

MINUTES OF MEETING
MIDDLE VILLAGE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Middle Village Community Development District was held on Monday, February 10, 2020 at 2:00 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

Present and constituting a quorum were:

Rocky Morris	Chairman
Michael Steiner	Vice Chairman
Rod Swartz	Supervisor
Mike Reynolds	Supervisor
Tim Hartigan	Supervisor

Also present were:

Jim Perry	District Manager
Jason Walters	District Counsel (by phone)
Jay Soriano	Operations Manager
Shane Blair	VerdeGo Landscape

FIRST ORDER OF BUSINESS

Call to Order

Mr. Perry called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

**Organizational Matters – Consideration of
Procedure for Board Vacancies**

Mr. Perry stated if you recall, we have had an open seat for a couple of months now. At the last meeting, resident Rachel Martorelli expressed interest in that, and also talking to some of the Board members a question was, do we have a formal procedure. Under Florida Statutes, there really isn't a formal procedure in how to fill an open vacancy. I provided you a draft of a policy that another Board had done and basically used that as a template for Middle Village. There is no requirement for you to even go that route. Some of the provisions in there might be overly burdensome as far as timelines and things of that nature, and also in that policy they have an out that provides the Board can basically put that aside and just nominate somebody at that

point in time. They felt they needed something a little more structured and that was just because of that Board. All Boards are different, so that was just given to you as a frame of reference if you want to pursue that or make changes to it, or do as you have done in the past in nominating people from the floor if you will and ask them to express interest or provide a little bit of background if you're not familiar with them.

Mr. Morris stated after reading this through, while I can appreciate a respective Board's decision to have something a little more formalized, I think the way we've done things historically since we've been in existence has worked for us and while I can see stringent items in here, I think the way we have conducted business previously would suffice for us.

Mr. Steiner stated I have no objection to what we've done in the past, though I don't know if we possibly need to outline what we have done, so at least we have something in place that defines it.

Mr. Morris stated Mr. Walters, I'll defer to you. Do you have an opinion with respect to this template that Jim has introduced?

Mr. Walters stated I think there is a lot of credence to your statement regarding our past practices. Some boards certainly could use a little bit more structure like this, but as you've said, there are two things to think about. One, this is just a draft and there are provisions that can be removed and then there is the ability to put it to the side. I think it's at least a good starting point for Board discussion maybe in the future if we feel like we need a more formalized structure, this would be a good framework for that, but if the Board is comfortable with how we've done it, then I would certainly say there's no requirement. The other thing I would remind boards, is this is just to fill a vacancy, this is not appointment to the Supreme Court, this is until the next election cycle and sometimes that's only a few months away so I leave it up to the Board.

Mr. Swartz asked what is our procedure? I guess our procedure is at the whim of the Chair?

Mr. Perry stated the procedure has been when we've had a vacancy, we've asked the Board members if you know someone that would be a good candidate, send us the information and we will put it on the agenda.

Mr. Swartz stated I was thinking beyond that it was at the Chair's discretion of whether we put it on the agenda or not.

Mr. Perry stated I would put it on the agenda every month. This position goes through 2022 and obviously we don't want to continue for a year without having another supervisor.

Mr. Morris stated I'm all for, to Jason's point, if we wanted to perhaps use this as a boiler plate and maybe move it forward for discussion in the next month or so to more formalize a process. I kind of proactively suggested to a friend, and in fact he's here today, I wanted to nominate Tim Hartigan to the vacant seat vacated by Jackie previously, but going forward, if we wanted to, we could formalize this more if you require the publishing and so forth of vacancies and vetting perhaps. To Jim's point, to perhaps expedite the seating of the vacancy, I went ahead and had Tim Hartigan submit a resume to Jim, so I would propose a nomination of Tim Hartigan. Feel free to ask any questions.

Mr. Morris motioned to appoint Mr. Hartigan to fill Seat 3 and Mr. Reynolds seconded the motion.

Mr. Hartigan stated I moved here in March 2005, so I've been in the community for quite some time. I've owned my own real estate practice for 20 years. I've worked for the railroad and for a couple car dealerships. I work from home, so access to me is a little bit easier than a lot of other people. I have 21-year-old triplets and they've all graduated from Oakleaf High School. I've been active in the community as far as coaching girls' softball and I've been involved in different events here. When I went to work for the railroad, I had stopped pursuit of my degree and with triplets that are all in college now so that gets a little bit expensive.

Mr. Morris stated and you're a former board member of Willow Brook.

Mr. Hartigan stated I was on one of their sub-committees, mainly trying to keep the kids from the high school out of the parking lot.

Mr. Morris stated Willow Brook is the community across from the high school.

Mr. Reynolds stated you sound like a real community member. I'm all for you.

On voice vote with all in favor appointing Mr. Hartigan to Seat 3 was approved.

Mr. Perry administered an oath of office to Mr. Hartigan and gave a brief overview of the expectations of a CDD supervisor.

Mr. Steiner stated the only thing I'm concerned with regarding the procedure for Board vacancies, is as was demonstrated a few minutes ago, as we started to go through this process, nobody was sure where we went next and I'm simply saying it may be beneficial that we solicit the audience or Board members for candidates, and if that doesn't occur and we get so far down the line, then we publish it, so that we've got a step by step process.

Mr. Morris stated why don't we each over the next month go through this template here and redline what you don't like, and if there are things that you wish to add, let's move this to next month's agenda and then we can consider its adoption next month.

Mr. Steiner stated I agree with you. We have policies that cover everything else that we do. Very few of them are so rigid we can't get around it, but at least for oncoming boards and some of us that have been here a while, it gives us an idea of what we need to do.

Mr. Perry stated we will have this item on the next agenda. Send me your redline documents and we will see if we can make it work in regards to the document.

Mr. Swartz asked do you want us to email our changes to you?

Mr. Perry stated yes, that will be best.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the January 13, 2020 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Mr. Perry stated on the assessment receipts schedule you are almost at 90% collected, so you're in great shape. The check register totals \$126,740.67. In regard to the financials, you are right on track. We've only got three months there, but there is nothing unusual to note and there are favorable variances overall for the different categories.

On MOTION by Mr. Morris seconded by Mr. Steiner with all in favor the consent agenda was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel – Legislative Update**

Mr. Walters stated there is a copy of the Capital Conversations as of January 31st in your packet. There's been one produced since, so I will circulate that to the Board after the meeting. The copy included in your agenda package was produced as we were not quite halfway through

the session, so you'll see some of the movement. If you look down at the bottom of each proposed piece of legislation it will tell you if there is a Senate or House companion. A bill will need a vote from both to make its way through. If you have questions, feel free to reach out to me. Some of the bigger ones we're monitoring, for instance, is if you look down at that first page, we have sovereign immunity protection from tort liability, which is generally your slip and fall accident type cases and that helps keep our costs down on insurance, so to the extent there is an increase in those limitations, that will probably have an impact on our insurance premiums, so I'll keep my eye on that. A lot of the bills we're watching deal with more early stage issues Districts and may not impact us, but some we will keep an eye on if they do make their way through. The one that I will always watch is on page two, the last one under public records and websites. We've watched it for probably a decade now and it pertains to the concept of being able to post our notices on the website rather than the paper, which would save us a lot of money in publication costs. Not listed in here, but I think we may have discussed it before in terms of our policies at some point, there's always a question in terms of short-term rentals and is there anything we can do about regulating short term rentals, such as your Airbnb type things. There is a bill that if it passes would prevent local government from enacting any sort of regulations on short-term rentals to allow the State to be the only regulator of those type of rentals, so that's something I'll also keep an eye on just in terms of sometimes boards want to look into how do we deal with access and things like that and that could impact us as well. We will see if it gets any momentum in the next couple of weeks.

B. District Engineer

There being none, the next item followed.

C. District Manager

There being none, the next item followed.

D. Operations Manager – Report

Mr. Soriano stated we just had the Polar Plunge over at your sister District. The weather was nice, and the water was a little cool. We do have quite a few events coming up in March. There's not much in February other than the Polar Plunge. We will have St. Patrick's Day, events going on at tennis, and of course spring break is the second week of March. There will be a spring break tennis camp and then we also have socials down there for St. Patrick's Day. The pools will be completely open for spring break and that is also about the time the heaters will turn off. We open up for spring break, and then it's weekends only. We also get to that rotation

where there's a movie every month, whether it's in the park over at your sister District or at one of the pools, we go through doing a movie every month pretty much the rest of the year until we get to the holiday season. There is one gas bill that doesn't show up in the financials for \$2,800, but so far that keeps us well under. I imagine we will end up at our planned budget if this next month is cold. We did waste about \$800 or \$900 because we had a leak at the tank, and we had just filled up about a week and a half before that. It took two days to deal with that and we can actually bring in a special truck that can suck the gas back out, which costs a lot, so it was one or the other. I ended up keeping the pools open and we just left the covers off, which was a bit wasteful. It is all repaired and the tanks are back operating and the pools stayed open during that time.

You'll see our numbers are staying high for rentals and card printing. We will get busy that weekend at the start of spring break.

Moving on to the maintenance side, we don't really have any open items right now. It's not on the report the amount of work that was done last week. We had no major damage, although there was a lot of cleanup from that storm that is still going on. The landscape crew was out right away on Friday. We still had some power outages playing tricks with our buildings and automation that we had to take care of. We lost two sections of fencing between both sides of Oakleaf and that was really it, so just a lot of labor and time to clean it up.

Mr. Swartz asked the wind didn't blow any of the wind screens down?

Mr. Soriano stated we got really lucky out at tennis. There were some big gusts reported. NAS JAX had the highest gust in Northeast Florida during that storm so this area was the worst area. If you noticed, at Willowbrook you'll see one of the roof tops on the building were ripped up.

Mr. Swartz asked did it damage this sign here?

Mr. Steiner stated that's what I was going to ask you. Is it owned by the CDD or the Preserve?

Mr. Soriano stated that median and sign is private. If any of the board members need information, I still have contact with the original sign maker.

Mr. Steiner stated I'll pass that along.

Mr. Soriano stated unless there's any other questions on the maintenance items, that was really it for my report. This was a good month to catch up on a lot of the work around the neighborhood. In a month we will get really busy for spring break.

Mr. Swartz asked is the concrete in for the pad?

Mr. Soriano stated the concrete has not gone in and we still haven't gotten in the final permit numbers. I do have to make sure that's all approved because we are kind of close to a preserve area back there, so we are still waiting on that.

Mr. Morris stated two things, one is an update on that landscape lighting at the Willowbrook entrance and two, do we have numbers yet on the outbuilding that we're going to replace out here?

Mr. Soriano stated I think we've approved everything already. As far as the labor, no until I actually start, I won't know. I haven't talked to the landscapers about this yet, but I'm not putting in electrical right away and that's because the permitting process takes a lot longer. If I have to do a separate permit on electrical, I can always do that later with the electricians, which just means if they're doing any work and they need the electrical they will have to go to that little building next to it that has the tennis carts in it. That's just going to make it easier and quicker for us to get the building up. Other than that, the two things I needed first were the building and the pad.

Willowbrook we moved all the way up to pretty much 50-feet away from the sign. We've done all of the trenching and the wires are laid, so now it's just the section from there to the sign. We were stopped because AT&T wanted to come out and check to make sure we weren't near their fiber optics. We did have an incident where we were doing some work on our main line for irrigation and cut their line at Double Branch. That stuff is very expensive to fix for a single cut, but I think they noticed they were right underneath a four-inch main line that they were working on. There was no way of seeing it and it shouldn't have been that close in the first place, but we had that happen. I'm glad they didn't really want to, but it would have been our responsibility to pay them back for that. They stopped us over there, and we just haven't gotten back there and that was about two or three weeks ago so we will get back to that last 50 or 60-feet and we will also give them new LED lights when we're ready to plug into their system.

SIXTH ORDER OF BUSINESS

**Audience Comments / Supervisors'
Requests**

Mr. Swartz stated I'd like to remind our new Board member that it would be wise to set up a separate email account, so you don't co-mingle your emails.

SEVENTH ORDER OF BUSINESS **Next Scheduled Meeting**

Mr. Perry stated our next meeting is going to be March 9, 2020 at 6:00 p.m. at this location. Typically, we have the evening meetings for changes in the rules that we thought were needed, but at this point in time we're saying that we're good with everything we have for both Districts.

EIGHTH ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Swartz seconded by Mr. Morris with all in favor the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman