

MINUTES OF MEETING
ABERDEEN
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Aberdeen Community Development District was held Tuesday, October 25, 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
Lauren Egleston	Vice Chairperson
Angela Andrews	Supervisor

Also present were:

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

The following is a summary of the actions taken at the October 25, 2022 meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Clarke called the meeting to order at 4:00 p.m.

Ms. Tharpe introduced Kate Trivelpiece, the new general manager as of today and stated Kate comes to us from St. Johns Golf and Country Club, she and I worked together at Eagle Park for four years a long time ago. I know her work ethic and there will be a seamless transition.

SECOND ORDER OF BUSINESS

Public Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Ratification of Fiscal Year 2023 Renewal Agreements with First Service Residential

This item tabled.

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

Mr. Oliver stated these are the properties at 937 and 945 Rustlewood. As you will recall St. Johns County reported some drainage issues at the back of those properties on Rustlewood. We sent notices from the district to the owners of both properties. During that period the residents at 945 sold and a new resident is there. Yesterday Jay performed site visits at both properties and I had a conversation by phone with the owners of both properties. They both agreed to have George Katsaras come onsite to evaluate the situation in the backyard and come up with an option to repair those drainage issues. Of course, those would be at the cost to the property owner, not the district. I think we are in a good place with that. We will schedule with them in the next few days an onsite visit by George Katsaras and the new general manager has agreed to make that site visit with him.

FIFTH ORDER OF BUSINESS**Update Regarding Future Improvements to Common Area Greenspace and other CDD Owned Facilities and Assets**

Ms. Tharpe stated you should have the attachments for the three quotes for the awning over the wall project that was just done, Advanced Awning, Thompson Awning and Southern Recreation. Two of them also include adding shade to this patio out here and extending the awning that we currently have, that was from Advanced Awning who initially installed that.

Mr. Clarke asked do you have recommendations?

Ms. Tharpe stated I would go with Advanced Awning or Southern Recreation. Advanced Awning because they know what went into this and they have a better understanding of the footers that are going to be required to elevate it to be able to extend it out.

Mr. Clarke asked is it of sufficient size to drain over the edge of the wall?

Ms. Tharpe stated depending on which one you decide to go with. If you say you want to do all three shades structures, I would go with Advanced Awning. If you are only going to put a shade structure over the pool equipment to protect it, I would go with Southern Recreation.

Mr. Clarke stated I thought Advanced Awning gave the best proposal.

Ms. Tharpe stated they did, they were the ones that took several months to get their proposal. I don't know what the follow-up work will look like, once that happens.

Ms. Andrews asked what was the quote?

Mr. Clarke stated it is on page 74 in the pdf package.

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Ms. Andrews asked does it include the same things as Southern Recreation?

Ms. Tharpe stated Southern Recreation only submitted two quotes, over the pool equipment and this patio. Advanced Awning installed what is here already and they are the ones that came out to give us a quote to extend it out to the two roundabout flower beds.

Ms. Andrews asked is it the same picture as in Southern Recreation?

Ms. Tharpe stated Southern Recreation you will see a 20 X 50 NS 55 X 20 and the 55 X20 is for the pool equipment. The other one Southern Recreation submitted is for this patio behind us adjacent to the social hall. He did not submit one to extend that, he didn't want to come in under somebody else's work.

Mr. Clarke asked what is the lifespan?

Ms. Tharpe stated it is quite extensive, he included the warranty with all of this.

Ms. Andrews asked can we just take care of the pool equipment at this point? I see other things on the agenda that need to be taken care of.

Ms. Tharpe stated Southern Recreation has also submitted a proposal for the River Dee playground. River Dee was one of the ones during the greenspace discussions, that people were vocal about repairing and fixing what the district already owns.

Ms. Egleston asked are they both quoting the same material and pattern?

Ms. Tharpe stated you have a choice.

Mr. Clarke asked can we make a decision on the awning for the pool equipment?

Ms. Andrews stated yes.

Mr. Clarke stated that proposal was \$23,900 and I propose we upgrade to the ten-year warranty, it is an extra \$1,500 so that total would be \$25,490. The dimensions in the proposal from Southern Recreation is not sufficient to cover the pool equipment.

On MOTION by Ms. Andrews seconded by Ms. Egleston with all in favor the proposal from Advanced Awning to cover the pool equipment in the amount of \$23,900 plus the 10-year warranty for an additional \$1,500 was approved.

River Dee Playground

Ms. Tharpe stated next is the River Dee playground. If you look at the proposal the area where the grass doesn't grow that is just sand he suggests synthetic turf for that area that is \$21,500.

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Another high item is to add a sand volleyball court there. He is giving you options in this quote; you don't have to go with everything in there. You can give us an exact list of what you want quoted, because we have been doing this since March.

Ms. Andrews stated we want to do something with the playgrounds, it is the biggest area.

Ms. Egleston stated I don't see spending \$100,000 on one area.

Mr. Clarke stated we had a list of volunteers to give us ideas of what they wanted. Let's activate some of those committees and hear from them. I'm happy to participate in that.

Mr. Oliver stated it would be a working group not a committee.

SIXTH ORDER OF BUSINESS Discussion Regarding Easement

Encroachments

A. Request for Sidewalk Construction in Easement

This item tabled.

B. Rock Installation

This item tabled.

SEVENTH ORDER OF BUSINESS Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Mr. Katsaras stated as you know the county is working on the widening of Longleaf Pine and the engineer in our office that is working on that asked me to bring it up again. If you are wanting to relocate or save any of those palm trees or vegetation in the median because they are probably going to start work after the new year.

Ms. Andrews stated the company that installed them is no longer in business. Maybe we can get quotes on what they would charge to remove trees and relocate them.

Mr. Clarke asked can we put something on the website if someone wants these trees?

Mr. Katsaras stated they are the district's so if they wanted to move them to the parks or amenity or whatever you can elect to do that. If you want someone to come and grab them, that is a little more dicey because it is still county right of way. The county may get them and do

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something with them if the district doesn't elect to. I don't know about getting random people to go get them.

Mr. Clarke stated it will be a huge expense to get them.

Mr. Katsaras stated that is why I'm asking, if the district has an interest in keeping some of those and moving them, that will cost but I want to get it on the district's radar because the time is getting close for the county to start work there. If it is something you want to pursue now is the time to do something, if not then let it be and the county will deal with it.

Ms. Andrews asked can we get an estimate on relocating the palms and crape myrtles?

C. Manager

Mr. Oliver stated our next meeting is November 22nd and at that meeting we will be seating two supervisors, Tom Marmo who is on the board already is reelected and new supervisor Paul Fogel will be joining the board. They will both be installed at the next meeting. The new board will then consider whether you do it at your next meeting or subsequent meeting to fill the fifth seat, which is vacant right now. Staff sent out an eblast to the community and put on the website the announcement that there was a vacancy for a qualified elector, which is a registered voter living in Aberdeen to apply for that seat and the deadline for application is November 10th. Those resumes will come to the board shortly after November 10th and we will put it on the agenda and you can make a decision that day.

D. Operation Manager

1. Pool Slide Restoration

Mr. Parker stated I was hoping to have two other quotes but the storm stopped one and the other company never showed up. I do have a proposal from Safe Slide Restoration with three options, one for the gel coat for the inside of the slide for \$27,202, one for the gel coat and paint exterior for \$37,788, to get the tower restored and rustproofed and repaint is \$59,890. I ask that we at least get the gel coat done because I cannot open the slide next season.

Ms. Andrews asked do you have any idea what it would cost to get a whole new slide?

Mr. Parker stated between \$100,000 and \$200,000.

Ms. Andrews asked what is the warranty on the gel coat?

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Mr. Parker stated the gel coat has a 5-year warranty on the paint, fiberglass is a 1-year warranty on the paint adhesive for the steel, 5-year warranty on the structure fiberglass repair and a 5-year warranty on the gel coat with a yearly maintenance plan.

Ms. Egleston stated I will email you two other contacts to see if you can get a couple quotes.

2. Pool Cleaning and Acid Wash

Mr. Parker stated next is acid washing the pool. The rec pool is \$3,860 and the lap pool is \$3,400 for a total of \$7,260. I'm waiting on one more quote and I'm looking for a third company to get a quote.

Ms. Egleston stated Crown Pool did the marcite installation and I would reach out to them. There are certain treatments that need to happen every six months that can help prevent what is out there, but if it is our problem, we have older pumps that are leaching material and metals and that is where it is coming from. I want to make sure we don't void a warranty having a different company come in to clean that.

3. Update on Pool Repairs

Mr. Parker stated all repairs are finally complete.

4. Update on Wall Project

Mr. Parker stated the wall project is complete.

An item not on the agenda is we had a company trying to charge us for something that they actually did not do. Trimac came in, there was an issue with a break at our sign and we were told it was fixed, that it was leaking again, I called them they sent another guy out who said he fixed it and I checked and he never turned the system on. Tree Amigos went up there and fixed it. It is now fixed but they are still trying to charge us \$1,200.

Mr. Haber stated we don't have any legal obligation to pay for something that was not done or not done correctly. You can communicate to them exactly what you just told the board, the work was not completed. If they truly believe they did it, they will sue us and it is \$1,200, which is a small claims matter. If it goes that far something has gone horribly wrong because that is a lot of work for a \$1,200 matter. At this point I think you have communicated to them that you disagree

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that the work was completed, they are not going to get paid and it is just a matter of seeing what their next step is.

5. Brush Removal on Lake Obstructing Views

Mr. Parker stated a resident reached out to Lauren about 36 Bagpipe and said she was renting her place for two years she came back and there were a bunch of trees and bushes that had grown on the outside of her fence that is blocking the view of the lake. I had two companies look at it and we found that it was planted by somebody else, because no other lakes have any type of brush growing on it. They want us to remove it because they said that is blocking their view.

Ms. Egleston stated it is a very large shrub on the pond bank.

Mr. Parker stated it is trees and shrubs. We had Tree Amigos and Tricor look at it. It could have been planted by someone who lived there.

Ms. Andrews stated the homeowner is supposed to take care of it up to the water's edge, that is her responsibility. You can give her the estimate.

E. Amenity Center Manager

1. Report

Ms. Tharpe stated we went through everything on my report. Since Kate started she was able to get a quote for holiday lights. We got it after the agenda packet was due.

Ms. Trivelpiece stated I have worked with this company for five years and never had a problem and I wanted to put something before you and you can choose to do it or not. The proposal is broken down to the different areas, the pricing is high because we would be purchasing the lights.

Ms. Andrews stated we have storage areas, so remove that from their proposal and we can store it.

Ms. Egleston stated that is what happened the last time, we stored it.

Ms. Andrews stated use them because of the timeline, if we are not happy with them then don't do the storage and we will do the storage.

Mr. Clarke stated we have \$12,000 in the budget and the \$8,800 falls within that. I plan to go to the HOA meeting and ask them what their plans are for the \$290,000 they have sitting in

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their bank account. I'm going to ask if they will consider investing about \$50,000 in holiday decorations.

On MOTION by Ms. Andrews seconded by Ms. Egleston with all in favor the proposal from M&G Lighting for holiday lighting in the amount of \$8,800 was approved.
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Ms. Tharpe stated we have a gentleman here whose card access was revoked and he is here to plead his case. We discussed it at the last meeting, his card was deactivated due to an issue that happened at the fitness center and folks reported he was taking pictures of young girls, the police were called and they came out and went to his home and watched the footage here, they checked his phone, we never got a report back as to what the outcome was. A couple weeks ago he was trying to get in the fitness center, his card wouldn't work, someone opened the door let him in and we saw it on video and Jay and I went over and discussed it with him so he is here to discuss it with you.

Ms. Egleston asked did he get a letter from you, Jim?

Mr. Oliver stated no, I talked about the letter with counsel and given the circumstances not having enough information not knowing whether or not this was considered a public place and there is no law against that.

Ms. Tharpe stated we never received a police report after the incident.

Ms. Andrews stated it depends on the age.

The resident stated I was looking at my phone at football on Saturday morning and I took no picture of anyone. The police came to my house and were there less than 5 minutes and they left. I don't know what someone saw me doing but I did not take any pictures.

Ms. Andrews asked was it discussed that he couldn't come back?

Ms. Tharpe stated yes, we deactivated his card that day of the incident.

Ms. Andrews stated he knew it was deactivated and still came in.

The resident stated I didn't know it was deactivated; I just knew it wasn't working. No one told me they deactivated my card.

Ms. Andrews asked was he told it was deactivated because he is saying he was not told.

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Ms. Tharpe stated when the cops showed up here the staff person on duty stated we have deactivated his card, they looked at the video, they said we are going to his house, we will notify him.

Ms. Egleston stated a resident reached out to me that she felt that was exactly what was happening. She pulled the girl aside and had her call her father to pick her up and reached out to me and said who do I go to and I said go to the office. I reached out to Belynda.

Ms. Tharpe stated the father and daughter showed up at the office by the time Lauren texted me I was already aware of it. Staff called me and I told them to call the sheriff's department.

Ms. Andrews stated we should look more into this.

Mr. Haber stated unless we have a policy that prohibits that, it has been a while since I looked into this but people have the right to take photos of things in public. If there is not an area where you have an expectation of privacy you have to know that someone can take your picture because it falls under a first amendment right to have the right to take that picture if you are out in public. As a result we generally don't include rules or policies against that because we are unit of government ourselves so there are limitations on our ability to prevent those types of pictures from being taken. Presumably if you are out in public there is not an inappropriate picture that can be taken. My recollection when I looked at this years ago was that speaking about it and dealing with it is uncomfortable because it is not behavior that you would otherwise condone, it is not behavior that you would encourage but whether it is something you can prohibit and punish is the more technical nature of what I'm trying to advise you on. To the extent that pictures were taken as long as pictures were allegedly taken in a public area where nobody had any expectation of privacy then pictures can be taken in there. My recollection is that is the conclusion we drew when I dealt with this issue a number of years ago and the result was there wasn't any action that the board can take because it is just someone exercising their right to take a picture in public. We can continue to look into it, obviously the person who is being accused of this, denies it, staff is aware of who it is, a closer eye can be kept on it and if you want to review it in the future, I'm happy to do additional research and we can do that, but for purposes of today's meeting I'm reluctant to have you institute a penalty that may not be enforceable.

Mr. Clarke stated we can continue to look into it or restore the resident's access to the amenity facility.

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Mr. Haber stated even if you continue to look at it you would restore it with the understanding you could research it further and perhaps address this issue again if you determine that you can conclusively say that pictures were taken and after research and say you have the right to penalize for those pictures being taken.

Ms. Andrews stated I guess restore but we definitely want further research.

Mr. Clarke stated I think we need to restore his access.

Mr. Haber stated you can direct staff that his access should be restored.

Ms. Tharpe stated it has been a pleasure working with you for the last year. I have accepted a position at Palencia Marshall Creek CDD.

Ms. Andrews stated we loved having you.

2. Southern Recreation Quotes

a. Social Hall Patio Shade

This item tabled.

b. Pool Equipment Shade

This item taken earlier in the meeting.

c. River Dee Playground

This item discussed earlier in the meeting and tabled.

3. Advance Awning Quotes

This item taken earlier in the meeting.

4. Thompson Awning Quotes

This item taken earlier in the meeting.

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Public Comments

Ms. Egleston stated Belynda, thank you very much, we enjoyed having you here and wish you luck and welcome Kate.

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A resident stated I don't think it is a good idea to put holiday decorations on the monuments since they have just been repaired.

A resident stated in regard to the playground on River Dee, as a volunteer that is one of the first areas I looked at and the first thing on the list was to get ground covering down and that has been done. There is a lot of space and we could put in trees to provide shade and a barrier and put in a bench.

Mr. Clarke stated I will sit in on that meeting and there are people on that list who live in that area and we will convene a meeting in the next couple of weeks and look at the space and get some ideas.

A resident stated I think that would be a good place to relocate some of the crape myrtles.

A resident stated there is phone here, is there any way to have a virtual meeting?

Mr. Clarke stated you can dial in for the meeting.

Ms. Andrews stated it is not virtual.

A resident stated where do dial in?

Mr. Oliver stated it will be listed on the next agenda, it will be call in only, one-way communication. You won't be able to participate.

NINTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the September 27, 2022 Meeting**
- B. Balance Sheet as of September 30, 2022 and Statement of Revenues and Expenses for the Period Ending September 30, 2022**
- C. Assessment Receipt Schedule**
- D. Approval of Check Register**

On MOTION by Ms. Andrews seconded by Ms. Egleston with all in favor the consent agenda items were approved.

TENTH ORDER OF BUSINESS

Next Scheduled Meeting – 11/22/22 @ 4:00 p.m. @ Aberdeen Amenity Center

Mr. Clarke stated the next meeting will be held November 22, 2022 at 4:00 p.m.

On MOTION by Ms. Andrews seconded by Ms. Egleston with all in favor the meeting adjourned at 5:44 p.m.

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DocuSigned by:

Jim Oliver

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Secretary/Assistant Secretary

DocuSigned by:

Kevin E. [Signature]

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Chairman/Vice Chairman