

ABERDEEN  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Aberdeen Community Development District was held Tuesday, December 3, 2019 at 4:02 p.m. at the Aberdeen Amenity Center, 110 Flower of Scotland Avenue, St. Johns, Florida 32259.

Present and constituting a quorum were:

Rhonda Lovett	Chairperson
Angela Andrews	Vice Chairperson
Dennis M. Clarke	Supervisor
Hillary (Beth) Fore	Supervisor
Gary Davis	Supervisor

Also present were:

Ernesto Torres	District Manager
Carl Eldred	District Counsel (by telephone)
George Katsaras	District Engineer
Brian Stephens	Riverside Management
Lauren Egleston	Vesta/Amenity Services Group
Jay King	Vesta/Amenity Services Group
Mike Lucas	Basham & Lucas

The following is a summary of the actions taken at the December 3, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Lovett called the meeting to order at 4:02 p.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the October 22,  
2019 Meeting**

On MOTION by Ms. Fore seconded by Ms. Andrews with all in favor the minutes of the October 22, meeting were approved as presented.
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**FOURTH ORDER OF BUSINESS**

**Consideration of Warranty Deed with D.R. Horton, Inc. for Phase 5B Property Conveyance**

This item tabled.

The next item taken out of order.

**SIXTH ORDER OF BUSINESS**

**Update Regarding Fitness Center Equipment**

Ms. Egleston updated the board on the results of the survey for the fitness center equipment and stated she would form a focus group of six residents for input and will bring the results to the next meeting.

Supervisor Davis joined the meeting during this item.

**FIFTH ORDER OF BUSINESS**

**Discussion of Proposal from Hoffman Commercial Construction Regarding Aberdeen Fitness Center**

Mr. Lucas stated I would like to proceed with this. Hoffman is a contractor I have worked with for years and as you can see from the proposal he was very thorough in his breakdown. It was based on the larger footprint as far as the covered area you requested and included deleting the splash tower and changing the covered area from pavers to a concrete slab. There are things we can take out and alternates we can propose when we go out to bid. I don't know how this fits in with your number but Ernesto thought it was pretty close and doable. I don't know how you would like to proceed.

Mr. Katsaras stated the number is close to what was in the engineer's report but the engineer's report also included soft cost engineering, architect. This is for the larger building so then you would still add those costs.

Mr. Lucas stated this is not a bid. What I had given you earlier was a cost per square foot early on based on what our numbers were running. What I gave to Paul was the set of drawings and I exclude the things you wanted to exclude. He based it off a 30% set of drawings and made certain assumptions because at 30% he doesn't have all the structural but these are costs he came up with.

After discussion the board eliminated the nana wall to be replaced with high windows.

Mr. Katsaras stated the engineering plans will be done by the end of the month and will start the permit process the beginning of next year. We could go out to bid, I don't think permitting would change much of the plans.

Mr. Lucas stated I don't know what my consultant's schedules are right now. I will talk to them and see what type of schedule I can work up and it is going to be sometime in February before I get all the drawings done and I will get with Ernesto so he can pass it on to you.

Mr. Katsaras stated permitting will take about three months.

Mr. Lucas stated we need to back out when you think we will be able to go in to permit for this. How long do we need to advertise?

Mr. Eldred stated we are going to post the RFP package, provide a notice of two weeks, need to allow sufficient time for response, which is from two to four weeks, then sufficient time to review and rank the proposals and award the contract. We would include the form of contract in the RFP package there is usually a couple of weeks of back and forth on the final terms within the contract before we execute the contract. That process can take anywhere from two to three months.

Mr. Lucas stated as far as the exterior color selections I will let you need when you need to pick those out. I will send it to you but it will probably match what we have and it is not necessary but it is nice to have it on the plans.

**SEVENTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS                      Staff Reports**

**A. Attorney**

Mr. Eldred stated a couple weeks ago there was an inspection of our facilities performed by our insurance company. They noted some things regarding the stairs leading to the slide and these are issues we have discussed before in relation to the deterioration of the stair structure and our issues with the contractor who performed the resurfacing work. The contractor was Estatic and we previously sent Estatic a demand letter asking them to come back and repair the stairs under the warranty. We didn't receive a response so we have followed up with a second demand

letter. We imposed a response deadline of this Friday. Depending on whether or not we hear from Estatic we will need to determine what course of action the board wants to take in relation to performing the necessary repairs on the stairs. I will note, however, that the insurance company did direct us to close the slide until those repairs have been made.

Ms. Lovett asked would you recommend that we go out for other folks to repair this properly and would there be an option if Estatic did respond rather than having him fix what he messed up to start with apply some of that money towards the warranty and take the money and use it to pay someone else to fix it?

Mr. Eldred stated those are good questions and at the end of the day in relation to Estatic there are a number of ways to go about addressing these issues including potentially legal action. Before we get to that point from a practical standpoint as you know we need to address the issue. I recommend that due to the lack of responsiveness in the past that it would behoove the district to move forward and get some proposals from other contractors. Depending on the response from Estatic if we don't get a response from them then I suggest we obtain those proposals and share those proposals with them. Be aware that we need to proceed and have the work done unless they respond and have the work done by Estatic. You are addressing the issue, you are giving Estatic the opportunity to do the right thing and if they don't do the right thing then you are certain putting yourself in a better position for any potential litigation if that is ultimately what the board decides to do.

Mr. Clarke asked who is standing behind the warranty? Is there an insurance company or is that just a warranty provided by that contractor?

Mr. Eldred stated I don't believe a specific insurance policy underlies the warranty itself. In many situations the warranty provided by a company and any legal action that could be pursued in the future against the company and also any insurance policy that they may have that would be applicable here. Rhonda, would you want to be the delegated board member to address any issues that any come up prior to the next board meeting?

Ms. Lovett responded I'm happy to or Dennis can.

Mr. Clarke stated I will do it.

Mr. Eldred stated you should have received a copy of our summary of the actions taken in the last legislative session.

Mr. Torres as a follow-up for staff and Brian, for January's meeting we are going to bring proposals for the replacement of the tower.

**B. Engineer**

There being none, the next item followed.

**C. Manager – Discussion of Waterslide Repair**

This item taken earlier under the attorney's report.

**D. Operation Manager - Report**

Mr. Stephens reviewed the items outlined in the monthly memorandum, which was included in the agenda package.

**E. Amenity Center Manager - Report**

Ms. Egleston reviewed the amenity center activities and maintenance items, which were outlined on the monthly memorandum, which was included as part of the agenda package.

On MOTION by Ms. Fore seconded by Mr. Davis with all in favor Lauren Egleston and Don Novacks were authorized to use the amenity center credit cards.

**NINTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet as of October 31, 2019 and Statement of Revenues and Expenses for the Period Ending October 31, 2019**

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

**B. Assessment Receipt Schedule**

A copy of the assessment receipt schedule was included in the agenda package.

**C. Approval of Check Register**

On MOTION by Mr. Davis seconded by Ms. Lovett with all in favor the check register was approved.

**TENTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

A resident stated we have a fountain behind our home and it turns on early in the morning and I would like the time adjusted so it doesn't come on so early and stay on longer.

Ms. Fore stated it goes off at 7:00 p.m. because we had complaints about the noise.

Ms. Lovett stated 9:00 a.m. to 9:00 p.m. is fine.

Ms. Fore stated if we get complaints, we will address this again.

A resident stated we have a social committee and could consider volunteering to help with the holiday decorations of the neighborhood entrances.

Mr. Davis stated as long as we have rules, they have to abide by that would be great.

Ms. Lovett stated as long as there is consistency. The HOA Board along with Ms. Egleson will pursue a new holiday lighting company for the 2020 Christmas Season. The HOA board will also consider contributing additional funds to the CDD holiday budget.

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – 01/28/20 @ 6:00 p.m. @ Aberdeen Amenity Center**

Ms. Lovett stated the next meeting will be held January 28, 2010 at 6:00 p.m. in the same location.

On MOTION by Mr. Davis seconded by Ms. Lovett with all in favor the meeting adjourned at 5:45 p.m.

  
Secretary/Assistant Secretary

/S/  
Chairman/Vice Chairman