

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, September 14, 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 were no members of the public in attendance.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the August 17, 2020 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Mr. Perry stated you are 98% collected on the roll.

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

FOURTH ORDER OF BUSINESS

**Acceptance of Engagement Letter from
Grau & Associates for the Fiscal Year
2020 Audit**

Mr. Perry stated the fee in the letter is \$6,100, which is consistent with their proposal. If you'll remember, this is the firm that was selected by the audit committee a few years ago.

On MOTION by Mr. Morris seconded by Mr. Swartz with all in favor the engagement letter from Grau & Associates for the Fiscal Year 2020 audit was accepted.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel – Consideration of Updated Agreement with Clay County School Board for Oakleaf High Swim Team

Mr. Walters included in your package is a copy of an agreement between the District and the school board of Clay County. We've had an agreement with the County for several years now related to the use of the facilities for the high school swim team. This is something they are rolling out to all of the districts that provide that type of access and use of their facilities. It relates to their updates regarding the protocols related to COVID-19 so they circulated this to me. I made some revisions and comments back and they incorporated those. Under the usage during the COVID-19 pandemic there are several protocols they are incorporating into their practices and as you go down to the indemnity provisions and limitation of liability for the District. I made sure that they incorporated those type of claims so those are the largest changes, otherwise it's substantially similar to what we've been operating under for several years and it's got somewhat of a self-actuating revision back to normal practices.

On MOTION by Mr. Morris seconded by Mr. Swartz with all in favor the agreement with the Clay County School Board for use of the District's recreational facilities was approved.

B. District Engineer

There being nothing to report, the next item followed.

C. District Manager

- 1. Consideration of Work Authorization #1 for Onsite Management and Maintenance Contract Administration for FY21**
- 2. Consideration of Work Authorization #2 for General Maintenance Services for FY21**
- 3. Consideration of Work Authorization #3 for Professional Tennis Services**

Mr. Perry stated these are consistent with the budget that you recently adopted. Work authorization number one has not changed from last year, nor has work authorization number three. Work authorization number two there is a change in the hourly rates. There was a \$3 increase, so it went from \$32 to \$35 and for the ATV from \$40 to \$43 an hour.

On MOTION by Mr. Morris seconded by Mr. Swartz with all in favor GMS work authorizations one, two and three were approved.

D. Operations Manager – Memorandum

Mr. Soriano stated I gave everyone a list of items I want to address this month. We have changed our schedule at the pools. The kids have gone back to school and things have been working out well. When kids went back to school that first week I did get one or two complaints because a lot of the adults look at it like everything should be back to normal if the kids are back in school and they kind of want to be here whenever they want to be here, and they don't really want to do the closing down to clean, and they weren't happy that there was no swim at your own risk. Once I explained it to them, they realized that it was needed there for now. It's not based on what the school districts do, however that was a thought so those first couple of days I was worried I was going to get hammered with a lot of complaints after those first couple, but since then it's been quiet. With things going the way they are, I'm very hopeful and I think we can go ahead and open some things back up. Some of those things we don't have at the moment are items like swim at your own risk so that heated pool has not been open all year at swim at your own risk. We have had our pool monitors and lifeguards here. This time of year, they would like to be able to come in whenever they want, and it is mostly adults. There are still a lot of recommendations out there that you should not have that, however we can operate either way. I am not seeing a lot of those kids that have stayed home because of online schooling being down here during the day, so we were able to change the lifeguard schedule and cut back on those hours on alternating days because that first week there was really nobody here. If we wanted to

lay that responsibility on the adults and get back to those programs, there are some that I was looking at. We did start renting this room out this month, but no one has really signed up yet. I do have an event in here on the 26th, but that was an event I've had to push off from the beginning of the year, so she's happy. The few tours we've had are asking for December or January. Getting back to some of those items that we do here on a normal daily basis, what I would like to look at is going back to just the pools, so really for you guys it's that adult pool. Your sister district may think different, but they do have that pool over there. I am going to go through this discussion with them also. I would like both to work out to be the same because it's easier on staff, but it doesn't have to. One thing I think that would change if we opened that up is, I don't know if we would continue to shut down every two hours for cleaning. We will still clean, I think that's going to be a given no matter how this works out, even a year from now if we don't have to worry about Coronavirus issues as much. No one is ever going to say we're not cleaning anymore.

Mr. Morris stated it would only just be morning and evening.

Mr. Soriano stated no, we will still clean throughout the day. We're definitely not so busy that they can't do that, we just won't have to shut down. Even then, when you look at the summer, we weren't so overrun at any point that they couldn't clean and still operate. It did make it easier, but at this point we can be open and clean around the few families that are here so we just wouldn't shut down the front pools every hour and a half. Inside, that would still occur. With the fitness center I think that is a smart move. Indoor is really more of a concern right now than outdoor anyway, so we can do that. You'll notice the once thing that I will be looking at probably for the end of third month would be to add on time; a couple of hours in the morning and also late in the evening. We've been shutting down at 8:00 but this time of year people would like to be there later. Our pools are still going to be shutting down earlier in the day, but it doesn't mean you can't be out here on the tennis courts or basketball courts or the fitness centers. We will still continue to shut down and clean. Even if we are having a swim at your own risk or use at your own risk program, I will still have a staff member that can go around and check on the place and make sure people aren't doing anything strange. We're supposed to monitor and make sure people are following directions. As far as when we get rid of that half hour cleaning at the fitness centers, we can revisit that on a month to month basis or at the end of the year. Indoor is really

the main concern so the outdoor we can get rid of, especially if we're going to go to the adult pool in the back.

Mr. Swartz asked I thought the device you bought was taking the place of having to close down and clean?

Mr. Soriano stated no it's not taking place, it's just a better cleaning mechanism.

Mr. Swartz asked do we have to close down to run that?

Mr. Soriano stated no, but everything will be wet for quite a few minutes. They believe if you don't wipe it back off it helps to kill viruses and bacteria better. Each item on the list that the CDC puts out will actually give you a time that your supposed to leave damp, so we still shut down right now to clean, but I don't know that it is needed out at the pools anymore.

Mr. Soriano continued. There are a couple of other items, like the coffee service. You pay \$1 for a k-cup, but you do everything yourself so the staff here will clean the machine and clean the counter, but it's left on the residents to clean up after themselves and that has always been the case. I have looked at more like a concession stand like thing. There are a lot of rules for food and beverage so I've stayed away from it, but it's just coffee service, so as we get into those months where more people are inside and working out compared to being outside and activities at the pools, those are the amenities that people really like so I would like to get back to those. The tennis areas have only been opened while staff is here. We do have a good amount of tennis programs and they are here lots of hours each day. The biggest complaint I get for that is Sunday. These guys run programs all day long Monday through Saturday but they're gone on Sunday so the few families that want to come out and play tennis on Sunday we have to tell them no because there is no staff around and we lock that up, so we will get back to opening that up unless there's any objections. I don't see it being a problem. As long as it's not a huge social activity, that one is easy to maintain social distancing and stay safe. Even when you play teams and have two people on each side you've got plenty of space.

Mr. Swartz stated we've got kids playing soccer and in close contact.

Mr. Soriano stated even then, the soccer count is extremely low. Last I got was 125. There are some places that are bigger. I know there's a lot of people that say they want to get back to normal, but even once we do open this up, there are still a lot of people that are hesitant and are worried about being safe. The sports programs are a quarter if not less than what they've

been in years past, but it's the fact that at least we're able to say that we're offering something and doing it the best way we think we can.

Mr. Morris stated I don't have any objections.

Mr. Soriano stated unless there are any other concerns starting next week, I will send out emails to the residents with things that we will start with this weekend, one of those being the guests. There are only a few weekends left anyway so I don't see us being overrun. Guests for tennis courts, the adult pool and fitness centers are extremely low throughout the years so I don't see anyone using up their 15 passes between now and December and in January they get loaded again anyway and hopefully next summer we don't have this capacity limiting issue, but those are some of the things that will happen sooner and there will be some things that will start with this next month on October 1st. We have our community events coming up. In October we have our movie, which is *The House with a Clock in Its Walls*, which is a Jack Black movie and that will be our Halloween themed event and in November we normally have the fun run the day before Thanksgiving at your sister district. If you guys recall, I am working with the lady to do the vendor fair here. She will have a lot of limits in capacities, but she's actually done that herself because she doesn't want to have any concerns with liability. That will occur in November also.

Mr. Reynolds asked what about group fitness classes?

Mr. Soriano stated the only thing you guys really had was yoga and it was done in this room. I don't see that one being an issue if she wanted to continue, however she is not looking to continue right now. Most of her clientele is older and they're not worried about being in here in a social setting. This room may have had eight or nine people when she was doing class and they enjoyed it. It's not a really packed class and it's not something where they're jumping around or sweating and breathing heavy on each other, so that one I would have less concern with compared to Zumba, which is held at your sister district. The Zumba instructor is not in any hurry to get back to her class either. A big part of it is liability concerns. The other part for us would be that her class is 60%, sometimes more guests. That's one I'm definitely not looking to hurry up and start if it wasn't supported just by our residents.

One more thing for discussion is the food trucks. This year has been a little odd for them. They stopped their food truck Friday event that happened at your sister district during the pandemic and what they did was a couple of trucks were allowed to set up at different times to help out, especially while the restaurants were closed down. Restaurants are opening back up;

most are completely open if they haven't gone out of business. The girl is looking to get back to a regular Friday event, however she is also looking to step out of her role. She's talked to me about the District possibly taking over, mostly because of the things that made her feel like she wants to step out she doesn't think anyone else will do a good job handling it. If you guys recall, we left it on a resident to organize years ago. We didn't want to have anything to do with it. She is tired of the bickering between trucks and the problems, however there is a not a resident that owns a truck that she trusts enough to do it, so she doesn't feel comfortable handing it over to anybody, she would rather us take it over as district-run. I told her I have concerns with that since I don't have a lot of time, but it is an event that people have come to enjoy so I'm concerned with that too. It's one of those things that if we don't do it, I don't know who is going to step in. Somebody will eventually fill the void and I would almost rather have control over how it's run then let somebody else take it from her. She has some time. She's looking to be out by February, but she wanted us to know about it now so I told her I would bring it to you guys.

Mr. Steiner stated if there's somebody that is going to miss it bad enough, they need to step up and handle the organization of it. We're still going to apply the rules for the District and that person that wants to have them here needs to step up and handle the enforcement of it. I don't see it dropping on our table.

Mr. Soriano stated over here we had a bit of an issue because we really didn't give them any of our space. They've been using the church area at the roundabout, which has created problems at times. The church has basically told trucks that they could be there because they wanted people to come out and have fun, but then the church will argue that the parking lot and spots are not theirs. We own the slip banks. The parking spots on the other side are owned by the businesses. It's odd to me that one company says we want you out, but it's not our property. It's almost like they're trying to absolve themselves of any problems or liability beforehand. We've stayed away from it just because that is their corner lot. Hinson's property, which we help maintain are the other three quadrants; the doctor's office and the two undeveloped quadrants and they don't go in there. That's also a concern to me is someone taking over and knowing what our area is.

Mr. Morris stated to your point Mike, it would seem this person needs to do her own advertising and putting the word out there that she is wanting to drop it and find a suitable candidate to take it over. Like Mike said, It's not our deal.

Mr. Steiner stated we've already had one go around about the stuff up at the church's area. We don't need to be having that kind of issue. The parking lot is there may belong to the district, but it's going to be an issue from the church's standpoint because some of their parishioners are probably going to be using some of that space. If they say yes, you can use that area in front of us, they have that prerogative, but I don't think they have the right to just wash their hands.

Mr. Hartigan asked what is going to be our position with that corner specifically if the church does not want any say in saying yes you can use it, but we don't own that section you want to have the event on?

Mr. Soriano stated that would be up to us if we wanted to argue that we just don't want them there, or we're going to go ahead and give them permission to be there. They are operating every other Friday on that corner.

Mr. Steiner stated I think the issue that is there is it's not going to be an issue with the church, or the community over there until that activity begins to impact Forest Hammock or the church. From our standpoint, as long as they're not blocking the traffic circle and people in the district can get to their homes it doesn't affect us.

Mr. Morris stated I would probably put in a call or visit to the Trinity folks and just remind them in spite of their belief that they don't own those spaces, they do, and they can't legally absolve themselves of any liability just to reiterate the awareness there.

Mr. Soriano stated I've talked to them a couple of times. The girl that coordinates the food trucks has tried to operate it by saying we own it so they will listen to us so if they try to show up at a night they're not supposed to be there the first thing she tells them is the CDD is not going to let you come back. They're listening and responding so they don't do something wrong in our eyes, which is good. If we did control it, we have that enforcement ability and they know they have to deal with us. If we want to say we're going to do it but we're going to limit it to every other month or once a month and not twice a month, that's really on us so that's really why she's coming to us.

Mr. Swartz stated still, they own the parking spaces, right?

Mr. Soriano stated last I saw, we only own the slip lanes.

Mr. Swartz asked and the slip lanes are all the roads that connect the parking lots?

Mr. Soriano stated yes.

Mr. Swartz stated if they're not on our property, we shouldn't be involved at all.

Mr. Soriano stated right and that's what we've been doing.

Mr. Swartz asked so should we put that in writing and send it to Trinity so they're aware of that so if something does happen over there, it doesn't come back on us? Because if they believe that it's on us and you let them do it long enough, they believe there is a legal right to continue doing it and we could put ourselves in a bad situation.

Mr. Soriano stated we can do that but that was kind of secondary. The first part was whether we want to continue to have it or deal with it at all.

Mr. Swartz stated but it's not on our property, so that's my point.

Mr. Soriano stated I guess we could look at it that way.

Mr. Soriano continued. We are staying extremely busy and we still have quite a few projects that have to be finished up still. The fence lines are up out back. That area is hidden pretty well but we will have a screen that goes up that hides it even more and then our building will be erected too. I'm trying to find a way to coordinate it. We already have to take the fence partially down because we have to get those big boxes back out and then I'd also like to make sure I'm coordinating with VerdeGo because they have those boxes filled with stuff that has to go into the building when it's completed. Next up would be the gazebo work. If you've been out there, it looks good. I was a little concerned with the recycled wood and I've been checking on it every day to make sure it's not getting slippery and it actually works really well. We're still working on our normal everyday repairs around the district.

Mr. Swartz asked the boxes that you're talking about, are those the little 20-foot containers?

Mr. Soriano stated yes.

Mr. Swartz asked are we getting rid of those or are we recycling them?

Mr. Soriano stated they're not ours. VerdeGo put them in so we will allow them to use a little bit of space in our storage building.

SIXTH ORDER OF BUSINESS

Audience Comments / Supervisors' Requests

Mr. Swartz stated we talked some time ago about putting a light in over at Eagle Landing. Do you know anything about that?

Mr. Soriano stated nothing new has come up with the County.

Mr. Swartz stated that just leads into my desire for us to have some kind of digital signage or something we can keep updated to announce these kinds of changes on a more real time basis.

Mr. Soriano stated they haven't talked about this area in quite a while. If you've followed the meetings this last year, and they are back to normal meetings for planning commission and the county commission, most of the focus has been on new bonds for roads closer to the Fleming Island area so this is not a discussion. Our commissioner is Wayne Bolla and he is almost out, but Wayne is a big one for pushing to get work done on these roads. They are already falling apart and most of that is just timing for development. There are a lot of big trucks driving over this. Right now, the money is going someplace else in the county so there is no discussion and I haven't heard anything new as far as putting a light up. They did do a lot of work last year to repair that intersection. They had Duval Asphalt out there and now Eagle Landing has its rear entry done so they can go in and out through the GreyHawk area. It doesn't mean we couldn't get a sign made. They've proven to be much easier to work with on right of way issues than they were years ago, so if we want to look at doing something bigger than what is out there, we can go ahead and put that in the works.

Mr. Swartz stated in the short term you can maybe look at a solar solution and when electric is put in, they can always contemplate it if that would be more feasible. My other question is on the entrance tower down here.

Mr. Soriano asked the bell tower at Publix?

Mr. Swartz stated yes. I've noticed as I drive through that one, it's overgrown. It needs to look cleaner and the lighting needs to be better on it. You can see Oakleaf on it, but you have no idea what's holding that Oakleaf sign up in the middle of the night. It just needs some accent lighting.

Mr. Soriano stated there are four giant LED lights that light that thing up, so I'll check the timer.

Mr. Swartz stated maybe it's because the landscaping might be covering it up then.

Mr. Soriano stated they look like streetlights. They're pretty tall so the timer may just be off. I can check that because it's usually very bright out there.

Mr. Swartz stated I'm sure it's because we've had all of that construction with the three way. That's a state sign isn't that along there?

Mr. Soriano stated for the ramp, yes.

Mr. Swartz stated that corner just looks trashy to me.

Mr. Soriano stated we just have the section that the tower sits on so in front of it is really overgrown and you'll see a little path where they drive their trucks in. Right behind it is not our area either. That's commercially owned.

Mr. Swartz asked so do we need to talk to somebody about taking better care of that since they own it? I don't want to get involved with taking care of it.

Mr. Soriano stated we can't go on their property.

Mr. Swartz stated I meant the stuff in front of it, what you see from Oakleaf Plantation.

Mr. Soriano stated what you see from the front would be FDOT and the County. I could pass it on to the County. FDOT is not going to do much. As far as the undeveloped property behind it, that is something that is kind of a benefit that developers get because they don't have to do anything. That is Regency that manages it. I can ask the County.

Mr. Swartz stated they're not even doing the corner right there at the light. If you're stopped at the light, the corner to your left.

Mr. Soriano stated the opposite corner I think is East West so we could probably reach out to them. It's still considered undeveloped also.

SEVENTH ORDER OF BUSINESS

Next Scheduled Meeting

Mr. Perry stated our next meeting is going to be October 12, 2020 at 2:00 p.m.

EIGHTH ORDER OF BUSINESS

Adjournment

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


Secretary/Assistant Secretary


Chairman/Vice Chairman