

MINUTES OF MEETING
ABERDEEN
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Aberdeen Community Development District was held Tuesday, June 28, 2022 at 4:00 p.m. at the Aberdeen Amenity Center, 110 Flower of Scotland Avenue, St. Johns, Florida.

Present and constituting a quorum were:

Dennis M. Clarke	Chairman
Angela Andrews	Supervisor
Thomas Marmo	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel by telephone
George Katsaras	District Engineer by telephone
Lucy Acevedo	FirstService Residential
Belynda Tharpe	FirstService Residential
Jay Parker	First Service Residential

The following is a summary of the actions taken at the June 28, 2022 meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 6:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Acceptance of Fiscal Year 2021 Audit Report

Mr. Oliver stated the audit is still being finalized and we will circulate that to the board as soon as it is finished. The deadline for that is June 30th and we provided all the information to the auditor, they are just wrapping it up right now.

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FOURTH ORDER OF BUSINESS**Consideration of Audit Engagement Letter with Berger Toombs Elam Gaines & Frank**

Mr. Oliver stated this board went through the RFP process to select an audit firm for the FY22 audit as required by Chapter 218, Florida Statutes. The firm you selected is Berger Toombs and they sent an engagement letter for them to perform that audit at the cost of \$3,375 and that is the same price that was in the proposal.

On MOTION by Mr. Marmo seconded by Ms. Andrews with all in favor the engagement letter with Berger Toombs to perform the fiscal year 2022 audit was approved.

FIFTH ORDER OF BUSINESS**Update Regarding Drainage Issue Solutions**

Mr. Oliver stated at the last meeting the district engineer spoke to us about a problem that was brought to our attention by St. Johns County regarding a drainage easement. There are certain sections of the drainage easement that had been blocked not allowing the water to flow through that easement. After speaking with the attorney and George and our operations manager as well as the county we decided to contact the residents who appear to have blocked the easement and give them the opportunity to fix those improvements so the water can flow properly. I sent letters to two of those property owners, I had conversations with one of the residents and we are going to meet her onsite with staff because it is in her backyard on her side of the fence and we want to collaborate with her for possible solutions. We had a very cordial phone call with her and I think we are moving in the right direction. I have received no response from the other letter. We will keep you posted, the county did follow-up with me to see what action was taken and I told them about the letters we sent and we have given reasonable time for the residents to come up with a plan to make the necessary corrections. Once they come up with a plan the engineer will review that plan and see if it makes sense and is workable and if that is the case we will proceed with that. If they don't respond or come up with a workable plan, we will need to come up with another option for the district to intercede because we have to fix the drainage easement especially before a storm causes any type of flooding that is worse than it has been.

SIXTH ORDER OF BUSINESS**Presentation of Stormwater Systems 20-Year Analysis Report**

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Mr. Oliver stated the engineer is on the phone, the report has been completed and filed with St. Johns County and we will also share with the appropriate agency in Tallahassee. The bottom line is this is an unfunded mandate, all forms of government local and county down to the district level had to respond to this analysis for the stormwater system and water and sewer systems, which we don't have as a district. This is solely focused on the stormwater system, which is essentially your pond system for surface water drainage. We accumulated the numbers for the past five years to let this report show what has been spent in maintaining those ponds and lake banks. In addition, we have projections in five-year increments for the next 20-years. This report won't be required to be done again for five years.

On MOTION by Mr. Marmo seconded by Ms. Andrews with all in favor the stormwater analysis report was accepted.

SEVENTH ORDER OF BUSINESS

Discussion of Trespassing on CDD Parcel Behind Prince Albert

Mr. Oliver stated we have talked about this for several meetings. The operations manager has installed signs and gates and cables and different methods to try to keep people out of there and at the last meeting one of the discussions was to bring it back to the next board meeting to discuss if that is something you want to solve and what the possible solutions are.

Mr. Clarke stated I wasn't here, but I read the notes and it sounded like you had a good discussion.

Mr. Oliver stated we tried signs, we tried a cable, and people still get in there because they get in from the other end anyway. The only thing I suggest is if it rises to the level that you absolutely need to do something perhaps hire off-duty law enforcement on a random basis, so that people don't know the pattern.

EIGHTH ORDER OF BUSINESS

Update Regarding Future Improvements to Common Area Greenspace and Other CDD Owned Facilities and Assets

Mr. Clarke stated thank you for that survey, we got a lot of detail. I think we have enough information to go out with a request for proposals from vendors.

Ms. Andrews stated I don't know where we are, but my first concern is the monuments.

Mr. Clarke stated that is a separate issue.

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Ms. Andrews stated I don't want to pour money into adding more stuff without fixing what we have right now. The monuments are a major item and the existing playgrounds we have are an eyesore, they need to be fixed before we do anything else.

Mr. Clarke stated they are included, the two playgrounds we have are included among those six.

Let's focus on the monuments and if we can get contractors to give us reasonable bids that are sufficiently detailed we can get them done. We may have to ask the contractors to look at each one, take the façade off down to the core block and start over and remove those decorative caps.

Mr. Parker stated I spoke to seven contractors, five said we should put it out as a bid just as we did for the landscape team. At the time every contractor was busy but with the economy slowing down we may get some contractors to bid on it. Some of them just need to be cleaned and some just need the caps replaced.

Ms. Andrews stated if we are replacing caps, let's replace it with stone.

Mr. Marmo stated I agree we need to take care of what we have assuming we can find contractors that can do the work. I think we can do both and look at some of the suggestions from the survey and see how feasible it is to do, maybe do one project at a time. I do agree with Angela we need to take care of what we have.

Mr. Clarke stated we also have a proposal for the ponds, \$121,000 for electrical for 15 ponds.

Mr. Parker stated and it was \$141,000 for the 15 ponds and they said it is best to do five or more at a time and I also just got a quote for the electrical and they said we would have to get permission from the people for the electrical, which his \$121,178.20. I have gotten a number of emails in the last couple weeks about algae in the ponds. We haven't had any rain, some of these ponds are not like regular ponds that flow out they are retention ponds so the water stays in there getting hot, the fountains would ease up a lot of the algae and smell coming out of the ponds. Some of them are fountains, some are diffusers and some are both. I have a map of all the ponds, Sutherland, Prestwick, the one by the storefront is also going to get done.

Ms. Andrews asked are we staying on top of the ponds?

Mr. Parker stated yes, they were coming once a month in the slow season and now they are out here every two weeks. They were here last Monday and if you have a pond and have not seen them please tell me and I will send them over there.

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Mr. Clarke asked what are the fountains if the electric is \$121,000?

Mr. Parker stated it is \$136,675.14 for the fountains.

Mr. Clarke stated the total for 15 fountains is \$257,853 and that is roughly \$16,000 per fountain per pond. If we do five at a time we can spread that out over several years. I suggest we contact the homeowners and make sure we have approval where we need it.

Ms. Andrews stated that is not their property so I don't know that you need approval.

Mr. Clarke stated I have a list of properties that they said they will need permission in order to trench to get power to the pond bank. Let's go for the ones we don't need permission from first then the ones that we do. Should we do all sites or do them in parts?

Mr. Parker stated I will speak to them about that. It may be better to do them all at once with the prices going up.

Ms. Andrews stated if we do the electrical at one time, residents might complain that we ripped up the lawn and they have nothing to show for it.

Mr. Clarke asked should we go ahead and approve the electrical and come back with the fountains after the electric is in?

On MOTION by Mr. Marmo seconded by Ms. Andrews with all in favor the proposal from future Horizons to install the electrical in the pond banks for the fountains in the amount of \$121,178.20 was approved.

Ms. Andrews asked are we going with five fountains?

Mr. Clarke stated that was just electrical but let's divvy up the fountains over two years if not three.

Are we going to table the green space for now? From the survey it looks like folks would really like a pickleball court. Where to put it is an issue. I propose that we ask the fire marshal and the county to see if we could relocate the fire lane. The perfect place for the pickleball court would be behind the new fitness center.

Ms. Andrews stated it was zoned for a fire station.

Mr. Katsaras stated they have to be able to access the building on all sides, that was the purpose of that fire lane. That would still be a concern and I will look up the code on the distance they require but you have to be able to cover every part of the building.

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Mr. Clarke asked what if we put a drive right up to the building?

Mr. Katsaras stated if you replace the fire lane with a drive, we could probably do that. Send me the information and I will contact the county.

Mr. Clarke stated the other thing that jumped out at me is repurposing the fitness center with a snack bar. There are two empty corners in the entryway that seem to be wasted space. If we were to repurpose that I would break out the wall and make it larger and there would be ample room on the north side of the building to make an office for Jay.

Ms. Tharpe stated there is a vendor who is interested in giving a proposal to provide snack bar service. He would provide his equipment but not rebuild that space.

Mr. Clarke asked why don't we focus on getting the space repurposed first then make it generic enough that when this guy leaves after a year it will be available for the next one.

Ms. Andrews asked why don't we see what the demand is? Why don't we bring him in and in a year bring it back up and see if it is being used.

Mr. Clarke stated it is still going to require work and if we knocked out the wall and incorporate that existing vacant space that would add about 200 square feet. We need to repurpose it. Should we get proposals from contractors to repurpose it?

Mr. Parker stated we can do that.

Mr. Clarke stated put it on the agenda for next month.

Mr. Marmo stated another overwhelming opinion was the night swimming.

Ms. Tharpe stated that requires an electrician coming out and determining if there is the required lighting needed that the state requires. If the electrician signs off on it you submit a permit for night swimming. If there is not enough lighting then you have to add lighting.

Can we discuss the three existing playgrounds? The only thing we have done is added mulch. Can we discuss upgrading and doing what needs to be done to get them to where they need to be?

Mr. Clarke stated we have responses for that on the survey. Why don't we get proposals from a playground company and look at them next month? I know they want a shade structure.

Ms. Andrews stated there should be something done for River Dee because that is the biggest one, but I also think it should be more age appropriate, not just little ones. I would be fine with focusing on one.

Mr. Clarke stated start with that one, get proposals and we will look at them next month.

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NINTH ORDER OF BUSINESS

Consideration of Amenity Center Fees

Ms. Tharpe stated at the last meeting I had asked the board to look at charging for the cabana rentals, especially on the weekends. Residents reserve the four-hour period from 10-2, then a neighbor or friend reserves it from 2-6 so they are occupying that shaded space for eight hours and preventing anyone else from using it. We reached out to communities like Aberdeen and everybody charges for a cabana rental period for a four hour period including 30-minute set up and 30-minute cleanup anywhere from \$55 per hour up to \$150, their clubhouse which I'm referring to as the social hall and any guest fees. We are the only community not charging for cabana space. They get the shade, occupy it all day long plus they get the gas grill and preventing other folks from using it.

Ms. Andrews stated we have had the same fee since we started, we have never raised it.

Mr. Clarke stated we haven't talked about the shade structures.

Ms. Tharpe stated depending on the wall if we just do shade sails or an actual canopy, it could be three. I think a shade sail for this area is sufficient and you can do those under \$1,000 easily compared to a shade structure.

Mr. Clarke stated since this is changing the fees we need to have a public hearing.

On MOTION by Ms. Andrews seconded by Mr. Clarke with all in favor staff was authorized to notice a public hearing for the August meeting for an increase and implementation of fees.

TENTH ORDER OF BUSINESS

Consideration of Proposal for Capital Reserve Study

Mr. Oliver stated there is a proposal in your agenda package, however, I was talking to the chairman before the meeting and I think we may be able to pull the accounting information that we have and get a suitable product without spending money on a vendor. If you table this it will give us an opportunity to review the information we have.

ELEVENTH ORDER OF BUSINESS

Ratification of License Agreement with Vesta Regarding the Use of the District's Basketball Facilities

Mr. Oliver stated next is ratification of the license agreement with Vesta regarding the use of the district's basketball facilities.

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Ms. Andrews stated I don't know anything about this.

Ms. Tharpe stated it is for their camps that they offer to the community. Right now, the standard is that any outside contractor provides the district 20% of their profit sharing, but Vesta does not. I think because Vesta is no longer managing your community they wanted a facility to be able to offer summer camps.

Ms. Andrews stated they are making a profit. The instructors at the gym make a profit and they pay 20% to the district. It should be the same.

Mr. Clarke asked what is the recommendation, do we scrap the agreement or revise it?

Mr. Oliver asked are they on the ground doing anything right now?

Ms. Tharpe stated not that I am aware of.

Mr. Oliver stated we can get with counsel as to what happens in the case of the board not ratifying the agreement.

Mr. Clarke stated let's get clarification because I thought they were providing services. They were providing a service to the children in the community and I thought they continued that after they lost the contract. Let's get clarification.

Mr. Oliver stated if we are aware they are not using it now, it is pretty easy to pull the plug.

TWELFTH ORDER OF BUSINESS

Consideration of Proposals

A. Pond Fountain

This item taken earlier in the meeting.

B. Entry Monument Repairs

This item taken earlier in the meeting.

THIRTEENTH ORDER OF BUSINESS

Discussion of Fiscal Year 2023 Approved Budget

Mr. Oliver gave an overview of the budget process and stated the public hearing is set for August 23rd and we have almost 60 days to refine the budget. We will need to send mailed notice to the property owners announcing what an assessment increase would be if that is where we end up landing. Right now, it looks like an assessment increase but here is a lot of work to do with the budget.

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Mr. Oliver reviewed the areas of proposed increases and the proposed assessments and stated the board could go to some other CDD websites and look at their budgets to see what their dollar assessments are and you will find these are not outlandish and in some cases they are lower than I have seen in a lot of districts. Look at Bartram Springs or Sampson Creek CDD, which is the St. Johns Golf & Country Club. You will get a better feel for the dollar differences between this district and some of the other districts, some of which have similar amenities and some have fewer amenities than this one. Is there any board direction on the budget?

Mr. Clarke stated I will work with you.

**FOURTEENTH ORDER OF BUSINESS Consideration of Resolution 2022-06
Designating a Registered Agent and Office**

Mr. Haber stated this resolution changes the name of the registered agent and registered office to be in line with the new firm and new address.

On MOTION by Mr. Marmo seconded by Ms. Andrews with all in favor Resolution 2022-06 designating Wesley S. Haber as the district’s registered agent and his office address of Kutak Rock, LLP, 107 West College Avenue, Tallahassee, Florida 32301 as the district’s registered office was approved.

FIFTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. Oliver stated the qualification period for people to run for three seats on the board for the November election, Tom Marmo has qualified and is unopposed and will assume that seat after the general election. Paul Fogel of Aberdeen qualified for a seat and is unopposed and will assume his seat after the November election and no one qualified for the third seat and after the general election the board will appoint someone to fill that vacancy.

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D. Operation Manager - Report

Mr. Parker distributed a proposal for the pool equipment enclosure and stated the last quote was \$108,000 and this one is \$45,000 and the only difference is that it doesn't include the shade sails. I will have to find another company to put up the gates.

It was the consensus of the board to approve the proposal for the pool equipment enclosure contingent upon it including the concrete.

Mr. Parker stated I have been getting emails about trees from the preserve hanging over homeowners' property. Whose responsibility is it to trim the trees?

Ms. Andrews stated the homeowner's responsibility.

E. Amenity Center Manager - Report

Ms. Tharpe stated hopefully you have seen improvement on Longleaf Pine, the new landscape company has been here three weeks and I think it looks a lot better than the last eight months, the owner has been out here driving the property while the crews are here. As soon as I got the complaint about the clippings going into the pond, I sent a text and he responded immediately, so they are very responsive and I think they are doing a fabulous job.

I receive many complaints on daily basis about the lap pool. The lap pool is designed for lap swimming; what the lap pool is not designed for is for moms with young kids and divers, teenagers jumping in, jumping on the lane ropes, just being disruptive to the people swimming laps. I'm recommending another change in the policies and procedures that, that pool is used as a lap pool. If you are 5 or 8 years old and you are swimming laps you can be in there. What we are trying to get rid of is all the disruption. On Friday afternoon there were five older teenagers and the lifeguard continually asked them to get off the lane ropes and they were doing everything possible to disrupt the person swimming laps.

The board and staff discussed lap swimming 6 a.m. to noon then leave two lanes in the afternoon, common complaints being loud music, foul language, kids playing in the lap pool, enforce the policies, hire a pool monitor on holidays,

After discussion the board gave the following direction: close the pool to everyone but lap swimmers until noon and permanently close the edges but not the middle and if kids are in the lap pool they need to be told to get out of the pool, add a monitor to the pool deck.

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SIXTEENTH ORDER OF BUSINESS Supervisors Requests and Public Comments

There being none, the next item followed.

SEVENTEENTH ORDER OF BUSINESS Approval of Consent Agenda


- A. Approval of the Minutes of the May 24, 2022 Meeting**
- B. Acceptance of the Minutes of the May 24, 2022 Audit Committee Meeting**
- C. Balance Sheet as of May 31, 2022 and Statement of Revenues and Expenses for the Period Ending May 31, 2022**
- D. Assessment Receipt Schedule**
- E. Approval of Check Register**

On MOTION by Mr. Marmo seconded by Mr. Clarke with all in favor the consent agenda items were approved with the revision to the minutes of the May 24, 2022 meeting.

EIGHTEENTH ORDER OF BUSINESS Next Scheduled Meeting – 07/26/22 @ 4:00 p.m. @ Aberdeen Amenity Center

Mr. Oliver stated the next meeting is scheduled for July 26, 2022 at 4:00 p.m. in the same location.

On MOTION by Mr. Clarke seconded by Ms. Andrews with all in favor the meeting adjourned at 6:15 p.m.

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 Secretary/Assistant Secretary

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 Chairman/Vice Chairman