CDD representative is Brian and I fill in as needed and Carl is the facility attendant onsite.

Ms. Bowen stated I saw where a non-resident can purchase access to our amenity center. Is that to let the townhomes have access to the amenity center?

Ms. Whelan stated the CDD is a government entity and any improvements owned by the district have to also be open to members of the public. Obviously, since the public doesn't pay debt and operations and maintenance assessments we established a user fee for them to pay and utilize this facility on an annual basis. It roughly equates to debt and O&M assessments.

Mr. O'Reilly stated it is required by law, but no one has done that and it is a couple thousand dollars. This has nothing to do with the townhomes, it is required by law.

Ms. Bowen stated you said the seats are opening up for the CDD.

Mr. O'Reilly stated there are two CDD seats in the November election.

Mr. Taylor stated I wanted to thank you for your response. It gets frustrating when you try to report something. You don't live here and we understand you don't see everything that is going on and when we try to report something and don't get a response it is frustrating. I would think a couple business days is reasonable. Is there anything that can be done on that front? I know you can't force someone to respond. That is where I think a lot of the issues lies, we feel like we are speaking to deaf ears when we report something. Most people in the neighborhood think Evergreen, they don't think to send an email to a board member or to Alex but his information was not in the last report. Has there been any communication with Evergreen?

Mr. O'Reilly stated yes, I have personally and consistently discussed that with Evergreen. If something is not done quickly then we will make a change or discuss having other options. We felt strongly that having an amenity attendant was going to help. Alex has been doing a lot of good things, there is a lot of things juggling for repairs and stuff and to insert something in the middle of that probably would have been worse. We wanted to get through a lot of heavy stuff and repair a lot of things. Currently, I'm having a lot of discussions with Brian about communication responsiveness. In the absence of lack of response from Evergreen certainly you can always email Marilee, she is the CDD manager and as you have done you can copy me on something. I probably

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won't personally respond right away because other people should be responding. If I see something sitting for a while then I will reach out to Alex to respond. I understand your frustration we are working on it and if it is something that can't be resolved then we will go to another option.

Mr. Taylor asked what is the process for qualifying for seats 2 and 3?

Ms. Giles stated you can go to the supervisor of elections website or go to their physical location in Green Cove Springs. The qualifying period starts noon May 30<sup>th</sup> and it's from noon on June 13<sup>th</sup> through noon on June 17<sup>th</sup>. You can certainly do that now but you will have to go back again after May 30<sup>th</sup> to submit the paperwork. You can get 100 signatures or you can pay the \$25 fee. If you have questions after you go to the website let me know and I will try to help you navigate that.

Ms. Calise asked who is responsible to get the trash out of the ponds?

Mr. Boyer stated the landscape company will up-charge us if there is a substantial amount, they will not get everything. They will get some of the floating stuff. If it is down into the water then we do not currently have a next step. We would normally hire day laborer or someone to reach that depending on how far out.

Mr. O'Reilly stated the lake maintenance company can do that.

Mr. Boyer stated someone threw their Christmas tree in the lake and we had them remove that and it was an additional charge. They come once a month and people think it is going to be fixed but it doesn't always get picked up right away.

Mr. O'Reilly stated hopefully with an onsite attendant there is more frequent walks of the site and you can certainly report something. There is not a routine lake cleanup that is not part of the contract.

Ms. Calise stated I think it is coming from the builders. I didn't see anything until yesterday when Tree Amigos came by and they did an excellent job of cutting around the water then I'm looking at bags of trash up against the bank. They should have picked them up.

Mr. O'Reilly stated they should pick up something small like that. We can talk to them about that.

Mr. Taylor stated you mentioned that you were working with Evergreen to try to get a town hall. Is there an update on that?

Mr. O'Reilly stated I really wanted to get a lot of the decisions and repairs made ahead of that. I also wanted to have this meeting to see if there are any other major items that were of

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concern that we needed to address. I am open to a town hall, the HOA has an annual meeting and we will talk about the HOA after this meeting adjourns but that will always happen in October/November. If you would like to do something in the summer the end of May would work. I term it town hall because it is not a formal meeting like this.

Mr. Taylor stated I think that would be beneficial because one of the issues is most people can't come to this meeting because of the timing.

Mr. O'Reilly stated when we schedule that it will be in the evening.

Ms. Bowen stated you tabled the appointment of new supervisors. In the last five months we haven't had any meetings. Is this issue going to be resolved, are we going to have a quorum issue?

Mr. O'Reilly stated we are addressing that. We won't have quorum issues beyond this meeting.

Mr. Lopez stated there are spiders galore at the amenity center. Is there any way we can do something about the spiders?

Mr. Boyer stated Carl has been spraying once a week and some of it is that time when everything starts coming out. Getting the new company up, getting the patio cleaned will probably help. You have to get on a ladder and remove them.

**FOURTEENTH ORDER OF BUSINESS      Financial Reports**

**A.    Financial Statements as of March 31, 2021**

A copy of the financials was included in the agenda package.

**B.    Check Register**

On MOTION by Mr. Weatherly seconded by Mr. Taylor with all in favor the check register was approved.
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**FIFTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – May 12, 2022 at  
3:30 p.m. at the Plantation Oaks Amenity  
Center**

Ms. Giles stated the next meeting will be held May 12, 2022 at 3:30 p.m. in the same location.

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On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor the meeting adjourned at 4:51 p.m.

DocuSigned by:

*Marilee Giles*

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Secretary/Assistant Secretary

DocuSigned by:

*Liam O'Reilly*

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Chairperson/Vice Chairperson