

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, January 11, 2021 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
Mike Eckert	District Counsel
Jay Soriano	Operations Manager
Chalon Suchsland	VerdeGo Landscape
Two Residents	

**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 no comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. Approval of the Minutes of the December 14, 2020 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Mr. Perry stated you are at 82% collected on your assessment receipts schedule, which is consistent with your sister district. The check register totals \$111,608.93.

On MOTION by Mr. Morris seconded by Mr. Steiner with all in favor the consent agenda was approved.
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**FOURTH ORDER OF BUSINESS**

**Consideration of Updated Disclosure of Public Finance**

Mr. Eckert stated in doing a little bit of due diligence on the district, I went back to look at your prior bond issues and noticed in 2018 you did a refinancing of your bond, however that wasn't picked up in a revised disclosure of public financing. A version of this is already recorded in the property records, so when someone buys a house in the community, they are put on notice that the District exists, what the District maintains and what prior financing the District has undertaken. This just updates that document to account for your 2018 bond sale. Jim brought to my attention a zip code I need to correct before it gets recorded. This is something the Florida Statutes require you to do and update from time to time. I wouldn't anticipate we would do it again until you either issue a new series of bonds or refinance the ones you just refinanced in 2018.

On MOTION by Mr. Reynolds seconded by Mr. Morris with all in favor the updated disclosure of public finance was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-03, Amending the FY21 General Fund and Recreation Fund Budgets**

Mr. Perry stated this reflects the additional \$200,000 pulled from the general fund and sent over to the capital reserve fund like we discussed, and then there is \$700,000 pulled out of the recreation fund, which has been transferred over to the capital reserve fund. These amounts are consistent with what we discussed. They weren't reflected in the budget that you adopted this year, and this is basically just a recognition of those funds being transferred.

On MOTION by Mr. Morris seconded by Mr. Swartz with all in favor Resolution 2021-03, amending the FY21 General Fund and Recreation Fund budget was approved.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Eckert stated at the last meeting it was mentioned to you all about a new community potentially wanting to use the amenity facilities. I provided my business card to them after they made a presentation to your sister district and asked them to contact me once they had a firm

handle on the detailed proposal they were going to present. I've not heard from them since the last meeting. I anticipate I will, but I don't think it's going to be super quick.

Mr. Morris asked was there any pushback from the Double Branch board?

Mr. Eckert responded I think there were a lot of questions in terms of how this would actually work and what the unintended consequences might be, so I think that Board basically said to the landowner to feel free to put whatever you want in writing and we will consider it. I would say that Board had significant questions.

Mr. Steiner stated I'm curious to the level of impact now that we've got with this new development down here that started clearing for 51 homes or 55 homes. What's that going to put on our existing amenities that we have now? That would be one of the things I was a little curious as to what they were offering from the standpoint of is it going to be anything offloaded from us or will it be something that is added to?

Mr. Eckert stated I think the discussions are so preliminary it might be either one of those at this point in time, but I think the Double Branch board just wanted to say put it down in writing and we will take a look at it. I do think the capacity issue is something both boards share questions and concerns about.

**B. District Engineer**

There being nothing to report, the next item followed.

**C. District Manager**

There being nothing to report, the next item followed.

**D. Operations Manager – Memorandum**

Mr. Soriano stated we just had our holiday movie this last month. Unfortunately, this one wasn't well attended. We've done things at the holiday time of year before like movies and food trucks and we just don't get a lot of participation. There's a lot going on. People have their own family events, but also the weather was on the colder side. We ended up having three families. It was a little cold that night, but even the food trucks didn't have much participation. I talked to the food truck group and the girl that coordinates it for us. We will not be doing anything with them January or February. I'd hate to use up our funds from that line item if nobody takes part. Our next thing will be planned in March and we will get back to the movies then. I mentioned

on here tentative schedule. I'll have it printed up for you after we discuss some of this tonight. In March we have our spring break week where we do the one week opening of the pools and it is fully staffed. This coming year we will get back to a normal plan of operation. We will also have a Movie on the Green for March. Also, if you recall there was the lady that did the vendor fair here. Double Branch agreed to host their spring, but I need to approve it with them since we've closed down things over there where you guys have opened your room back up. The lady, who is a resident, did ask that if Double Branch doesn't open back up and give their approval in time, would it be all right to come over here. I've stayed away from that because the main reason is, we're trying to get this room back to operational. Those type of things take away from this room and that was part of that discussion a couple years ago when she wanted to do that event is that capacity in the parking lot. We already have issues with tennis and the pool when we do have this room with an event. We only had one event this past month and that's what we've been averaging since we opened it, but we will hopefully start getting more in as people start getting more comfortable doing their events. She may come back to us and ask if Double Branch doesn't finalize their approval for the springtime event there. In April we would have another Movie on the Green. We've set it up to where every month we would have a movie, so eight out of twelve months we would have a movie. We won't do anything in December or January. The pools are packed in July, so I stay away from events in July. For April I'm looking at another fun run. Everybody seemed to love the Turkey Shoot that we did so we will set up some kind of Easter egg hunt type fun run event. I think that will go over well and then hopefully by the time we get back to Thanksgiving we can do the original Turkey Trot and get people back together by then. Unless there are any concerns, we're really focusing on doing outdoor events and movies. Most of the movies are at your sister district. When we get to the dive-ins in the summer I've done more of them here at your facility because it's a little larger and we have lights on the deck. We've stayed away from the packed in Halloween event and Cocoa with Claus because we don't know where things are going to go yet. The next month we start our evening meetings so by the time we're done I will have paperwork for all of our events that will get posted online and we also released the aquatics schedule, not just for spring break, but our opening dates for the pool and all of our timing for each month. Those type of things I always bring to you at the beginning of the year when we do our policy meetings too. Your nighttime meeting is in March.

Mr. Perry stated yes, at 6:00 p.m.

Mr. Soriano stated like I said, we've had an average of one event a month right now. We've had a lot of tours. Really, it's just the booking. We haven't had any questions on the capacity, but by March I'll come back to you and we will probably start to get rid of that capacity limitation. A lot of places are cutting that out, even in the rental facilities.

Mr. Swartz asked we're still at the 50% capacity limitation?

Mr. Soriano responded yes so, we would go from that 50% and I would probably step first to 75% and then get back to 100% by springtime. I will bring that back next month. I don't see Florida going backwards, even through these cold months. I do stay in contact with our insurance company so if they have any concerns, we can use their guidance.

Mr. Morris stated we talked about that a couple of months ago. Did they ever issue any additional policy language we needed to include?

Mr. Soriano responded no; it's recommended. There wasn't anything that would make it to where they would drop our coverage if we opened up, but it is recommended so right now we do have some of those questionnaires that go out to the owner and then the renter. Whoever throws the party is asked to send it out to their family and friends. Or things like self-quarantine, which is very hard, and we know it's not really going to be possible if you have a wedding and have family coming into town from other states. They'd have to come in a week or 10 days early so they can quarantine from traveling and that is a little tough. We pass those questionnaires onto them and it's their job to be responsible with their gathering and it's not on us. We can't question everybody that's going to be a guest. We do ask that they report to us if there is any case so we can do our cleaning and make sure anybody that was in contact is notified such a staff member or party attendant.

Mr. Soriano continued. Moving on to the operations and maintenance side, there are a couple of things I want to run by you guys. I looked at the fencing quotes, but numbers are a little high. Last month we talked about increasing the height on the pool fencing and then I could use that fencing material that is there in other areas, such as the one we've already decided to move forward with on the adult pool. There are still manufacturing issues, so a lot of companies are still having a tough time with steel, aluminum and vinyl so the average price right now for an eight-foot-long panel is as high as \$200 a section. For the amount of linear feet we have out there, that would put us in the \$40,000 range to purchase. The typical price for that before this hit was \$120, so now you're talking a little closer to \$28,000. It's still expensive, but you do

have a lot of space out there. If you recall, I told you about Double Branch. They really only have 100 or so feet on the one side of that pool area that they increased to eight feet and that is a \$14,000 cost if they were to do that. We have almost 1,700 feet out there to go all the way around the pool.

Mr. Reynolds asked if we give it a few months do you think the price will come down?

Mr. Soriano responded I do recommend we give it a few months. The same way with wood. Right now, we have the dog park over at your sister district and for things like 4x4s that I used out here on your gazebo that built, it doubled and almost tripled in price. Now it is starting to come down but there's still a little bit of shortage related to manufacturing. Will they get back to \$120 a panel? Probably not, but I would say people jumping the fence or being out here at midnight playing in the pools is not worth \$40,000. It would be nice to reuse some of that fencing. I even looked at a few areas where I could reuse it. I could go and wrap that playground and we do have the ability since we're close enough to this building to have card access so we can control who is on the playground, which is good from a liability standpoint. I think I'd rather put that off.

Mr. Swartz asked so you're willing to put off also doing the adult pool?

Mr. Soriano responded no; that part we could go ahead. It would be an extra cost but that is under my amount so I'm able to do that.

Mr. Swartz stated we're just not going to reuse existing materials.

Mr. Soriano stated correct. I thought about that too. The \$40,000 purchase to save \$2,000 was not enough for me. I'm going to keep working on quotes, but we should hold off. I don't see it being that big of an issue.

Mr. Soriano continued. We are having some issues with trespassing. We've had it before, but one of the things I wanted to discuss was we are getting an increase and a lot of this has happened because of the pandemic. People want to be outside, which is good but that doesn't mean you get to come here if you don't live here and that's what we're seeing a lot of. Not as much here at your facility as with your sister district. They are seeing this greatly at the other side on the multi-use field. It's a great track to come out and exercise but most of the people we encounter out there do live in other areas. On an average day where we go out and start checking cards we get yelled at, cursed at and things like that and I'd say one out of every five people are residents here. A handful out of 100 out here actually carry their cards. The one thing I get a lot

too is, we come here to play sports and we pay to be a part of the sports organizations, so I am going to get with the sports organizations to try to get them to communicate well that while they are part of the sports organizations, that is for when they're here practicing or competing. It doesn't mean they as a family get to come out here all the time and use the fields. That is exclusive for our homeowners and renters. If you recall, when this all started there wasn't even supposed to be people on the property. We had shut the buildings down and asked everybody to stay away for a couple weeks and nobody really stayed away so I contacted you guys and sent you pictures of people we were going to trespass because they were coming out. We didn't get much help from Clay County Sheriff's Office but that was actually directed from them that they weren't going to make it illegal and they didn't want to trespass anybody for just coming outside even though we asked them not to be here, so we found a lot of people didn't listen to those rules, so we started at least asking for IDs. If they were a resident it wasn't as big of a deal, but if they were non-residents they definitely shouldn't have been here and that's where we started to see that almost every person we came across was not a resident. The other excuse we got is, we pay our property taxes, but it's only property taxes for people that live in these addresses here within the boundaries. We're not getting support from the Clay County Sheriff's Office so I'm going to work with them. They do have a new Sheriff, which means they also have a new Under Sheriff. We did go through a resolution years ago giving me and the rest of my staff authority to trespass when we have those issues because sometimes the officers come out and they aren't sure whether we're even allowed to trespass. A lot of times what I will get is officers don't believe they're allowed to trespass, which is not the case. We did all that work with our lawyer to make sure that resolution was put on file. Well, now we have a new officer and probably a new lawyer in place, but I'll find out. If that is the case, we would want to get them involved and make sure there is that understanding, not just with the higher ups, but also gets passed down to the officers that are going to be the beat patrols here in Oakleaf, or our off-duty officers that they have these abilities and they are allowed to trespass. That is part of the County code that once we ask them to leave, they must leave no matter what the case is. The officer shouldn't get involved in the policy. It's the same as if it happens on your front lawn. I may invite the officers, Under Sheriff or Chief of Patrol into a public meeting to put them on the spot. We need to know they're going to support us, especially going into spring and summer. This weekend we had two new trespasses. One was on the other side at that multi-use field of somebody that just didn't

want to show their ID. He referred to it as his constitutional right to be walking around out there. He did at one point live out here. He is an adult child in his 30s so I believe he may be staying with them, but he refused to show us any ID and cussed the staff and threatened them and even yelled at the officer so by then he was going to be trespassed. The way it works is he can show up at a board meeting and explain himself and his actions and then it's up to the Board. The second was a homeless issue. One big problem with trespassing is we have to get it done with they're here and we were able to catch him here and trespass him from this side. He's not welcome on the other side, but he's only trespassed from this side. If he goes over there, we have to call the cops again and go through the paperwork again. I really need to get with them and get some support from them. We do have a new neighborhood going in down there and that is going to add to our usage because those are our residents. We already pay them for off-duty officers but there's lots of times it's not off-duty when this happens.

Mr. Morris asked the gentleman you referred to in phase one that you trespassed, how long does that last?

Mr. Soriano responded two years.

Mr. Morris asked and if he is found on property, what happens?

Mr. Soriano responded he's arrested. The first time it's almost an official warning. The paperwork is done, and he receives a letter from the County explaining the code and we get a copy of it with his name and address. If they are residents, we will use their ID and get a picture from our system. If they're not residents we just go by their names and will describe them to the other staff so they can be on the lookout for this person but if they are on property, they can be arrested on the spot.

Mr. Morris stated I know you mentioned earlier it was Wanda who approached this guy. Just so we understand the policy or a typical day scenario, if the guy had shown his ID and said I'm sorry about that I know I shouldn't have been out here, everything would have been cool, and he wouldn't have been trespassed?

Mr. Soriano responded I don't have enough staff or time just to go out and start carding people. We don't really do that. I know there's a lot of people out here that don't belong here because we've gone through this exercise plenty of times, however we don't just start carding people unless there is a complaint from another resident, or we see or hear a problem. This happened to be a case of some other kids that were out there, and they were a little loud and



cussing and yelling. That is a big problem because I have to be fair to everybody and ask everybody for their ID. If not, right away we're going to get, this is discrimination and things like that. Wanda was out for another reason when he was out there, and he actually was breaking some minor rules and had his dog off leash, so she went to go let him know that it's a county code and that was the start of being upset with her and then she asked him for his ID and that's when she really got pushback. It was not something where we just went out and started carding people. On the weekends we tend to have more trouble, and this was at a time we didn't have an off-duty officer at the moment. We did have the security guard there so there was another witness but by the time the officer got here they got a little irritable too. Which also brings me to the other side of that. I do want to look at our security. Many of you have brought up concerns with our security. If you remember, one of the main reasons we have this company is financial. They don't have the greatest service, but they do have a few employees that do good work. Our contract evens out to about \$13 an hour that we pay the contracting company so it's very low dollar. We've had this company for almost twelve years, and it's been that same rate. We are having more and more issues with them not being able to do that job to where Wanda steps in, so I am going to be looking at that line this year. We set that security line up based on that \$13 an hour rate. Last time we went out for bid the next lowest cost was around \$23 an hour so we are extremely low. Just to change companies can almost double that line, but it is something I think is needed especially with more people coming into the neighborhood, we have to be able to control this a little better for safety.

Mr. Hartigan asked how much are we talking about on an annual basis?

Mr. Soriano responded I believe our whole line is \$79,000 and I would say about \$46,000 of that goes toward the security company and the rest goes toward our off-duty officers. When we look at the bids it doesn't mean we need to jump into switching to another company. If I have a better company, maybe they can do less hours but do a better job of controlling the site when they're here.

Mr. Hartigan stated it sounds like instead of \$40,000, we're going to be spending \$80,000 or \$90,000.

Mr. Perry stated the budget for security is \$75,000 and we also have a budget for off-duty officers at \$47,000.

Mr. Soriano stated it would be a large increase. I don't know that we need to use as many hours.

Mr. Hartigan asked how hard is it to change if it becomes an issue? Is it going to take months?

Mr. Soriano responded it's not. It's just something we can do. I would probably give them a 30-day or 60-day notice. It would really be on us to decide.

Mr. Reynolds asked you said Wanda has to step in because security wasn't able to take care of it?

Mr. Soriano responded really it falls a little on CCSO. They don't have any respect for our security, and it doesn't matter where they're uniformed or not. They treat the security the same way they would treat me or Wanda or one of the lifeguards. It's not until that officer gets here, and they even treat the officer like that sometimes. The security doesn't have enough power and a lot of that comes from lack of professionalism over the years. If people think they can walk over them, they will. I don't deal with it and Wanda doesn't deal with it much more anymore. I've gotten to the point where we just call Clay County. We don't go back and forth too much. Once they break those rules and start doing things like cursing at us, threatening or anything like that we're going to call Clay County. If you don't want to get trespassed, you need to leave now. If they stick around and wait for the officer, they're going to get trespassed and then they have every right to come in here and plead their case in front of you guys. You guys are able to decide if you decide they just don't serve the full two years, or you take it away completely if you decide it was a mistake. We are going to do some bigger signs. I've gotten tired of hearing it's not posted anywhere. We have signs that say the facilities are for residents only and you must carry your ID on you, but it is small and they are at every entrance. We will make them decorative and really that's just one more step to enforce the rules. It's always been in our policies, but it's only the last four or five years that we started putting those signs up. If you're causing a problem you might have to go home and get your card to prove you're a resident here because there's an issue and if I have other residents complaining to me, we have to do our part. I do get a little bit more support from Clay County when they're not residents. If you remember, years ago there was a memo that was passed through the ranks saying if they're residents here they cannot be trespassed, but that is a bad interpretation of the law and it's not how it works at all. Because of that memo and the years it had been in place, it's hard for these officers to understand.

Mr. Swartz asked according to Chapter 190, we're essentially a township, right?

Mr. Eckert responded we're a special district, a unit of local government.

Mr. Soriano stated it's the same argument I give them, whether it's the Sheriff's Office, Orange Park or Clay County Library I can't go out there and stand on the front lawn and start cussing and giving everyone the finger and think they're not going to say something to me, because they will and they will trespass me. It's the same thing. I'm trying to get them to see that and we thought we had it cleared up, but it looks like it didn't really clear up so I may bring the Sheriff's Office here and then we may also have to go through some changes with our own staff and our own contract companies to make sure we have better control here. Unfortunately, the way we've always tried to operate is kind of lean financial-wise and there's really no way around that if we're looking at a new company. If the Boards agree, I will start doing that investigation and I will bring you guys bids over the next month or two and we can make a decision if we want to change.

The Board agreed to look into bids.

Mr. Swartz stated I can't imagine a company for thirteen years that hasn't raised its rates what it's paying its people. No wonder they don't want to do the job.

Mr. Soriano stated it was looked where one of many contracts with a little company that kept the same employees in place and some of these guys have been here for five to seven years so they were some of the older companies that changed hands to what they are now and they just left it in place to not lose the contract.

Mr. Swartz asked is there a Riverside security operation that's been created?

Mr. Perry responded no.

Mr. Soriano stated Riverside doesn't have it, but Nocatee does do their security services in house. Not that I would like to do that because that is a liability concern for me, but that's where I was talking about there may be ways that we can do this. I can have monitors the same way we do at the pools and we can split and share time with a better professional security service so we don't need them as many hours and that would be something I would work with them on the bid.

Mr. Morris stated that wouldn't be a bad idea to look at. Maybe put together some type of plan, particularly if you know these guys are effectively brokers and they're not paying that amount, if we had some plan where we could offer somebody a little bit higher wage, perhaps

you'd get a better service, and if we were to be able to monitor that to where we know the hours that we need. That might be more cost effective for us in the long run anyway.

Mr. Swartz stated to piggyback onto that, you already experienced that when you brought the lifeguards on. How much more attached they were to the community.

Mr. Soriano stated I do want to warn you that would be an increase in our budget line, \$10 an hour on the minimum side, but that doesn't mean we're automatically going to double. There are ways to go around that.

Mr. Steiner stated with the service we have now, initially it worked because the officers were thought to have authority. Over the years it's become increasingly apparent that the security staff has no impact at all. I think if you go to get another security agency or more qualified people, it's going to be the same thing because unless we find a way to get more authority into the hands of our internal security, we're going to fall into the same loop and will be paying more for people who can't do anything.

Mr. Morris stated I agree with that, but I would say if we were to effectively operate it in-house, if he has a better idea on what hours are more needed, we could ultimately kill a couple birds with one stone in that we could possibly offer a higher wage to somebody and end up with the line item not being exorbitantly higher because we've got a better control on the number of hours that we're actually paying.

Mr. Steiner stated I think we need to also work with increasing our interaction with the County to get these people more authority regardless who we have trying to solve the problem so their hands aren't tied behind their back.

Mr. Swartz asked you're saying we need to make policy changes?

Mr. Steiner responded yes, but it needs to be in coordination with the County.

Mr. Soriano stated you do have services available for security services and there are legal steps that they have. Right now, ours are basically monitors because they don't have much more authority than you or I telling someone you can't do that here. There are ones that are licensed and certified to do things like carry weapons, hold people and actually handcuff them. You pay more for those, so then you get into security services that might be \$30 an hour or more. They do have training and they're generally retired officers and things like that. I can look at those and I can bring some of those bids your way too. My thought would have been to look at Clay County Sherriff's Office. They are one of the lower paid off-duty officers. If I do have more support

from them and they're doing good work, I'd rather take that smaller line item and increase that, while taking down the security line item. Those are the guys that are needed anyway. Even if you have that person that has authority, like an armed security guard, they still have to call and wait for Clay County Sheriff's officers. I'd almost rather just have them here to begin with.

Mr. Morris stated put a plan and budget together and let's look at it. I think that's a great compromise.

Mr. Soriano continued. I did want to update you guys really quick. Some of the things we were waiting on, like garage doors, the day after Christmas we started getting deliveries. We got your garage doors and they're up and that building is almost done. The last thing they were doing is trimming up the regular door so it would open and close correctly and I can lock it so I can start moving things into it. They are putting the doors over on the one at your sister district now. We do have some fencing materials I'm waiting on, but your area is almost complete. We've started looking at measuring out the gazebo and the walkway. We've started purchasing materials and they will sit until we're ready to go. Right now, it's looking at a 40-foot section at a time that we can do, and it may take us three to four months to squeeze that in between some of our more normal duties and a lot of that is going to be based on how fast we can get those composite materials too. I believe that is it for your side. We will have our nighttime meeting in March.

**SEVENTH ORDER OF BUSINESS**

**Audience Comments / Supervisors' Requests**

Mr. Steiner stated I'd just like to follow up with one thing on your maintenance list, Jay and it's only out of curiosity as to the impact of it and that would be on the single heaters. We put that in place to try and minimize the impact of heaters going out. How severe was this problem?

Mr. Soriano responded this last one was a thermostat issue, so I was able to keep it running the whole time. It's just it reads 67 degrees when the rest of them are reading 75 so if I set it to heat it up, it will keep running even when that water hits 75 so we just adjusted it on the thermostat until we could get the worker out. My guys can pull apart to do something simple like a thermostat, however when you have those HVAC issues or electrical issues, we are required to have a licensed person do the finalization of it. All of the maintenance that we've done up

until this point has been covered as part of his warranty. That was the change-off from buying that big expensive unit that would come with a little more warranty.

Mr. Steiner asked but this one failure didn't cause a major shutdown?

Mr. Soriano responded no.

**EIGHTH ORDER OF BUSINESS**


**Next Scheduled Meeting**

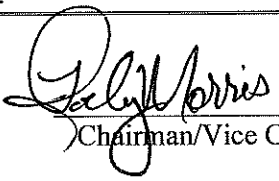
Mr. Perry stated our next meeting is going to be February 8, 2021 at 2:00 p.m. at this location.

**NINTH ORDER OF BUSINESS**

**Adjournment**

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

  
Secretary Assistant Secretary

  
Chairman/Vice Chairman