

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 14, 2022 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:

Michael Steiner	Chairman
Rod Swartz	Vice Chairman
Tim Hartigan	Supervisor
Jeremy Spellman	Supervisor

Also present were:

Marilee Giles	District Manager
Mike Eckert	District Counsel
Jay Soriano	Operations Manager
Chalon Suchsland	VerdeGo Landscape
Crys LaFata	S3 Security

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Giles 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**

**Approval of Consent Agenda**

- A. Approval of the Minutes of the January 10, 2022 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**
- E. Ratification of Agreement with Bullard Fence Inc. for Installation of Fence Improvements**
- F. Ratification of ETM Work Authorization for Stormwater Needs Analysis**

Ms. Giles stated included in your package are the minutes of the last meeting, the financial statements as of December 31<sup>st</sup>, your assessment receipts schedule showing you are 94% collected, and the check register totaling \$274,329. Also under consent agenda is

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ratification of the agreement with Bullard Fence for installation of the fence improvements. We signed that in between meetings. Lastly, ratification of ETM work authorization for stormwater needs analysis.

Mr. Hartigan stated I read that work was supposed to commence the middle of January. Has the fence work commenced?

Mr. Soriano responded no; it said that they're supposed to be completed 105 days from signing of the contract. They haven't started any work out there yet, but hopefully they've started their ordering process.

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

#### **Consideration of Proposal for Updating the Capital Reserve Study**

Mr. Soriano stated there are two proposals there. You're going to see one from Community Advisors, who is the same company that did our last study. They have been here multiple times in the past for both districts. There's a big difference in the prices if you've read both of them. Community Advisors has a low rate, but every time I do a revision, they're going to add on a small amount for each item so that starts to add up to the overall cost.

Ms. Giles stated the total fee is \$2,300, which includes one site visit and it's an additional \$500 for additional site visits and a revision is \$350.

Mr. Soriano stated the way that works is Charlie of Community Advisors will come through and walk the entire property with me. It starts with what was done back in 2015, so that's what he has already in his database. Since then, we have updated a lot of stuff so when he does his walk through, I have to show him things such as we replaced the A/C units outside and he's going to change dates and times and how much money we need to put towards those each year. The heaters in the pool were redone and I believe the playground was redone after the last report. As we go along, and he sends it back to me I have to double check everything. Also, we added stuff that would be assets such as our golf carts and I put the wells on our list for insurance last time and those weren't in the original capital study but those are high dollar items, so I'd like to include those. So, I will go through and pick out line by line things that we need to revise so there will be add-ons. I can't imagine that the add-ons will add up to the initial cost from the

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other company. The other company was pretty high so I would hope that they would be in depth and detailed. They did do a good job on their proposal because I didn't get a chance to talk to them. We kept playing phone tag, so they've never been out here. They did a lot of this by looking up our public records. We have a big district with a lot of property and a lot of items, but the price is still a little high.

Vice Chairman Swartz asked do you think they're quoting for both sides?

Mr. Soriano responded no; they gave us a proposal for the other side also.

Chairman Steiner asked didn't we pay about \$10,000 for the initial one?

Mr. Soriano responded the initial one would've been higher, but the last time I believe we were at about \$5,000.

Mr. Hartigan asked so \$5,000 versus \$12,000?

Mr. Soriano responded possible \$5,000. That's if I do a lot of revisions. It is a big property so it takes a good day and a half to walk through, but I would estimate about \$5,000.

Chairman Steiner stated we have to add on the building out back. We've changed the flooring from the carpet, we've upgraded a lot of things such as like Jay mentioned the pool heater. The playground has been reworked.

Mr. Hartigan stated plus we have the new A/C coming in here, don't we?

Mr. Soriano stated it's done. There are matching 10-ton units out there now. There will be items like that on there. Hopefully it will just be one revision after the initial walk through. If you look at the second proposal though, just looking at the initial cost for the reserve study it's \$11,500 and then you do have some possibilities of add-ons. I do think they're both able to handle this. The other company has a lot of HOAs, a lot of commercial properties. Not a lot of districts, but they're going to be able to do the same work, so I don't see an issue with that. My concern is the cost. We have one company who has been here for years and have seen it so they have a better background and I think they'd be able to adjust better to what we need.

Chairman Steiner asked can we get some clarity as to whether or not your assumption that everything will be covered in a single revision as opposed to being individual revisions?

Mr. Soriano responded I can ask. Our big concern was you guys wanted to do this, not just for you guys to have the information on what is in our capital study, but we also want to have this completed. This is a long project. I don't know if we went back to him today and said we're going with you to do the job, let's start work and then it'll be finalized by the next meeting.

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We wanted this in place so we can look at numbers for something else that we're going to talk about with our refinancing. I was going to mention that we were contacted by a third company if we want to get a third proposal. There are other companies out there, but a big concern was getting moving too.

Chairman Steiner stated my only concern is that it clearly states in their contract that this proposal is limited to the items identified on the 2015 study and any additional changes is going to be a cost item. Jay is making the assumption that a single revision would have several updates. Their vision may be each update is a revision and that's my concern.

Mr. Hartigan asked but do you think we have \$9,000 in revisions?

Mr. Soriano stated what I would say is you could also do it pending that information.

Vice Chairman Swartz stated let's make a motion that we move ahead with Community Advisors with the expectation that the revisions are one fee for multiple, or to Jay's discretion.

Chairman Steiner stated the only reason I was bringing it up is so we're not looking at the reason for doing this as being the cost difference because there is potential for a higher cost. I have a bigger issue with the other one being that it appears they only have one CDD so they may not be fully aware of the extent of what is involved here. I want to make sure we're not doing this because it's much cheaper, we're doing this because of their history and knowledge of the environment.

Vice Chairman Swartz stated I agree. They did a fine job on the last one.

<p>On MOTION by Vice Chairman Swartz seconded by Mr. Hartigan with all in favor Community Advisor's proposal to update the capital reserve study was approved subject to staff clarifying if multiple adjustments can be made in one revision.</p>
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## **FIFTH ORDER OF BUSINESS**

### **Selection of Audit Committee**

Ms. Giles stated the Florida Statute requires that CDDs go through an annual audit by an independent CPA firm. This is mandated for every form of local government in Florida to include cities, counties and special districts. Chapter 218 requires that an audit committee be established to go through the request for proposal process, including approved evaluation criteria, publishing notice of audit RFP, and ranking the audit proposals. Because we need quorum for the audit committee, it makes sense for the Board to serve as the audit committee so we can schedule an audit committee meeting immediately preceding the board meetings and this ensures we have

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quorum at both meetings. We will need an RFP for the FY 2022 audit. Right now, we have Grau & Associates and they've done your audits since fiscal year 2017 and they're scheduled to do your fiscal year 2021 audit.

On MOTION by Vice Chairman Swartz seconded by Chairman Steiner with all in favor the Board of Supervisors serving as the Audit Committee was approved.

## **SIXTH ORDER OF BUSINESS**

## **Staff Reports**

### **A. District Counsel**

There being nothing to report, the next item followed.

### **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 the Polar Plunge event at your sister district. We had a great turnout. We had about 70 people sign up, which was surprising because that was after our coldest week that we've had so far this winter. This was the 15<sup>th</sup> Polar Plunge that we've done here, and we have one family that has been to almost all 15. They came with all 12 years' worth of their medals, so it's neat to see that. That weekend ended up being a little nicer.

We're getting back on track with the weather picking up and we will have those movies and food trucks out at your sister district. We have Spring Break in March. Clay County starts the second week. Pools are open full blast for that week and then they shut back down. I included tentative pool hours in your agenda package and those are the same hours that we have run for the last few years no. It adds up to a total of 1,347 operating hours, including Spring Break and those alternating hours in the beginning when kids are still in school, and then full blast starting Memorial Day weekend where we open at 10:00 every morning and we're open until 8:00 at night until they go back to school in August. The pools are still closed right now. We closed them after the last meeting, and we let our three residents that use the pool on a regular basis that

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they will be covered until March 1<sup>st</sup>. We keep the heaters on low. We don't want to turn them off completely because it causes a huge cost spike when they turn back on. The heaters will go off at the end of March. During the school hours you guys are open Tuesday and Thursday and closed Monday and Wednesday. Double Branch is open on Monday and Wednesday. That helps push everybody toward one set of pools because we really don't get a lot of usage when the kids are in school.

You'll notice rentals have picked up a little bit. We're still a little slow, but we're getting three out of the four weekends rented. We're touring a lot, but we haven't gotten back to a wedding every weekend and sometimes multiple weddings and events during the week.

Moving on to the operations side, the promenade lighting will hopefully be taken care of in the next month. Briar Oaks is separated out, so we don't have to worry about them. The Preserve does have their new board seated so I will work with them to figure out what they would like to do. We will be able to disconnect no problem this month, but it's whether they want us to help them out with work or whether they handle everything on their own beyond that. We talked about the fencing, so the only other time was coordination of the capital study. We did approve updating this capital study now, but last month you guys talked about something you would like to add in there and that is a wish list from you guys. Instead of throwing them out here, individually if you guys want to send me your thoughts on what you would like to see that is not included in capital that we may not have talked about here, but that we could add to the neighborhood, that would be important because I can start formulating some costs. I'm not going to give that to Community Advisors because we don't want to pay for them to come up with ideas, but I can handle those things. One I mentioned in the past was a possible walking trail. We did one over at Double Branch this last year. The highest expense was a bridge that they built over the culvert. We found a prefabricated one that we had to put together and it ended up costing about \$14,000. It's small and yours would need to be much larger over here for the culvert back there, but those are things I can pull costs and life expectancies for, and we can add that into the capital study when we get it so that when we're looking at some of the ideas from our refinance and the money involved in our budget, we can add that into the plan. Not that we have to move on these, but they're wish list items so something that we all like but it could be 10 or 15 years before we get around to it.

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Chairman Steiner stated some examples that you might consider is pickleball courts out here and the clearing of the trees and leveling. Also, a couple things that we postponed for a while. We're missing the capstones, which are no longer manufactured along the promenade. We approved and bought the mold for the slab that goes on top of it. Go ahead and proceed with removing the capstones that are there and putting the slab all the way down through the promenade area. Something else may be that we're putting the new fence in and out here where it cuts across the loop, you have two walkways that come up to the fence, but nothing is going to connect it from the outside so the people who are walking outside the fence can complete that loop. It might be landscaping projects like putting shrubbery in front of the fencing down at the end here so when you're looking down to the Grand Lawn, you're not just seeing a fence running across. Jay will collect the ideas; we will generate a list and then we can begin to prioritize and see what fits.

Mr. Hartigan asked could you give us a rough estimate for what it would cost to spruce up the fence?

Ms. Suchsland responded yes.

Chairman Steiner stated this isn't looking at costs, it's simply things that we put on a list so that if we have and maintain capital coming in from the refinancing, we can look at projects to apply those capital funds to. At this point I don't think we need to have the costs of what it would take to take the trees out at this time, because downstream you're going to have different labor rates or maybe different materials. We're not approving anything and we're not implementing anything, we're simply making a wish list and then we will use that wish list so we can work it down and at the time we select the first thing to go do, that is when we get the pricing for it and the Board decides whether we want to do that. This is brainstorming what you may want to do, or you may see, especially in the housing areas over there. I see the multi-family around this lake and this area up here. I'm not familiar with things that could be done in your neighborhoods. I know we have some park improvements that we're doing, and Jay has talked about the walking path that was put in a couple of places. We've had people come in and talk about wanting benches. These are things we can at least get on the list to work off.

Mr. Soriano commented that he was done with his report.

Vice Chairman Swartz stated I see a lot of replacing lights. Is this due to mechanical failure, end of life, or are we seeing a lot of vandalism again?

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Mr. Soriano responded no, we had quite a few LEDs damaged. About two months ago we had a small storm that took some out. Unless it's obvious that it's from a lightning strike, if I send it back to the company that I work with, they do a really good job of warranting everything. These are big lights and for the larger LEDs you can pay \$900 for a light. They are warrantied for seven years. Probably for about three weeks the lights were off at the clock tower and those are all back on now.

Mr. Hartigan asked have you seen any problems with security?

Mr. Soriano responded we still have a lot of staffing issues we're working through. We have to make sure we have consistent coverage.

## **SEVENTH ORDER OF BUSINESS**

### **Audience    Comments    /    Supervisors' Requests**

#### **Supervisor Requests**

Mr. Hartigan stated one of our local communities is starting to allow their community to erode a little bit. Is there anything we can do as the CDD to put them on notice or to request they bring the community up to Oakleaf standards?

Mr. Eckert responded if you're talking about them not enforcing covenants and conditions and restrictions, the HOA guidelines and rules, there really isn't anything the District can do about that.

Chairman Steiner asked doesn't that fall under Oakleaf West? That's the master.

Mr. Eckert stated if their CDD infrastructure is being torn up or something like that, that is something we can get involved in. But if they're not enforcing the covenants and restrictions which are imposed through the HOA guidelines and the HOA declaration, that is not something the CDD can get involved in.

Mr. Soriano stated Willowbrook is completely their own entity. Their roads are theirs and everything inside that front fence. They even own the property out front. We paid for the landscaping, put up trees and the fence, but that actually sits on their property, not CDD property. We can always talk to their HOA. I try to do those things, but we don't have any power over them.

Vice Chairman Swartz asked they're not part of Oakleaf West, are they?

Mr. Soriano responded I'm not sure about that. I always thought all were out here, except for the clock tower quadrants. Those are separated out.



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Mr. Hartigan stated they do pay CDD fees.

Mr. Soriano stated they pay CDD fees, but the HOA is different, that would be a sub association. They're still supposed to follow those grand covenants and they have certain rules and expectations, such as the front entry signs are supposed to match designs and things like that. They do not, so I don't know that they fall under Oakleaf West. That would be an HOA only item.

Vice Chairman Swartz stated this is a bittersweet day for me. We closed Friday on a new home in Middleburg and we are moving out today. It's been fun to say the least. I'd love to stick around and see where you take this ship, but the State says I must move on. I served on Double Branch's board for four years starting over there back when they did the landowner's election and getting on the Board that way and then we moved over here and a friend of mine stepped down and suggested I come over here. Knowing this was coming along I asked some of my neighbors. It would be nice to keep somebody in the neighborhood and my neighbor Jo Hicks here is very interested and I'm going to recommend him to replace me. If you want to wait until next month, that's fine, but I wanted you to meet him. He's a great family guy and he's self-employed. He's been in the community and is a fine person. I just wanted to thank you guys for your time.

The Board members thanked Mr. Swartz for his service to the community.

Mr. Eckert asked do you want to resign at the very end of the meeting?

Vice Chairman Swartz responded yes.

### **Audience Comments**

Mr. Jonel Hicks stated I have been here for almost a year and a half now. Rod brought this to me, and it sounded very interesting so we talked about it, and he expressed to me that he thought I was good at solving problems and coming up with good ideas and he thought this would be a good fit for me. I've been sitting here and listening to you guys talking and it seems interesting. Granted, I've never done anything like this before, so if you guys were to accept me, initially I would just be a fly on the wall and just take everything in to learn. I don't like to just open my mouth because I was always taught the first impression is everything.

Mr. Hartigan asked did you happen to bring a resume?

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Mr. Jonel Hicks responded no.

Mr. Hartigan stated tell us about yourself.

Mr. Jonel Hicks stated I'm an entrepreneur. I have a trucking company. As far as resumes, I've always worked for myself so I don't have anything like that, but I can bring something.

Chairman Steiner stated I think I can speak for all of us at the table when I say we were new to it as well. Some of us have just been here longer than others. It's a learning experience and I understand fully where you're coming from. I personally believe we would need to get a resume on file before we can consider that seat.

Mr. Eckert stated that's up to the Board in terms of the process you want to follow, but the requirements for the seat that are statutory are they have to be 18 years old; they have to be a citizen of the United States and a resident of the State of Florida; and they have to be registered to vote in Clay County at the address that is located within the CDD's boundaries. The Board can come up with a process or use a process where you solicit resumes, or you can appoint somebody here today.

Chairman Steiner asked we can do that without having a written submittal?

Mr. Eckert responded you can if that's the desire of the Board.

Mr. Hartigan stated also keep in mind that Rod's seat is up for election in November.

Chairman Steiner stated I'm of the opinion that if he meets the qualifications that we consider making the appointment at this meeting.

Mr. Eckert stated the first thing you need to do is make the seat available.

Chairman Steiner stated I'm just making sure we can proceed that way, or do we need to give him instructions to be here at the next meeting?

Mr. Eckert stated that's up to the Board to decide that process. Some boards like to solicit resumes, and some don't.

Mr. Hartigan asked have you met the basic qualifications?

Mr. Jonel Hicks responded yes.

Mr. Hartigan stated Rod and I have known each other for years and I know he won't lead us astray.

Vice Chairman Swartz stated I resign my seat as of right now.

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On MOTION by Chairman Steiner seconded by Mr. Hartigan with all in favor the resignation of Mr. Rod Swartz was accepted.

Chairman Steiner asked would the Board like to go ahead and appoint to fill the seat?

Mr. Spellman stated I would defer to you guys as far as the process. I'm good either way. We can wait, but there really wouldn't be a need to because the seat becomes available in November. Based on Rod's recommendation and the fact that this young man wants to learn, I would be willing to recommend appointing him to seat number five.

On MOTION by Mr. Hartigan seconded by Chairman Steiner with all in favor appointing Mr. Jonel Hicks to fill Seat #5 was approved.

The Board took a nine minute recess at this time.

On MOTION by Chairman Steiner seconded by Mr. Hartigan with all in favor the meeting was recessed.

On MOTION by Chairman Steiner seconded by Mr. Hartigan with all in favor the meeting was reconvened.

**EIGHTH ORDER OF BUSINESS**

**Next Scheduled Meeting**

Ms. Giles stated the next scheduled meeting is March 14<sup>th</sup> at 6:00 p.m. here at the Plantation Oaks Amenity Center.

**NINTH ORDER OF BUSINESS**

**Adjournment**

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

DocuSigned by:  
*Marilee Giles*  
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Secretary/Assistant Secretary

DocuSigned by:  
*Michael Steiner*  
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Chairman/Vice Chairman