

MINUTES OF MEETING  
DOUBLE BRANCH COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Double Branch Community Development District was held Monday, October 11, 2021 at 4:00 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

Present and constituting a quorum were:

Cindy Nelsen	Chairperson
Chad Davis	Vice Chairman
Scott Thomas	Supervisor (by phone)
Tom Horton	Supervisor
Andre Lanier	Supervisor

Also present were:

Marilee Giles	District Manager
Mike Eckert	District Counsel
Jay Soriano	Operations Manager
Chalon Suchsland	VerdeGo
Crys Grizzle	S3 Security
Jen Muntean	S3 Security

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Giles called the meeting to order at 4:00 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. Approval of the Minutes of the September 7, 2021 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Ms. Giles stated included in your agenda package are the minutes of the last meeting, the financial statements as of August 31st, your assessment receipts schedule showing you are 100% collected for FY2021 and the check register totaling \$181,142.71. We start collecting

assessments in November, but the majority of folks pay around December, so I think we're going to be fine with those assessments coming in.

On MOTION by Mr. Horton seconded by Mr. Davis with all in favor the Consent Agenda was approved.

**FOURTH ORDER OF BUSINESS                      Consideration of Resident Member Suspension**

Mr. Eckert stated we brought this to your attention at a prior meeting. We had a little difficulty getting confirmation that the resident received a copy of the suspension letter. I think we now have confirmation that the resident did receive the suspension letter and at this point in time we would be going through our typical suspension hearing. This is something that involves some profanity. The Board has previously been provided with information regarding this. There was a written policy violation report, and we also have the policies applicable to the amenity center. This was a situation that occurred at your sister district, but because you have a reciprocal agreement with them, and the resident is a resident of Double Branch, it makes sense that you are the one that will hear the suspension and decide how long it should last. Specifically, on July 16<sup>th</sup> District staff found that the conduct violated the pool and waterpark policy paragraph numbers 15 and 28 and the suspension and termination of privileges rules paragraph numbers 2C, 2D, 2E, 2F, 2G and 3 and then in relation to the Middle Village policies, it violated the same provisions for the pool and waterpark number 15 and 28 and the suspension and termination of privileges 2C, 2D, 2E, 2F, 2G and 3. Mr. Eckert confirmed the resident was present and continued. At this point in time, we would ask Jay Soriano to give a statement to the Board on what occurred that day.

Mr. Soriano stated you guys have received the policy violation. This was a case of profanity and abuse towards staff over a situation that happened to deal with her son who was employed with us at that time. I've spoken to Ms. Summers who was honest saying she did use profanity. She had concerns that our staff used profanity so it's okay for her and I explained that's not the way that works, however I let her know at that time there would be a temporary suspension and she could come to the Board for a meeting like this. We do not deal with any kind of abuse and profanity on our pool decks. There were multiple witnesses there that did

hear that, not just staff but also residents. There was no physical abuse or anything, this was more yelling and cursing.

Mr. Davis asked can you please refresh my memory what started the incident and what exactly took place?

Mr. Soriano responded the way it was explained to me by staff is she was upset because she was bringing lunch, or I think it was the girlfriend that was bringing lunch to a staff member and he was in the stand at the time, he wasn't able to eat lunch and mom was upset about that and demanded that he be able to come down now and eat then so she was yelling at him. We can't yell at him like that, and we also can't tell him what to do over top of our staff members there, but she did say she wasn't yelling at the staff person. Of course, the staff person says that is not true, she was yelling at them, and she was yelling at the son on deck to follow directions and come down then and eat his lunch and it built up from there. She was asked to leave, she was asked by security to leave, and she was also threatened with a trespass, but we did not have her trespassed.

Mr. Eckert stated I would ask that the policies and also the policy violation report that was filled out by Shannon Mullis be entered into the record. Ms. Summers, at this point in time, if you have anything to say to the Board, this is your opportunity.

Ms. Laura Summers, 364 Briar Oaks Lane, stated what is written on here is not true. I did say the 'F' word one time to my son, who was not on deck. He was standing at the table, and I said, "Here's your [profanity] watch.", and then she said oh really. I don't know who was around, there were no other civilians. The only other person would have been the one on deck over there and then up top in the lifeguard stands. I'm not going to deny the fact that I came for the third time to my 17-year-old and said what I said, but that wasn't addressed toward anybody, that was between him and I and there was no yelling. Whenever I said that she was cussing, she repeated what I had said. I said why is it allowed for her to say that if I'm being kicked out. Why is okay for her to say that as a staff member with other people around. I'm not denying that I did say the 'F' word one time, but that was to my 17-year-old son, and it was the third time I had been up there. The girlfriend brought him water. I'm here to take whatever that is, but the severity of this statement and what actually happened is not true at all.

Mr. Eckert asked were you asked to leave at any point in time?

Ms. Summers responded yes, at the very end and she was getting a hold of a lady. I can't remember her name, but I said no, I'll wait for her to come down and then the security guard came, and I was walking out to my vehicle, and I said are you here for me and he said no, so I got in my car and left.

Mr. Eckert stated there were some other things that were reported. Did you ever tell a staff member to go 'F' themselves?

Ms. Summers responded there were no other staff members around except for the lady. This is the first time I've been asked a single question about it, other than when I called to ask him, because I went up to the Phase I facility and asked the guy there if I was actually kicked out and he said yes, I think you are, but he wasn't sure.

Mr. Davis asked when you say the lady?

Ms. Summers responded I can't remember her name, I'm sorry.

Mr. Davis asked do we have a name for the lady?

Mr. Eckert responded we have the name of the staff member that wrote the report.

Mr. Soriano stated I think she was referring to calling her boss, which is Susan Raab. Susie has text messages from her that are angry about her contacting River, who is the employee, but I guess it was the father's phone number. There were other issues that she was angry with Susan Raab about, which is the lady she's referring to. That's Shannon's boss. Those are outside of this issue though, but there have been other minor issues. She's considered angry toward staff. I wasn't here, I can only take the reports from my staff. She was honest with talking about cussing her, the main concern is staff shouldn't be allowed to cuss and I'm sure my staff can figure out a way to get you to understand.

Mr. Davis asked so Shannon is the staff that was down there, and Susan is her supervisor?

Mr. Soriano responded right.

Mr. Davis asked who was saying that she told someone to go 'F' themselves? Is that Susan or Shannon?

Mr. Soriano responded that is what Shannon is saying. Shannon said she was yelling at her at the desk, but she told me she was not yelling at her, she yelled at her son. The other staff there said they took it as her yelling at Shannon. Shannon is the one standing right at the desk.

Mr. Lanier asked so we have multiple staff members that are contradicting what Ms. Summers is saying?

Mr. Soriano responded yes.

Mr. Lanier asked do we have any non-staff members that have also added to the report?

Mr. Soriano responded not added to the report, but we did get names of ones that were there that said they would be happy to attend and answer questions if it's needed. I always have them get witness statements and find other residents that would be there that saw it if we wanted to go that route.

Mr. Davis asked they don't have statements; they just have names?

Mr. Soriano responded right. That's normally what we do. Sometimes if it's bad enough we will get them to write out a statement. Some of them ask not to be involved unless it's something like there where we're going to do a hearing. All of those statements are then public information, and it has their names and they're neighbors, things like that.

Mr. Lanier asked you're saying the other staff also felt as though it was being directed at Shannon?

Mr. Soriano responded correct.

Mr. Lanier asked was it just one 'F' bomb dropped by Ms. Summers or was there any more to it?

Mr. Soriano responded no, that's not what they're stating here at all.

Mr. Eckert stated I can read the statement. I'm going to abbreviate because I think that may also give a little more context. Again, this is a statement from the employee, not from Ms. Summers.

Mr. Davis asked which is who, Shannon?

Mr. Eckert responded Shannon.

Mr. Soriano stated Ms. Summers does have this full report. Everything has been shared.

Mr. Eckert stated the statement reads, "The mom of the lifeguard walks into the pool and yells, "Are you 'F-ing' kidding me". I was stunned. She repeated it and I said, "Are you serious?", she said "'F' you, yes, I'm serious. I don't have an 'F-ing' watch.", then told me she was the parent of River. River came over and she began yelling at him. I asked her to stop, and she continued yelling. I asked her to leave, and she refused. I told her I was calling security to have her trespass if she didn't leave. She said, "'F' you. Is this how you treat people?". I

tried calling various supervisors and security and didn't reach anyone. She told me to go 'F myself'. I told her to have a great day and she went to leave, then she came back cussing at me telling me I am a piece of 'S' for picking on him (River) for not having a watch. I just stood there letting her yell and she finally saw I had picked up the phone to call security again. I said, "I've asked you to leave and I'm trespassing you and she replied, "'F' you and try." and she walked out." So that is the report.

Mr. Davis stated Ms. Summers, you have to understand how difficult this is for us as we are not there. None of us were there and all we can do is rely on you saying you dropped one 'F-bomb' and her saying you dropped about 15. If there are other people that corroborate what she said, what are we left to do?

Ms. Summers asked can I ask not names, but are they lifeguards?

Mr. Davis responded they're staff members apparently.

Ms. Summers stated there was no one around except for her and I.

Mr. Davis asked were you talking loud?

Ms. Summers responded no, the way I came in, River was at the stand, and I said here is your watch and she said, "Oh really." and I said, "Yes, really.", like I was talking to him. The rest of that is completely not what happened.

Mr. Soriano stated I can promise you the statement that there was nobody around is completely wrong. This was a Friday on July 16<sup>th</sup>. There are people at full. Were they right there at the desk standing with them? No. But if our other staff people can hear them, I promise other residents on the deck can hear them.

Ms. Summers asked can we look at the sheet from that day? There was no one in the vicinity.

Mr. Soriano responded yes; you're going to see a lot.

Mr. Davis asked was your son in the stand?

Ms. Summers responded no; he was at the table. I will own the fact that I said the 'F' word and if that is going to cause me to get kicked out then I guess that's what it is, but the rest of that statement is not true.

Mr. Thomas stated Jay, did any other staff hear that entire conversation or was that conversation just heard by the son, the resident and the person she was having the interaction with? Were there any other staff members around other than just these three people?

Mr. Soriano responded there was a full set of staff there, but she's saying there was only three people close enough because we have one on the side, which only sits above them maybe 10-feet. They sit on the slide tower right there where you check in so they can hear quite a bit. There is one directly across the pool and there was one in the stand that sits right in front of the check in. The way I was explained is that's where River was at the time this first started happening. I don't know about when you came back. I guess the girlfriend came in first and she wasn't with mom. The girlfriend asked to be able to talk to him and do something and then she left, and I guess went and got mom and that's when angry mom came back. The way I was explained is River was in the stand and that stand right there is the one they're talking about closest to that desk.

Ms. Summers stated River had just come out of the guard shack.

Mr. Soriano stated when you got there. How about when the girlfriend came earlier?

Ms. Summers responded I was sitting right there. She asked to bring him water and she hadn't seen him all day because we had just got back from church.

Mr. Soriano asked so you walked in with the girlfriend too?

Ms. Summers responded no, she walked in, gave him water and came back out in tears and I said what's wrong and she asked if I had a watch and I had come to two people prior about the watch saying he didn't have one that day and they said it's not a big deal but he has to have one next time, so we had a cordial conversation and it was fine. Then I went back in and I said here's your watch and that's why I said it like that. I brought your lunch, now your water and now here's your watch. You're seventeen and you have a job. It was more a mother-son thing and then she interjected.

Mr. Davis stated Jay, you mentioned another lifeguard or staff member across the pool? What is that 50 or 60 feet?

Mr. Soriano responded maybe 30-feet.

Mr. Davis asked was it busy?

Mr. Soriano responded I'd have to check but like I said it's a Friday in July. It's the person that is going to be in the slide tower.

Mr. Davis stated whoever was closest, but I'm saying if it's busy and people are splashing the lifeguards should be watching not listening to a conversation 50-feet away. I don't know. This is a difficult one.

Mr. Soriano stated this would be more the person in the slide tower. If you want to pick apart the he-said-she-said stuff the only way you can do it is you'd have to bring them in. I was not there; I've only talked to her and she was honest in her cursing. She doesn't like the fact that they were cursing, however the story is completely different than everything I've heard from everybody that was there and said they could hear it and that's what we're going to get. So, we can bring them in, but I'm sure we're still going to get that.

Mr. Davis stated but you have other people, non-staff, that would be willing.

Mr. Soriano stated that's what I asked first is were you completely yelling at your son, and she's telling me she was but everybody there told me she was yelling at Shannon. So, that's the same case. The reason we don't deal with the cursing on the deck is Shannon feels like she was being attacked.

Ms. Summers stated Shannon was the one that was yelling. She was the one that raised her voice. I don't know if you guys have been upstairs on this side, but with both slides going you cannot hear down there.

Mr. Davis stated that's what I'm wondering. So, if we have outside people, not staff, not Ms. Summers and we have names and numbers, I would like to see what they have to say. Because they have no dog in the fight so to speak.

Ms. Nelsen asked what is the recommendation?

Mr. Horton stated I have a question. This happened over here at Middle Village. Did Middle Village look at this?

Mr. Eckert responded Middle Village is aware of it, but because the individual was issued an access card by Double Branch, then it is a Double Branch issue and then any suspension is reciprocal amongst the two districts. The policies for Middle Village and Double Branch are substantially the same and those were included as policy violations in the letter.

Mr. Soriano stated there was a question on what the recommendation was. Really, the same reason I wanted a temporary suspension, and this started after I spoke to her, was that she could come to the Board, and she could say her piece. I wanted to keep her away from the staff. The staff is done for the season, so if there's any concerns whether we let her go or we extend it, we're done with the pool season, so I don't see an interaction there so as far as recommendation of time, we don't have to go six months or a year or anything like that.

Mr. Eckert stated you're almost at three months now.



Mr. Davis stated that is a strong written statement. I would really like to know what actually happened. People that were around, that are not staff and are willing to give a statement could shed some light on it.

Mr. Soriano stated I think you should still hear from the staff so you should speak to Shannon directly if you're worried about it.

Mr. Davis stated her statement says a lot as it is, but it's she-said-she-said.

Mr. Soriano stated then there's everything else that corroborates it. Susie shared texts with me that sound angry coming from her and I can see why they are already a bit standoffish in dealing with her. That's why my recommendation was to make sure she's not at the pools if that's the case and we're having those types of issues. The pool is closed so I'm not too worried about it at this point.

Ms. Summers stated we bought our home in 2019. We're a military family. I've never had an issue with any of the staff here or at the other place.

Mr. Davis asked how long has son worked here?

Ms. Summers responded he worked here for like a month or something.

Mr. Davis stated at this time he had worked here for about a month?

Mr. Soriano responded I think he had only worked here for about two or three weeks. There were some issues there too.

Ms. Nelsen asked what do we think would be reasonable, Jay? Three months or six months?

Mr. Soriano responded for one, I don't even know if she uses the pool that much. As far as looking at her access cards she's only checked in a couple of times throughout her time of living here and my main concern is keeping her away from the staff and like I said, staff is not really here anymore until next summer so unless we were going to do an extended thing, at this point I'm not worried about extending the suspension.

Mr. Lanier asked does a suspension of the pool include any of the amenities?

Mr. Soriano responded yes so if she wanted to use the fitness center, she wouldn't have been able to use the fitness center, things like that. Her card gets turned off temporarily until you guys decide, then from that point on you guys can decide to carry it farther, which we've done in the past. I'll leave it up to you guys if you want to do a one-year suspension or anything like that. If she had been trespassed it would have been two years. One year is what

we say we look at to reinstate them as long as they're fine after that one year. This didn't make it that far because Mr. Jackson who was our officer that day that was called didn't make it here for about 45 minutes is what they said.

Mr. Horton stated I don't have a problem supporting the staff based on the statement that I read right here. I think we've got good staff and it's our job to support the staff and that's what we need to do. I don't know why they would make this up and you're saying there's even more people that hear it, so I don't have a problem with that, and this is the way it happened as far as I'm concerned. I think the only thing we need to determine is what the suspension is going to be.

Mr. Eckert stated I want the Board to understand why we don't have witnesses here today. Number one is we had sent a letter saying let us know if you're going to attend or your attorney is going to attend and then we can set that up. The other thing is we typically don't do it unless there is a threat of physical harm or some sort of physical harm because you're essentially having a mini trial of neighbor against neighbor, and we try to avoid that when we can. Given what Jay has said, his concern with the suspension was about staff, I think if you did a suspension up until today's meeting or a three-month suspension, which is a couple more days, based on what Jay has said and what I've seen in other situations and it's an isolated incident, this isn't a person who has been coming back and harassing staff since that time, I would recommend you do it three months or to today with the understanding that if something happens again it would be a much more dramatic issue for you to deal with and probably something that you would have to look at a much longer suspension.

Mr. Davis stated I agree with that.

Ms. Nelsen asked are the pools not open anymore on weekends?

Mr. Soriano responded this is our last weekend. After this it's adult only and there's no staff there for the adults.

Mr. Davis stated I'm good with a three-month suspension, which ends in a day or two.

Mr. Soriano stated so beginning this next Monday, that would be the 18<sup>th</sup>.

Mr. Eckert stated I think from what I heard from Jay, I don't think Jay believes a three-month suspension in this particular circumstance would not be supporting staff and if you feel differently, you should let me know.

Mr. Soriano stated that's always been a big thing for us, the this isn't what I said or they're lying, we've heard that before, so I have to side with them a bit, but when they say we have another person and a staff person. It probably wasn't exactly like what she said, but if she really didn't mean it towards Shannon, okay, but that is what this is for too. Come in and say your piece. So, if we were to lift that suspension this coming Monday, I would be fine with that because the pools are closed.

Mr. Eckert stated three months would be the 16<sup>th</sup>, so through the 17<sup>th</sup>?

Mr. Soriano stated the 17<sup>th</sup> is the last day that there is any staff there.

Mr. Eckert stated so on the 18<sup>th</sup> it would end.

Mr. Horton stated I don't suppose an apology would be appropriate.

Ms. Summers stated I would apologize for saying the 'F' word one time, yes. Because that is what happened. We have interacted several times. I was there when a brick fell on a lifeguard and hurt her hand. I had to make a statement that day. I've been present a lot.

Mr. Soriano stated well when I looked up your card you haven't really checked into the pool that many times.

Ms. Summers stated not this past year, no I haven't.

Mr. Soriano stated I look at how many people check in and how many people are here. I'm sorry I don't remember you.

Ms. Summers stated this is my only time to say anything so I wanted to say it, but yes I would apologize to her for saying that and for cursing to my son.

Mr. Soriano stated I'm sure she would appreciate it.

Mr. Horton stated as long as we don't see that again.

Ms. Summers stated but do you understand, if using profanity is not allowed on campus then if she's saying it.

Mr. Soriano stated I get that. I don't want to go into that argument there. That sounds like what my kids do when that happens. It's still not the same.

Ms. Nelsen stated I can assure you he handled it with staff.

Ms. Summers stated that's fine, but if I'm going to be held to a standard, the staff members should also be so that was it. I'm not trying to get her in trouble or anything like that.

Mr. Lanier stated you're asking if two wrongs make a right. The problem is it started with you and it started with language that is inappropriate anywhere around here so it's easy to

say well they copied me. That's fine, but it starts with you, and I would say that's where you end it and let us worry about our side of the house and you say I got it, it shouldn't have happened and don't try and say they shouldn't do this either. That's for us to handle.

Ms. Summers stated I understand that, but when I was speaking to Jay about that day, it was brought up.

Mr. Soriano stated I am only dealing with you and I'm not going to tell you what I'm going to do to her as far as disciplinary, so when I told you that day that I'm not going to just hear your side and your side only. I want to hear your side, but I also have staff to look out for. I talked to them, and I talked to multiple people and this is where I found the information from Susie about the text and phone calls or emails and those types of things, so I had to look into it more. The only thing I had heard about was the incident and that's what I had talked to you about and then like I said, it's just the cursing part and I'm only addressing you. I dealt with her on that subject.

Mr. Thomas asked can I understand what we're doing? It's three months, but it's essentially time served because it will actually be up in a week?

Ms. Nelsen responded at the end of the pool season, yes.

Mr. Soriano stated she has not been here.

Mr. Thomas stated that's fine, however in the future if there is any interaction I would like more statements because I need to make sure that our staff are handling themselves appropriately as well as residents handling themselves appropriately.

Mr. Davis stated I would also like to suggest, if you have the time to get this person's name and number, in case you need a statement just go ahead and ask for a statement. If they don't want to give a statement, I can understand that as well, but if you're going to take the time to get their name and number ask them to email a quick statement and then we have a lot more to go on. When the cops are called it's easy. They're refusing to leave and they're obviously being belligerent and not following instructions, be a he-said-she-said is a little bit more of a grey area.

On MOTION by Mr. Davis seconded by Mr. Thomas with all in favor lifting the suspension of Ms. Summers on October 18, 2021 was approved.
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Ms. Summers asked what does that mean for me?

Mr. Eckert responded it just means that your amenity access will remain shut off until the 18<sup>th</sup> of October, so a week from today.

Ms. Summers asked so then I can work out until next summer and then I can't go to the pool?

Mr. Eckert responded no, your amenity access will be turned back on October 18<sup>th</sup> fully and the only way you're going to lose that again is if we have another incident.

**FIFTH ORDER OF BUSINESS**

**Acceptance of Engagement Letter with  
Grau & Associates for the Fiscal Year 2021  
Audit**

Ms. Giles stated Grau & Associates was selected through the RFP process and has completed the audits for Double Branch in years past. Grau & Associates will audit the District's financial statements and will examine the District's compliance with the Florida Statutes 218. The fee is \$4,900 for this year's audit.

On MOTION by Mr. Davis seconded by Mr. Horton with all in favor Grau & Associates Fiscal Year 2021 audit engagement letter was accepted.

**SIXTH ORDER OF BUSINESS**

**Consideration of Amendment to Landscape  
and Irrigation Maintenance Agreement  
with VerdeGo**

Ms. Giles stated this agreement is to add language to provide for a credit to the District when the contractor does not perform the services required by the agreement due to a labor shortage or other reasons. The District can then use the credit toward payment for additional work or services.

Mr. Soriano stated it's not just for shortages, it's just one of the things we put in there. They did have some issues and we've all had some issues and we try to work around them. A bigger portion of it is there have been questions at a lot of other districts. We saw it a lot more with things like rain. We actually have it spelled out in our contract how many days they have to complete a certain zone and if it rains how many extra days they have. You finally get to a point where you run out of time and this year there were times where it would rain two or three weeks straight so there was so no way to catch up. We have spelled out how much all of those

services cost, so if you have 204 cuts a year and you pay that \$10,000 or whatever it is for those 204 cuts and I don't get 24 of them, I know how many dollars I should be getting back. When people ask if work is not getting it done what we get out of it, this wasn't an issue with them not doing their job, it's just more of an issue that they couldn't do their job, but we're still paying for it. This wording is nice to have in there. This isn't a penalty thing, and they did nothing wrong. That's also why we talked about wording it in a way that is beneficial to us all. They're still going to get the work because now it's just going towards that extra work that we do such as planting of the columns and things like that. It's just we would pay less for that. That is something we already do, and we've done in the past, we would get that trade off when certain things couldn't be done or we didn't want some of those things done such as extra annuals and maybe that money went towards sod, so it's something we already did, it just wasn't spelled out in the contract. Now it's just going to be in there officially.

On MOTION by Ms. Nelsen seconded by Mr. Davis with all in favor the amendment to the landscape and irrigation maintenance agreement with VerdeGo for credits for work not performed was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. District Counsel**

Mr. Eckert stated if you'll recall, at the end of the legislative session we did a wrap-up in terms of the laws that passed. One of the ones that is going to need to be implemented is you're going to be required to do a 20-year needs assessment for your stormwater management system and that's something your engineer will have to help you with so we will be reaching out to your engineer and providing him with a copy of the new statute and asking him to provide a proposal to the Board for you guys to approve his work on that. It's not due until June of 2022, but it includes things such as a detailed description of the system, it's facilities and projects, number of current projected residents, current projected service area, cost of providing services, estimated useful life of each facility, five-year history of expenditures and balances and things like that, so it will be a joint venture between your manager and your engineer but we don't want to wait until after the first of the year so I'm hoping he will get us a proposal by November or December and then they can all start working at that point to get that done. It got lumped in with the wastewater bill, so if you ran a wastewater system, which you

do not, you'd also have to be providing that for your wastewater system. It's an environmental consideration that they want to make sure that one, everybody is taking care of their stormwater properly and also wastewater is not leaching into the groundwater.

Mr. Davis asked what is a 20-year projection?

Mr. Eckert responded you would do it again every five years. For instance, this community your projection in terms of the number of residents is not going to change dramatically so that is an easy one but trying to estimate the useful life of the facility and making sure you're budgeting for it and putting it on your radar for budgeting purposes is a lot of what they're trying to do. With the management you have currently right now they're probably already on top of most of these things, so I don't anticipate it's going to be a heavy lift, but we do need your engineer to be involved and get a work authorization.

**B. District Engineer**

There being nothing to report, the next item followed.

**C. District Manager**

Ms. Giles stated GMS paid for the iPads you're using today; it didn't cost the District anything. Each of the district managers here in Northeast Florida either have the iPads or are in the process of getting iPads. We take them to all of the meetings, we wipe them down, load the agenda on it the morning of or the day before. Courtney is our Recording Secretary, and she will still email you the agenda packets a week out or will use Dropbox as I think she did this last time. It is useful if there are last minute changes or updates to the agenda, we can make those online and she can update the website. She will still send you an email if there is a change to the packets, but it's easier to add it to the electronic version rather than having to print so many copies. Those of you that are not Apple users, I do hope that you will give it a chance and that you will like it moving forward. If there is one particular supervisor that just does not want an iPad and wants a packet, we can accommodate that, just let me know and if there are any other ideas you have to make this easier on us let us know. This is a huge cost savings.

**D. Operations Manager - Memorandum**

Mr. Soriano stated we finalized the dive-ins, so we're done at the pools for our community events and then we also just had our first movie on the green. That was this past Friday and it worked out well. It was actually a very large group, probably 140 people. It worked out nice with our new parking lot areas. The food trucks were able to go back there and that helped take some of the noise of the generator away from the screen and even the lights from all the trucks and people pulling up, so it worked out well. We had the dog park grand opening this Saturday. It started off a little slow, I was worried at first because it was a little dreary that morning when I was setting everything up and my only visitor was Andre. As time went on and the sun came out I had quite a few families there. I stayed until 12 because there were quite a few people there and there were probably eight or nine vendors there with their dogs and a lot of them had not just a good time with the dogs, but it was a good question and answer time for me so a lot of them got to talk to me quite a bit. I also walked quite a few of them over to check out our new trails. The bridge is not done, hopefully that will be done very soon. We are halfway through with our decking. The next event for us is the Pumpkin Plunge and then of course there's a resident run event over here at your sister district.

I have Christmas lights on the report. Every year we get something with Christmas lights, usually more on your district than the other district but I would bring it up if there was anything in particular anybody wanted. We do a lot in Christmas lights, but because it's spread out, I don't think a lot of residents realize it that much and if you recall they tried to do something resident run and it didn't work out. I know the girl that did it had good intentions; you just can't get enough participation for those things. She extended it to this side over here and we only had one family help out so that really leaves the lighting stuff to us.

Mr. Lanier stated I'd like to make a recommendation to use the front lawn by the water fountains. Some sort of display there.

Mr. Soriano stated we did the decorations up there and actually she helped out. We moved our trees to that big median and it looked pretty good. We can decorate that area a little more. Normally, I would have just put the lights on those big bushes in between the two columns and the median.

Ms. Nelsen asked did you do the flags? That was cool.



Mr. Soriano responded I did not, that was a resident. We've held off from cutting that area because of that.

Mr. Soriano continued with his report. We mentioned earlier that the pools are pretty much closed this weekend and we're on that limited schedule and then it's just the adult pool swim at your own risk program. With the heat we always get a few people that want to come out because they have little ones at home, so we have to remind them, but it doesn't last long. It takes a couple nights like last night and that water cools down really quick so we will have that change where we won't have anybody trying to get into the pool. The heaters at your sister district will be tested out at the beginning of November and it's normally heated in November depending on weather all the way through December this year when we get to the really low temperature weather. We have talked about closing and advertised that we're not going to be open twelve months heating that pool because there are times we spend thousands of dollars and nobody is using it so it will probably January or February that they will be completely closed. It was pointed out to me in the last meeting that I missed including your numbers for rentals. With the iPads it will be nice when I catch that before the meeting, and they will make sure that is updated really quick in there for your guys. For September for your side there was only three of 30 days rented. There were two of the four weekends. This side is starting to pick up a little bit, but you're still really slow. I would like to get back to that point where we're rented out every weekend.

I put on the report the seal coating, which is done for the track. The asphalt looks really good. I'm not completely happy with the thickness of it. We talked about instead of doing the squeegee getting somebody to come out and spray. I asked for three coats because I wanted something nice a thick to fill in a lot of cracks. When you spray it, the coats are considered much thinner. So, it looks good, but as far as filling the cracks, it didn't fill in the cracks the way I would like. It looks continuous like it's all been laid at the same time, so you don't see that checkerboard pattern with the grey and the black that we did when they did the repairs to the large cracked areas. However, after being out there when it rains, I can tell you it is well treated so I'm not upset with it, but I would have liked it to fill in a little better. Just to update everybody, for us to do any repairs or if we want to start working on the parking lot, we did get our asphalt emulsion in, so we have the barrels ready to go. I'm still waiting on the sprayer, but that should be in this week.

I have a map for you guys with the floor plan for the fitness center so if you have a chance to go in, you'll see all of the electrical work is done so I can set everything up. I had to have new outlets and cable run for TVs and all of our accessory equipment in there so we can start moving everything in this month. The only thing I'm waiting for is the mats, because I don't want to mess that floor up in case we ever decide we want to go back to utilizing that. Our rowers are in, and our arm odometer is in so this is everything that fits in there right now. This will be a nice room once it's said and done. The Xs on that are where our TV placement is going to be so I had our cable run into the soffits there for four TVs and then we will still have the other four in the other fitness center. We're still waiting on estimated delivery for the Hammer Strength equipment because we purchased refurbished equipment.

Mr. Horton asked did you get everything you wanted?

Mr. Soriano responded they haven't received everything yet so I'm still waiting to see. We can wait around for some of those pieces because they were multi pieces. Depending on how long we wait around I may come back to you guys and ask if you want a different machine.

I have two other things. I was reading through the minutes and forgot to update you guys on the financials from last month. You had a question about the voided checks. Those did not go out. It was a complete check run but they didn't go out and the reason is we have a new signer and those checks had Jim Perry's name on it. We were able to catch it, so we had to reprint them so that's what that void was for. Marilee is on all our checks now. The other one is you asked about the pool leak. American Leak did get in touch with me. The plan is for November, which ends up being the same as when Red Rhino was going to come back out, but they were the ones that we waited all summer for.

Ms. Nelsen asked was anything decided on pickleball at Middle Village's meeting or are they still discussing?

Mr. Soriano responded no; they seem to have gone a completely different way. I don't know what they're going to end up saying because to me the cost savings is so great, I would look at that, but I think it's a hard sell when you consider taking something away from somebody. I did let them know we're still in the same spot for us to do it. We would have to take tennis courts away. Would it bring a little bit less pushback than basketball courts? Yes, I think it would. However, when you look at \$55,000 to \$60,000 a year, we have to spend just to

be able to deal with those courts I think it's well worth it and we could put that money towards other amenities, however I think they're still a little worried about that. They didn't decide anything. I did mention I've been trying to get the pickleball group to understand that even if either one of you guys decide, we're not doing anything right now. We talked before about waiting until possibly December so that's really still what I'm looking at, but it sounds like it may be Middle Village arguing that they really don't want to do that.

Ms. Nelsen stated I heard we have a new Chair.

Mr. Soriano stated yes, we will have a new Chair and we do have a vacant seat also.

Mr. Horton asked who is leaving?

Mr. Soriano responded Rocky Morris.

Mr. Thomas stated where the new neighborhood is going in, they have demolished my white fence. Is that our fence?

Mr. Soriano asked are you talking about on the road?

Mr. Thomas responded yes.

Mr. Soriano stated we bought it, but it's not our fence. Maybe I could go down there and grab the parts. That's the one I've always said we need to stop repairing because it goes across the County road but since we paid for all that stuff if it's down there, I will grab it.

Mr. Thomas stated I noticed they put up some kind of sign on the back by the fence and then a couple of days later they took it down. Is that because they put their sign up on the 1,000 feet we own?

Mr. Soriano responded I don't know. I can take a look at that area. If it's not there it might be hard to get an idea, but they took the chain down. We installed the chains too and I'm going to pull those big four-inch posts out of the ground there that are in the right of way. That was to stop cars from driving through. That will be the road right of way so they're going to have to build that area.

Mr. Thomas stated if that fence is knocked down obviously it doesn't look to well so if that's our fence I'd say go ahead and grab it for the parts.

Mr. Soriano stated that was one that was a reinforced gate so that one was a little more expensive. The bottom and the top have metal bars that go through them, so I'll grab that stuff.

Ms. Nelsen stated Chalon asked if we have any landscaping we have to do.

Mr. Soriano responded not that we should have to do. They should have to do everything. They actually own that property that comes through that gate and curls around the oak sign. They should just sod and make sure they're not messing anything of ours up that is there, but they do actually own that. We own the side with the oak sign. We do have irrigation there too that we will have to watch, and we generally keep an eye on that stuff when they're digging and tearing stuff up.

Mr. Horton stated I went out to the bridge on the walking trail a couple of times to see how things were going and I went out there this morning and the guys that are doing the work had put up some signs to block it off because it's not safe to cross yet and somebody had taken those signs and threw them in the water.

Mr. Soriano stated they did take the waders down there today. I'll let them know you told me the signs went in too.

Mr. Horton stated it looks good too.

Mr. Soriano stated these signs are the nice big barricade road signs, but if that's the worst I have to deal with I'll be happy. There's some graffiti on the culvert, but not on our bridge and our bridge has been up for a week so hopefully it will stay that way.

Mr. Horton asked what is the status of the landscaping for the parking lot expansion?

Ms. Suchsland responded the crape myrtles and stuff are done and the sod is completed. The excavator is being delivered on Wednesday morning so we will excavate that dirt out of there with the stumps and then we will bring out the new soil and the shrubs.

Mr. Horton asked are you going to take care of that pile of stuff that is out there?

Ms. Suchsland responded no.

Mr. Soriano stated if it wasn't for the little bit of issues working on the bridge and the dog park that was something they were supposed to get to Friday. We have to cut up that stump and remove all that junk so that will be my guys.

Mr. Horton asked so you'll be through with it shortly?

Ms. Suchsland responded by the end of the month.

Mr. Horton stated we have two people here I think from S3 Security. Just curious if there were any issues this past month and how things are going.

Ms. Grizzle responded I believe the issues that we've had have been addressed. They're primarily with the individual officers making sure that they're cleaning up after themselves and

making sure that they're staying visible. I know we've heard a couple of concerns in that department and those are being handled with the individual officers. We're also recruiting for additional staff. I'm sure you're aware that recruiting is like pulling teeth right now, but we're making full efforts to make sure we're staffed at all times.

Mr. Horton stated yes, I've been down there a couple times when they were on duty and I don't see anybody and suddenly they appear but I don't know where they were at.

Ms. Grizzle stated I have discussed that with them as well. They are typically doing some sort of round or foot patrol, or they might be on a break, but they've been informed to stay as visible as possible.

Mr. Soriano stated since we're on the subject of security, I wanted to bring something to your attention. I received a letter from S3 saying they would like to increase their rates per hour. This would begin January 1<sup>st</sup>. As far as the rates, I don't see that being a big problem. When we went out for bid, if you remember they were actually lower, but they are asking for what amounts to \$2.45 per hour added on to the wages right now. My biggest concern and complaint to them is timing of it. We've already gone through months of dealing with our budget. This would have been nice to know a couple of months ago.

Mr. Horton stated in addition to golf carts. How are we doing on that?

Mr. Soriano responded I haven't gotten a cart yet. I've found a couple and the biggest problem is they're hard to find at a good price. I can go buy any car and just spend the money, but I'm picky and I want to make sure we're getting something good for our money. Right now it's like many other things so when you see them they're a little high priced. I have to get a check from St. Augustine, get the check, go to the seller and hope that they hold it and that really hasn't been happening very much so worst comes to worst I'll be paying for it and we will have to do a reimbursement, but that's a lot of money to pay personally. I wasn't in a huge hurry. I want to make sure that we get a good deal.

Mr. Horton asked are they going to be electric carts?

Mr. Soriano responded yes, I prefer electric since they're staying on property and not going into the neighborhoods.

Mr. Horton stated I've seen a lot of carts that aren't supposed to be out there driving on the roads. We need to mark ours and make sure it says CDD on it or something like that, so people know it's different.

Ms. Grizzle stated we usually put security magnets and lights on it.

Mr. Lanier stated this rate increase is a little bothersome to me. It seems kind of sudden with a new hire. We agreed on a contract with this, and it seems like now that you've got your talons in, you need more money but we just did the bid less than a year ago. What changed?

Ms. Muntean responded lots of stuff. We typically increase prices annually so it's not that you guys have been singled out, this is something we do across the board to every single portfolio company that we have. Typically, we don't increase prices for six months. We did not do an increase last year because of COVID. This year it's been a little interesting with the inflation and hiring people. Our wage rate has increased over 30 to 35% depending on the officer, what type of officer they are, the location they're working and things like that. Starting pay rate and also our current staff we increased as well because people were talking, and they see the ads online. Crys does a lot of recruiting for us through Indeed and it's been the hardest year that we've ever had as far as recruiting goes and we're paying people more than we ever have. We have all of the data and if you look incrementally over the eight years, what we've increased over the last seven months is more than I've seen in eighth years. We've never had this happen. So, with that we have to pass on our price increase. It's not sustainable at the rates we have to hire at. If you look at what people were getting paid to stay home, they were getting paid more than they were to actually come to work so if they're getting paid the same thing they're still not going to come to work and it has to be enough to make them want to get out and come to work.

Mr. Lanier asked that has ended in the State of Florida, right?

Mr. Davis responded in July DeSantis took that extra money away at some point.

Ms. Muntean stated unfortunately the mentality is different. I would love to say that I can go back and hire at the rates we used to hire them at, but it's not and I don't think anything is going to really change. They wanted the minimum wage at a certain amount, and they went about it in an interesting way and got there without actually enforcing it. The minimum wage went up to \$10 something and you just can't get anybody in the door and if you were to find somebody that's going to come to work for you for that, they're going to be an undesirable employee.

Mr. Davis stated you mentioned you do this every year. How much of an increase every year are we looking at? Do we need to re-shop our contract every year? Are we looking at the price doubling in five years?

Ms. Muntean responded last year we made a conscious decision to not do a price increase last year. We can't do that again this year and if our wage rates have increased 35%, my insurance has increased, gas is more expensive, the cost of a vehicle if I can find one has gone up. This is a very atypical thing that we're experiencing. I would not foresee, and I hope not, that you would have the same amount of increase next year. Our standard increase any year has been 2-4% and that's what it says in the contract. There is a ceiling, so we've had customers that have been with us for six or seven years and you get to a point that you tier out if you're not having that level of inflation. To give you guys an idea, back in the day our patrol rate, which is different than the dedicated, is \$15.95. At one point I had people tiering out at that. So, three years ago, they've been a customer of ours for seven years and they've had that annual increase, I couldn't really give them an increase because it didn't make sense, so we didn't. We don't just haphazardly hand out an increase because we're trying to be unfair to the customer. This year is completely atypical.

Mr. Davis stated I had a lumber package for the same house that went from \$4,000 up to \$12,000 within three months so I somewhat get it.

Ms. Muntean stated I know it's painful and on the other side I'm dealing with it because I've got our vendors that we deal with, so I get it, we're all trying to make it work. I would really hope that the inflation stops because if not it's really sad. It's not just ours, it's the hourly wage rate. People don't want to work and if they do come to work a lot of times, they're just coming to work to get a paycheck. I can't speak for what the future has to hold. I hope next year looks better and if things stay status quo, who knows, maybe it's going to be a 1% increase next year. I can't predict that, but I can assure you it wouldn't be anything that doesn't make sense based off data. I was telling Jay earlier that to get in the door we're at \$15 to \$17 an hour and then you have to gross up for your work comp and federal taxes and things like that so you're at a \$17 to \$19 an hour employee. If my bill rate is \$22 you guys can do the math. If I'm paying \$19 without any admin costs or any other costs added on to that, it's a loss unfortunately. I'm not going to go out and hire someone at \$12. I get it, I completely get it, but that's what we're looking at.

Mr. Horton asked you really don't know how much you're going to increase?

Mr. Soriano responded what they're asking for right now is the \$2.45 increase per hour so about 10% for this side. I can give you an average per weekly. I think we're at something like 70 hours a week on your side so \$2.45 times that will be our extra weekly amount. That still brings us up a few thousand at the end of the year.

Mr. Horton stated that's a lot of money for security.

Mr. Thomas asked the difference is \$2,000 more a year?

Mr. Lanier responded roughly.

Mr. Thomas stated but this is above and beyond what the contract already stated, correct?

Mr. Soriano responded correct.

Mr. Thomas asked would this be for our sister district as well or just for our part of the security contract?

Ms. Nelsen responded it was both districts.

Mr. Eckert stated Middle Village took it under advisement, but I just want to make sure the Board is aware of the contract that we do have. First of all, it's a contract that has a 30-day termination provision for either party so if either party decides it doesn't work, they can provide a 30-day termination notice just so everybody understands that as the backdrop of this conversation.

Mr. Davis asked what is the point of the contract then?

Mr. Eckert responded all of your maintenance contracts have a 30-day out for the District.

Ms. Muntean stated it is really industry standard. It's a different kind of security, but most of your security contracts are going to give you an out because you have to have some sort of coverage if something were to happen and at the same time we have to perform and vice versa, if somebody is not paying their bills, we can turn to things like that.

Mr. Horton stated the way I look at it is we are paying a lot more now for S3 to do our security and now you're saying we're going to pay more so it's a hard pill to swallow.

Mr. Eckert stated let me read through a few contract provisions. In Section 5A of the contract it says, "As compensation for the services described in this agreement the District agrees to pay the contractor \$22.50 per hour for work performed. After May 15, 2022, the



contractor may ask the District for an increase in the hourly rate based on a change in the labor market conditions.” So, we had talked about this issue, and I’m not disagreeing with any of the facts she’s provided to you, I’m just saying it wasn’t completely unanticipated when we entered into the contract, but they certainly have the right to come to the Board and address this issue. It also says, “For any renewal term, the parties agree to attempt to negotiate adjustments to the hourly fee if an adjustment is proposed by either party.”

Mr. Davis stated so we’re just a few months early.

Mr. Eckert stated October 15<sup>th</sup> to May 15<sup>th</sup>.

Mr. Davis stated well she’s asking for January so just a few months early on an increase that was coming our way anyway. Unfortunately, it is reflective of the current economy and stuff that is going on. I deal with it every day. Jay, what are your thoughts?

Mr. Soriano responded the amount is not bothersome, it was really just the timing. We’ve already done our budget and that’s the biggest issue. \$181 a week at our 74 hours, that actually works out in a year’s time, so in January as long as we don’t go up again right away, that works out to be \$9,500 so it does add to our budget. We talked about in January making sure it doesn’t go up again and this is something we talked about at Middle Village’s meeting too. If we go out and start shopping around, we’re going to find the same numbers so it’s going to be a little tough. If I could find somebody cheaper, chances are I don’t get good service and I have to do more training, so I don’t see it being an issue of the increase, it was just poor timing.

Mr. Davis asked is this something we have to vote on right now?

Mr. Soriano responded I don’t know that it’s a vote. They’re sending a letter and they kind of have to do this so it’s our discussion on whether we want to continue, but it doesn’t start until January anyway.

Mr. Davis asked can we talk about it next month?

Mr. Soriano responded yes.

**EIGHTH ORDER OF BUSINESS**

**Audience Comments / Supervisors’  
Requests**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Next Scheduled Meeting**

Ms. Giles stated the next scheduled meeting is November 8<sup>th</sup> at 4:00 p.m. at the Plantation Oaks Amenity Center.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Davis seconded by Ms. Nelsen with all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman