

**AMELIA NATIONAL
COMMUNITY DEVELOPMENT DISTRICT**

Consideration of the Minutes of
the August 12, 2024,
Board of Supervisors' Meeting

MINUTES OF MEETING

**AMELIA NATIONAL COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

Monday, August 12, 2024, 11:30 AM

95211 Clubhouse Road, Fernandina Beach, FL, 32034

Board Members present:

Stephen Kearney	Chairperson
Vance Renfroe	Vice Chairperson
Julie Stola	Assistant Secretary
Jean Stanley	Assistant Secretary
Ron Hebron	Assistant Secretary

Also present in person or via phone:

Venessa Ripoll	District Manager - PFM Group Consulting LLC	
Kwame Jackson	Assistant District Manager - PFM Consulting	(via phone)
Jennifer Glasgow	PFM Group Consulting LLC	(via phone)
Rachel Proctor	PFM Group Consulting LLC	(via phone)
Katie Buchanan	District Counsel - Kutak Rock LLP	(via phone)
Neil Brockmeier	Prosser Inc.	(via phone)
Leilani Chamberlain	Field Manager - Leland Management, Inc.	
Kelly White	ICI Homes	(via phone)
Various Audience Members		

FIRST ORDER OF BUSINESS

Organizational Matters

Call to Order and Roll Call

Ms. Ripoll called to order the Amelia National CDD Board of Supervisors' meeting at 11:30 a.m. and roll call was initiated. Those in attendance are listed above.

Public Comment Period

Mr. Kearney gave an overview regarding Pond 14. He stated Pond 22 had been drained about two weeks ago in order for stormwater runoff drains to be installed. Pond 14 also began to be drained during this time.

Contact was made with District Counsel to discuss the licensing agreement. It was concluded that Pond 14 is owned by the golf club, not the District. ICI Homes, in coordination with the golf club, is in charge of the installation of the drainage structures that is taking place.

Ms. Stanley noted it is not only Pond 14 that is affected by this.

Mr. Kearney stated that Mr. Veazey sent an email to residents notifying them of the work being done after the work had started. Mr. Kearney also noted the heavy noise pollution happening due to this work.

It was noted that dues are being paid on the ponds, including Pond 14.

Mr. Kearney confirmed, but he stated that they are paid by ICI, as they pay the same dues as all other residents, which includes all lots. The golf club only pays for one home dues.

A resident noted there are EPA stipulations on fence-line noise levels and that is something to investigate.

There was a brief discussion regarding the noise decibel levels.

A resident commented on the golf course drains and Pond 14 ownership. He also noted what the residents' fees include when it comes to pond maintenance.

Ms. Buchanan stated that the Board can reevaluate their assessment methodology regarding O&M. There must be a basis to do this, and everything must be documented. This could then be sent to the golf course for response.

Mr. Kearney stated this has been something the Board has thought about before. The agreement was that the first 10 ponds were under ICI, as they have 50% of the land mass, all other ponds are homeowner ponds. In order to collect data and have an assessment, it was going to be around \$10,000 - \$20,000. This would allow the Board to see what the origin of the pond issues are. However, currently there is a contract between ICI and the golf course. These parties have no interest in taking part in this data research and assessment. Mr. Kearney questioned if this contract could be nullified or challenged.

A resident commented on last year's budget and using the excess on this data.

There was a discussion on the fund usage for this data research and assessment and if this would be warranted. This included a discussion on the golf course's contribution to these issues.

Ms. Buchanan gave an overview of this contract and the methodology behind this issue.

Mr. Kearney asked for this to be on the agenda for the next Board meeting.

A resident had a comment regarding Pond 14 and the communication issues. She stated there needed to be an emergency developer contact to provide answers. She also questioned who was responsible for responding to things of this nature. She noted there should be an inspection done of that pond before it is filled again, as there is erosion. Other ponds are affected by this.

There was a discussion on the work being done by the golf course and ICI and the lack of communication.

It was noted that Mr. Mike Veazey is the main contact for these issues. The Board would find out if there was anyone else that can be contacted in case of his absence.

There was a discussion on the Board's opinion of this issue and the contract in place. There were varying opinions.

A resident commented on the pond drainage and the effectiveness of the new structures.

Mr. Renfro commented on the need to know the depths of the lakes and ponds.

Ms. Stanley confirmed this information had been given and it is on the District's website.

Mr. Kearney stated that the District does not own Pond 22, and the District will not accept ownership of it, as it most likely does not meet the depth requirement.

Ms. White, via text to Ms. Ripoll due to connection issues, stated that the District, ICI and golf course will be paid by the residents. She noted that the Developer funds their share of each association. Moving budgets from one entity to another, does not change the who pays.

There was a discussion regarding the budget of each entity and how those are funded.

It was stated that there needs to be some form of notation written of the golf course's percentages and how to make it more equitable for the District. This would be the first step in starting a conversation with them and having them pay their fair share.

Mr. Kearney stated the first step is to validate the contract. This would need to be done by District Counsel and then the next steps can be assessed. This will be done and brought back for the next Board meeting.

SECOND ORDER OF BUSINESS

General Business Matters

**Consideration of the
Minutes of the July 10th,
2024, Board of Supervisors
Meeting**

The Board reviewed the minutes.

There was a correction on page 7 from Mr. to Ms. Stola.

ON MOTION by Mr. Kearney, seconded by Ms. Stola, with all in favor, the Board closed the Public Hearing on the Adoption of the

**Public Hearing on the
Adoption of the District's
Annual Budget**
a. **Public Comments
and Testimony**
b. **Board Comments**
c. **Consideration of
Resolution 2024-06,
Adopting the Fiscal
Year 2025 Budget
and Appropriating
Funds**

Ms. Ripoll called for a motion.

ON MOTION by Mr. Kearney, seconded by Mr. Hebron, with all in favor, the Board opened the Public Hearing on the Adoption of the District's Annual Budget.

Ms. Ripoll noted this is a proposed budget that was preliminarily approved at the previous Board meeting. Nothing has changed and there have been no increases from the previous year.

Mr. Hebron asked for clarification on what the line item for Wetlands Water Table Management was.

Mr. Kearney confirmed this was for Beaver Busters.

A resident commented on the preserve flooding. He stated all of the wetlands trees in that area are dying.

A resident had a question regarding landscape maintenance and what that included. She noted the areas between the gatehouse and Amelia Concourse need replacement.

It was confirmed that this only included landscape maintenance. There is a separate line item for landscape improvement.

Mr. Kearney noted this was originally a 5-year plan, and those were included in that plan, although the plan may need some updating.

It was noted there are no planned pond aeration in the upcoming year.

There was a discussion regarding the Front-Entry Refurbishment line item. Mr. Kearney stated this included the lighting proposal, which would include redoing all the electrical in the front entry. He noted there is \$40,000 allocated for this project.

There was a lengthy discussion regarding budget allocation and the budget process. This included what future issues may arise.

A resident asked for actual spending on the budget.

Mr. Kearney stated that if the Board overspends by 10%, there must be an announcement and the Board must adjust the budget accordingly.

Ms. Ripoll gave a brief overview of the overspending process.

Mr. Hebron made the request to notate where contingency monies are used. This was confirmed to already be in place.

A resident had a comment on surplus or deficit spending. He asked about having a record of what has been done with those monies in the past and how much that amount is.

Mr. Kearney confirmed that amount is \$80,000 for the current Fiscal Year. This is a contingency reserve amount for emergency purposes.

Ms. Ripoll called for a motion.

ON MOTION by Ms. Stola, seconded by Mr. Renfroe, with all in favor, the Board closed the Public Hearing on the Adoption of the District's Annual Budget.

ON MOTION by Mr. Kearney, seconded by Mr. Renfroe, with all in favor, the Board approved Resolution 2024-06, Adopting the Fiscal Year 2025 Budget and Appropriating Funds.

**Public Hearing on the
Imposition of O&M
Assessments**
a. **Public Comments
and Testimony**
b. **Board Comments**
c. **Consideration of
Resolution 2024-07,
Imposing O&M
Assessments and
Certifying an
Assessment Roll**

Ms. Ripoll called for a motion.

ON MOTION by Ms. Stola, seconded by Mr. Kearney, with all in favor, the Board opened the Public Hearing on the Imposition of O&M Assessments.

Ms. Ripoll stated this is what is sent to the tax collector and allows for the collection of assessment to fund the budget that was just approved.

ON MOTION by Mr. Kearney, seconded by Ms. Stola, with all in favor, the Board closed the Public Hearing on the Imposition of O&M Assessments.

Ms. Ripoll called for a motion.

ON MOTION by Ms. Stola, seconded by Mr. Renfroe, with all in favor, the Board approved Resolution 2024-07, Imposing O&M Assessments and Certifying an Assessment Roll.

**Consideration of
Resolution 2024-08,
Adopting the Annual**

**Meeting Schedule for
Fiscal Year 2025**

Ms. Ripoll stated there was a conflict with one of the scheduled meetings which falls on Veteran's Day. This meeting can be moved to the 4th or the 18th.

Mr. Kearney noted new members to the CDD do not take office on the election day, they have to wait approximately 12 days. This leaves the 18th as the optional date.

It was confirmed to move that date to November 18th, 2024. The updated calendar will be sent out to the Board.

Ms. Ripoll called for a motion.

ON MOTION by Ms. Stola, seconded by Mr. Renfroe, with all in favor, the Board approved Resolution 2024-08, Adopting the Annual Meeting Schedule for Fiscal Year 2025.

**Consideration of
Resolution 2024-09,
Authorizing a First
Amendment to Second
Supplemental Trust
Indenture**

Ms. Buchanan this is regarding the discussion from the last Board meeting and is in relation to the agreement with the Trustee and Bond holders. It transfers the reserve fund and allows it to be paid out as an early payment. It cancels the bond and reduces the assessment on the unplatted lands in a proportionate amount. This is in agreement with the Developer. As a result, the Developer will no longer be able to collect the costs via deferred cost obligation.

Mr. Hebron asked for clarification on what funds are in discussion.

Ms. Buchanan stated the fund that will be reduced to a zero balance is the Debt Service Reserve Fund. This is the fund that the bond holders rely on to ensure that if there is a default, they can access those reserve funds to pay themselves.

Mr. Hebron asked for the amount that was in that fund.

Ms. Buchanan stated right now it is approximately \$236,000. This changes with interest fluctuation.

Ms. Buchanan stated the second account is the Deferred Cost Account and it serves as a holding place for funds that the Trust holds. This pays the Developer for construction costs that have not been reimbursed upon completion of the project. The balance on that account is \$238,361.00. An example of what this fund could be used for is if the ICI put in a pond and they paid out of pocket for that improvement, they would be eligible to withdraw funds from this account for the cost of that pond.

Ms. White stated the ICI is in agreement with not having this account, in order to benefit the residents.

Mr. Kearney asked for clarification on how many of the 301 lots were owned by homeowners and how many were still controlled by ICI.

Ms. White stated the additional 10 lots are not included in the total of 749. Those are for lots that were lost elsewhere.

There was a discussion regarding the increase of platted lots and the PUD Meeting taking place on August 20.

Ms. White stated the final number is not known until the last phase is permitted, developed, and platted. The goal is to achieve the 749. Currently, there are 577 platted lots. Anyone who purchases a home or owns a home in the new section, by ICI or Riverside, would have the benefit of a lower assessment. She gave an explanation of the refinancing of the 2004 bonds vs. the 2006 bonds. At that time, there was not enough diversification of all residents to provide credit worthiness to include the 2006 bonds. The refinance option will still be available in the future. Currently, the majority of these lots are still owned by the Developer, with a third being owned by homeowners. The benefit is to residents, Riverside and the ICI.

Ms. Buchanan confirmed the risk is on the bond holder in losing their reserve and the Developer is giving up the reserved cost opportunity. It is a better sales opportunity for potential buyers. She clarified the 2004 homeowners are not impacted at all. This only impacts the lots that are currently being developed or are in the new plat.

Mr. Kearney stated no one in the meeting is affected by the 2006 bonds.

A resident had questions regarding ICI financials and their liability.

Ms. White clarified that ICI is not a publicly traded company and therefore there are no public filings. She stated that the bond holders have a long experience with ICI and they

provide quarterly updates about Amelia National to them. This is placed on the municipal website for all CDD's in the state of Florida. There are statutory requirements. Based on their information, the bond holders are willing to release their hold on the reserves. In the event of a default, the bond holders have the right to foreclose on the parcels that were not paid on. This agreement allows the bond holders to have their money now instead of sitting in a Trust.

There was discussion in how the assessments would be reduced, how the residents would be affected and how the bond is paid.

Mr. Hebron asked for clarification on the liability of the CDD and the homeowners should ICI default on the bond and this is approved.

Ms. Buchanan stated if ICI defaulted, the District would have to negotiate with the bond holder to make sure that foreclosure costs were paid by the bond holder out of their interest earnings, not the CDD. This is not an uncommon practice and could be added into the agreement. There is no liability with the loss of the Deferred Cost Account as it would be paid out regardless.

Mr. Kearney asked for this to be added to the agreement by District Counsel and for this to be brought to the next Board Meeting.

ON MOTION by Mr. Kearney, seconded by Ms. Stola, with all in favor, the Board tabled Resolution 2024-09, Authorizing a First Amendment to Second Supplemental Trust Indenture until the next Board Meeting.

Ms. White noted this will not make it on this year's tax roll with that motion. This means the residents will not get the benefit this year.

Mr. Hebron confirmed that this would be a differential of \$176 per household.

**Consideration of
Resolution 2024-10,
Adopting Goals,
Objectives, and
Performance Measures and
Standards; Providing a
Severability Clause; and
Providing and Effective
Date**

Ms. Ripoll stated this is a new statute requirement. Legislature has decided that special Districts need to adopt goals, objectives, and performance measures every fiscal year. At the end of the fiscal year, they must compile a standard report listing of what was achieved or not, and how it will be modified in the upcoming year. This went into July 1, 2024, and must be submitted by October 1, 2024. District Management will work with the Board to create these, and they will be posted on the District's website. The draft provided is from District Counsel.

It was confirmed that these are items that the Board already does, but it is just putting it in writing to confirm the Board is accomplishing what it should.

There was a discussion on what was included in the goals and objectives and if there was need to change anything.

Ms. Ripoll stated that this can be fine-tuned as necessary.

Ms. Buchanan recommended approving the draft as given and making changes as needed later due to the fast turnaround time.

ON MOTION by Ms. Stola, seconded by Mr. Hebron, with all in favor, the Board approved Resolution 2024-10, as written, Adopting Goals, Objectives, and Performance Measures and Standards; Providing a Severability Clause; and Providing and Effective Date.

**Discussion of RFP Process
for Amelia National Entry
Corridor Electrical &
Lighting System Rebuild**

Ms. Buchanan stated she has been in communication with Mr. Renfro regarding the needs for this project. At this time, she does not feel there is sufficient packaging and information on what exactly is needed in order to get a clear scope of work yet. The contracts are standard, but the scope of work needs to be clear for the contractor. Sketches, quantities, and values need to be homed in on.

Mr. Kearney stated this needs to be done before the end of this fiscal year. In order to get this approval, he asked for clarification on a meeting continuation.

Ms. Buchanan stated this is an option. As of now, she does not feel comfortable giving a price point for this scope of work. The Board could give one person complete authority to

make the decision, or the Board could have a meeting continuation. This would allow a date where the Board could review the final scope of work and approve.

The Board agreed with a meeting continuation.

There was a brief discussion regarding the location of the funds being used for this project.

Mr. Renfroe asked why there was a not a draft contract for the Board to review based on all the data that has already been sent to District Counsel.

Ms. Buchanan noted she has been on vacation for two weeks, which is when this information was sent over. She stated she did not see quantities of products or locations of where these products would be placed.

Mr. Renfroe stated multiple proposals have been reviewed numerous times. There are now items on backorder due to the long wait time.

There was a discussion on the cost of this project.

Mr. Kearney asked if the building permit had been obtained, as \$500.00 was approved at the last Board meeting to do so.

Mr. Renfroe stated he does not currently have the permit, but those who oversee obtaining the permit, are not in attendance at the meeting.

There was a discussion regarding the bid proposals received and the cost of these proposals.

Ms. Buchanan stated she believes the contractor should be able to give the specifics regarding the number of fixtures and products that are going to be used. If this is not able to be done, there can be a discussion.

Mr. Kearney stated there will be a meeting continuance.

Ms. Ripoll stated September 16 would be the best date for this.

The Board agreed and confirmed September 16, 2024, 11:30 a.m., as the meeting continuation.

Mr. Renfroe gave an overview of the bid process thus far for this project and reminded any homeowner with questions to contact him regarding this. This will allow him to have everything needed to answer any questions or remedy any issues at the September meeting.

Review and Consideration of Holiday Lights Proposal

Ms. Ripoll stated Mosquito Nix & Elves were contacted regarding the total price of \$4600.00. This is for all options and is based on what they have done in the past. There was another proposal received from Dallas Hunter, who does the lighting at Hunter's Creek. This amount was for \$4440.00.

Mr. Renfroe stated although Dallas Hunter is the lower amount, Mosquito Nix has experience with the community. They have done the lighting before and done a good job, but the concerns are with putting cords to outline the islands and putting lighting drapes over the shrubbery, as these are both prone to being cut by landscaping or going out. Mosquito Nicks proposal seems to be the same as it was in the previous years.

There was a brief discussion on the expectation of holiday lights and the difference between the holiday lights and the uplighting of the various trees.

Mr. Kearney gave an overview of the holiday lighting.

There was a discussion regarding Mosquito Nix, their cost, and the work they have provided in the past.

There was also a discussion regarding Dallas Hunter and his experience. It was noted he does North Hampton, which is up to the road from Amelia National.

ON MOTION by Ms. Stola, seconded by Mr. Hebron, with all in favor, the Board accepted the Dallas Hunter Holiday Lights Proposal in the amount of \$4440.00.

There was a discussion regarding what would be included in the holiday lighting and the time constraint for getting this approved.

There was a resident who commented about having white holiday lights only.

Mr. Renfroe confirmed this is not a rule, but only what was decided upon last year.

Discussion of Ponds- Maintenance/Ownership

The Board decided to table this until the continued meeting.

**Ratification of Payment
Authorizations #241 - 246**

Ms. Ripoll stated these are contractual obligations that have already been approved by the District Chair.

Ms. Stanley asked for clarification on June's payment vs. July's payment. This needs to be charged to ICI as they ran an extension cord across the road into an aerator box, which was done illegally. This was Pond 5.

Mr. Kearney confirmed.

Ms. Ripoll stated she would take note of that and look into it.

ON MOTION by Ms. Stola, seconded by Mr. Kearney, with all in favor, the Board ratified Payment Authorizations #241-246.

**Review and Consideration
of District Financials**

Ms. Ripoll stated the financials are as of June 30, 2024.

THIRD ORDER OF BUSINESS

Other Business

Staff Reports

District Counsel – Ms. Buchanan confirmed she would be working with Mr. Renfro on the lighting proposals and would be looking at the golf course contract validity in order to have a report for the meeting continuation.

It was asked who would determine the pond cost that homeowners have paid out in regard to dead carp and other issues in order for ICI to have to pay back.

Mr. Kearney stated the Board could work with Mr. Veazey.

Mr. Renfro stated ICI should already be aware of the erosion issues.

There was a discussion regarding where the drained water went.

It was confirmed that the ponds will be refilled naturally.

District Engineer – Not present.

District Manager – No report.

Field Manager – No report.

**Audience Comments and
Supervisor Requests**

There were no further comments or requests at this time.

FOURTH ORDER OF BUSINESS

Continuation

Ms. Ripoll stated the Continued Meeting would take place on September 16, 2024, at 11:30 a.m., at the same location.



Secretary/Assistant Secretary



Chairperson/Vice-Chairperson