

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 12, 2022 at 4:00 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
Tim Hartigan	Vice Chairman
Jeremy Spellman	Supervisor
Jonel Hicks	Supervisor
Jason Mifsud	Supervisor

Also present were:

Marilee Giles	District Manager
Mike Eckert	District Counsel
Jay Soriano	Field Operations Manager
Chalon Suchsland	VerdeGo Landscape
Marla Dietrich	S3 Security

FIRST ORDER OF BUSINESS

Call to Order

Ms. Giles called the meeting to order and called the roll at approximately 4:00 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

There being no audience members present, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the August 15, 2022 Meeting**
- B. Financial Statements**
- C. Assessment Receipt Schedule**
- D. Check Register**

Ms. Giles stated included in your package are the minutes of the last meeting, the financial statements as of July 31st, your assessment receipts schedule showing you are 100% collected, and the check register totaling \$127,209.35.

Chairman Steiner stated on page 28 it shows a big jump in postage and printing. Is that because of the letters we sent out for the public hearing?

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Ms. Giles responded yes.

Chairman Steiner stated so it cost us close to \$3,000. The main thing I wanted to make everyone aware of is the cost of that.

Mr. Soriano stated there are always requests from residents when we do something to mail notifications too. We have so many homes that to do something like mailing, even for a small amount for a postage stamp, it adds up.

On MOTION by Chairman Steiner seconded by Vice Chairman Hartigan with all in favor the consent agenda was approved.

FOURTH ORDER OF BUSINESS**Other Business**

There being no other business, the next item followed.

FIFTH ORDER OF BUSINESS**Staff Reports****A. District Counsel**

Mr. Eckert stated one of the things we were working on is a revised suspension/disciplinary policy. I'm going to make sure I get input from your manager and Jay. We've had issues where people have caused significant damage and not been able to recover the costs of repairing that damage. If you remember the slide damage we had a few months ago, that's what caused us to reevaluate that policy for all of our districts. The good news is, there are multiple districts we're going to be able to spread that cost over, so it won't cost the District very much. I would say by November we should have something rolled out that has a little more teeth based on some of the things that we're seeing.

Mr. Mifsud asked would that make it easier as opposed to going through the police with criminal activity and almost having to sue someone to replace it?

Mr. Eckert responded we still wouldn't be able to file a lien. That would obviously be the easiest thing, but we still won't be able to do that. Hopefully the research will bear out that we can suspend privileges until such time that somebody pays the restitution to the District. That may provide more motivation to get people to pay what they need to. The other thing that we're looking at is we've found historically the verbal/written warning is not helpful. It's great in theory, but it's not helpful when you have somebody who is being belligerent and violent and

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then they say I never got my verbal or written warning, when really what is happening deserves an immediate suspension.

Mr. Spellman joined the meeting at this time.

B. District Engineer

There being nothing to report, the next item followed.

C. District Manager

1. Consideration of Work Authorization for Onsite Management and Maintenance Contract Administration for FY23

Ms. Giles stated this is for Jay's position as the onsite manager along with some other employees.

Chairman Steiner asked Jay, you manage this facility at this CDD and Double Branch, correct? Are there any others that you're managing?

Mr. Soriano responded not that I'm managing. I help out GMS with quite a bit for operations and all together there's a lot in Clay County that I help them out with. I'm full time through you guys. Usually, you'll see me working 50 plus hours and GMS will see me working 70 or more at times. That's always been the case. That's how I came to be here from South Village. I helped them out a lot here before they had this role.

Vice Chairman Hartigan asked are you sweeping the tennis courts?

Mr. Soriano responded no. That's included in the other work authorization for the tennis guy. It says community manager all throughout the work authorization, but there are five of us here; the aquatics director, the assistant that sits in the office, the access center, and the venue rental coordinator. Tennis is a whole separate work authorization. Since we jumped ahead looking at tennis, I will mention the one that includes the RMS maintenance guys and their hourly rate that they charge. That was the only vendor that did not increase this year. I usually do a lot of training with those guys here and we've always tended to need them more at this district than others. They do good and I think they deserve to get paid, but I think they've always been a little higher paid here, so I asked that company to hold off on any increases and they agreed to it. I don't think that will happen next year, but they did stay at the \$35/hour. That's low when you consider handyman hours and things like that if you look around. We did agree to budget more

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hours to use those guys so that's how I justify it. If I can get another maintenance guy, then great, we can get more work done and they're able to make money on that end.

Vice Chairman Hartigan asked that's on work authorization two?

Mr. Soriano responded yes.

Vice Chairman Hartigan asked is there any way in the future we can break down these fees?

Mr. Soriano asked how do you want them broken down?

Vice Chairman Hartigan responded you have total fees of \$201,535. I guess the question is how much of that is towards salaries and how much of that is toward labor?

Mr. Soriano responded it includes any labor that we do. We're salary, so that's their salaries. When you say labor, I'm probably the only one doing any labor. I don't expect that from Wanda or Lisa. You see the billing for that salary. That's not what any one of us gets paid. We don't get that \$201,000. That goes to a company that pays for health insurance and benefits and their profit, but that is all five salaries. I believe 54% comes to Middle Village and the remaining goes to Double Branch and that is based on homes. You guys have more homes.

<p>On MOTION by Vice Chairman Hartigan seconded by Chairman Steiner with all in favor work authorization number one for onsite management and maintenance contract administration for FY23 was approved.</p>
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2. Consideration of Work Authorization for General Maintenance Services for FY23

Ms. Giles stated this work authorization is the rate that Jay mentioned was staying the same for general maintenance services.

Chairman Steiner asked that's the rate on your guys working out here?

Mr. Soriano responded yes, that's the rate for the RMS hourly maintenance contract.

Vice Chairman Hartigan asked it says mileage billed at \$0.63 per mile?

Mr. Soriano responded that is an increase. Last year had the low federal amount. Let's say we have to send one of those maintenance guys to Home Depot, I do have to pay them when I send them off property so the District has to agree to pay their mileage for driving, so now we are actually giving them the federal rate, which we did not before.

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Mr. Eckert stated these are not District employees, these are RMS employees, but the agreement is between RMS and that employee. For instance, my mileage has to be reduced to what the State rate is, so I just wanted to make sure there was some distinction.

Mr. Soriano stated we've always had mileage in there.

Mr. Eckert stated mileage is fine, but the State rate is \$0.445, and they haven't raised it yet, so I'm trying to find the distinction. You and I can talk about that afterwards.

Chairman Steiner asked Jay, do you have a ballpark number of how much falls in that category?

Mr. Soriano responded no. It won't be much for that because Home Depot is the biggest one you guys get and it's two miles away. I get on these guys when they go to Home Depot two or three times a day because they forgot something.

Mr. Mifsud asked is it always to the store, back and then for the job?

Mr. Soriano responded they don't charge mileage to the job or riding around the neighborhood. They do use their personal vehicles, but whenever I can I get them to use the ATV and the golf carts, so they're not charging us mileage from Hamilton Glen to Deerview. It's whenever they're going off district property to a store or something.

Vice Chairman Hartigan stated the question remains on that \$0.63. I know it's probably nothing, but are we talking a couple hundred bucks at best?

Mr. Soriano stated in a month I can't imagine it goes up to that, but in a year, you're going to be over a couple hundred. You have three part-time guys and two full-time guys.

Mr. Mifsud asked was it the federal rate last year?

Mr. Soriano responded no, so that went up. I don't know if there's any requirement that we are at State, I just know the federal rate went up and GMS gives its employees that.

Chairman Steiner stated Mike is going to get with Jay to look at it. Right now, it's based on federal and if it's required to go to state, it's going to reduce.

Mr. Eckert stated I would suggest you approve it not to exceed \$0.63 a mile and he and I can talk and get back to you at the next meeting because the first meeting in October will only be a week into the fiscal year so we can button it up at that point. Again, I don't know if that's just what my firm has done historically, but it's in our contract and if you were a state employee you would be bound by that.

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On MOTION by Mr. Spellman seconded by Mr. Hicks with all in favor work authorization number two for general maintenance services for FY23 was approved with the mileage rate not to exceed \$0.63 per mile.

Mr. Soriano asked would we have that in our original contract?

Mr. Eckert responded I'd have to look at what is in your contract. I'm looking at Chapter 190 right now to see if it references the provision of the Florida Statutes that has the per diem rates and mileage rates in Florida. If it doesn't specifically incorporate it, then you probably have the flexibility to do up to the \$0.63.

3. Consideration of Work Authorization for Professional Tennis Services for FY23

Vice Chairman Hartigan asked the \$73,868 annual personnel cost is comprised of how many personnel?

Mr. Soriano responded right now there is only one full-time guy, that is Andy Fletcher, your director. He has three assistants. They have one guy that works about 10 to 12 hours a week and he's our lowest part-time.

Vice Chairman Hartigan asked so our director is paid approximately how much per year?

Mr. Soriano responded we don't normally give out their salaries. It's going to be well under that because he has to give the rest to those assistants.

Vice Chairman Hartigan stated I was doing research on athletic directors across the State of Florida. Miami was at \$50,000 a year for tennis directors.

Mr. Soriano stated that would be low. Julington Creek alone was above \$100,000 for a tennis pro. Across the street at South Village he is much higher than Andy Fletcher and he was even 16 years ago when I was there. We're private on our side, so I don't want to give out his salary, but it's closer to the half of that. Any professional development he gets paid and that all comes out of that \$73,000 so it's kind of a not to exceed for any salaries and commission.

Mr. Hicks asked so that means this is fairly cheap compared to what he just mentioned?

Mr. Soriano responded it is. When we had a changeover in the tennis director here part of the deal was, they would come in with a low salary, but there is a split as high as 90% for some of the things they get, so the harder he works and the more lessons and clinics he brings

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in, that's how he makes extra money. He took that program from 40 or 50 people to a few hundred. There are hundreds of kids out there for the summer program.

Mr. Mifsud asked and that income is coming from people paying for lessons?

Mr. Soriano responded correct.

On MOTION by Mr. Hicks seconded by Chairman Steiner with all in favor work authorization number three for professional tennis services for FY23 was approved.

D. Operations Manager – Memorandum

Mr. Soriano stated we had our last dive-in movie. We got rained out, but we did still have four or five families here. Food trucks showed up and there were two that hung out all night. Now we move everything back to Double Branch on the field. We will do the movies on the green in conjunction with the food trucks.

Our pool schedules have slowed down even more, so now we're on a monitor basis throughout the week and we use the alternating schedule where one side is open one day and the other is open the next. That way there is always a facility open. Everybody is used to that. We've been doing that for about five years.

Besides the fact that we will have a movie in October, we will have the Pumpkin Plunge at your sister's district and this year will be the first year that we've done our Spooktacular and Pumpkin Plunge. For a couple of years, we alternated the Pumpkin Plunge and Spooktacular. The Spooktacular is an expensive event, and it brings in a lot of people to the basketball and tennis court area. We would take the next year off and do the Pumpkin Plunge, which everybody loves, but it is much easier to throw a few hundred pumpkins in the pool. It's not a very costly even and it's quick. The Spooktacular is a long day. I use about 40 volunteers from local high schools. They help decorate and work all night long assisting with activities the kids will go through. It's a lot of work and we're usually there until midnight or later after cleaning up. We stopped that event because of the pandemic so it's been a couple years and people have been asking when we're going to get back to it. We will get back to alternating those two events after this year. The Spooktacular is the week before Halloween. We have all of the dates on the website. We will try to line it up so that if there's any pumpkins left over from one event, we can use them for the other.

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You'll see our numbers for facility usage stayed high. Normally this year they start dropping off because of school, except for the weekends, but it's been hot the last couple of weekends. In the next report you should see the numbers dropping with the pools closing more and our sports started back up. We have soccer, fall baseball and football going on so that takes away from our weekend usage a lot.

I wanted to update you guys on a couple of our projects. I finally got a hold of the gate company. I told you last month they weren't responding to me very well. The girl that was our project manager is no longer with the company. I finally got a hold of the company and they let me know that they will be getting the gates in. It's our decorative gates that will be going up here so that everybody has to check in through the front. We do have our three gates for the fencing in the back. They're sitting in the tennis section, so I asked if they could make plans to at least come out and put those up first. That way I can start putting signage on them. We won't lock them down yet, but it may help to have more of a lead up to the fact that everything is going to close down.

Vice Chairman Hartigan asked how far away are we?

Mr. Soriano responded they didn't give me a date so I'm just going to have to bug them. I would like it done this month. I would've liked it done last month with the kids going into school, so it was the start of all the changes. Everything is paid for; we're just waiting on them. We came in well under the not to exceed. All the rest of the money from the not to exceed I would have been looking towards installing cameras and running wires and even some plans for landscaping. If I can get all of that done in that project, then we don't have to worry about anything else at all.

It was asked that we start working on the poured promenade tops. We haven't put them out yet, but we have started pouring them. The top brick is your natural brick and that's the hard part is getting that color. We're still a little too red, but I'm going to stain them to they are sealed and waterproof so the last a little longer, but you can see the size in there. What we made that form on is about 10 times the size of a single brick right now. It's very heavy, so it's not something that somebody can just pick up and try to throw. If they pick it up and get it off that wall, they're going to break it. When you go down the promenade that section of wall going all the way to the end. The plan was to start with the gazebos. I looked at this area and they have the same caps on the top. That way we can keep the one section and it won't look like we're

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starting and it's taking us months to get halfway down. It will take 16 of these big slabs to go around the front of the gazebos, so it's going to take us a while. We will start at the gazebo at the Preserves and that way it's a more cohesive look. There are about 30 caps there that we will be able to use to replace any of the empty ones along the wall and then we will move to the next gazebo. I'm not completely happy with the color, but I think we will get it pretty close.

Vice Chairman Hartigan asked is there rebar in it?

Mr. Soriano responded there are. Small sections of rebar run along that little channel that is in there, but we had to do chicken wire. It is heavy. You're talking about three eighty-pound bags of concrete to make that.

Chairman Steiner stated anything is better than a gaping hole.

Mr. Soriano stated the guys are getting better at that. The one we started with years ago was more red so that's why we started putting them out and people started complaining. By the time we get them stained I think it will be closer.

Chairman Steiner asked how are you doing on the nature walk?

Mr. Soriano responded we're about a third of the way done. They were working on railings, but I pulled them off that so we could work on the concrete work. Those are your two big projects right now. I've placed the order for the motor, but there's no word on when that will be delivered.

Chairman Steiner asked have you finished up on the pavilion?

Mr. Soriano responded the only thing they need to do out there is some trim work and paint. They thought they were finished, but they're not because I don't like the way they trimmed out the bottom.

Chairman Steiner asked but we now have the caps?

Mr. Soriano responded there are caps all the way around.

SIXTH ORDER OF BUSINESS

Audience Comments / Supervisors' Requests

There were no audience members present.

Supervisor Requests

Mr. Mifsud stated Jay and I spoke about this briefly. I know we have limited enforcement at the roundabout, but my question for Jay was the roundabout or other licensed areas when we

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do the food trucks, I wanted to know if there was a provision when they get on the CDD list and go through their licensing about where they park when they're not in use, because there is one in my subdivision. They're not supposed to be in the subdivisions.

Mr. Soriano stated that's one thing Tiffany does. She's the girl that coordinates all of the food trucks. She mentions that they have to follow those rules for the CDD. I can ask her to put in there that they follow the rules of the HOA because they're representatives now basically. As far as making any policies, it's hard to make policies on those other areas. We can only deal with CDD grounds, but that's where it has created a problem. One will come in and park in the neighborhoods, or in the roundabout areas to get away from areas of our ownership. Basically, all she can do is say we're not going to invite you to anything the CDD does if you're not going to follow the rules.

Chairman Steiner stated I know we had a lot of trouble early on with semi trucks coming in here before. Most of that is cleared up now. The only place I'm aware of any parking is at Ace.

Mr. Soriano stated I'm not sure if that was an agreement with the guy that was going out.

Mr. Mifsud stated the church too.

Mr. Soriano stated the church gives them permission.

Mr. Mifsud stated the issue I have is with the food truck that is around the corner from my house. The driveway is destroyed. I talked to the HOA this morning making sure that it is going to fine. It's just one of those things that they don't think they have to follow the rules.

Mr. Soriano stated outside of the issue with the food truck in the neighborhood, one of the problems we're having at the clock tower is the true ownership of that clock tower area. When it was designed it was understood that we were building the slip lanes. Basically, the road that runs along the front along those businesses. There is commercial ownership on the inside that owns the businesses. There was never anything deeded to us. I looked through everything I could, I asked Peter to look and I've mentioned it to Mike. We don't really have anything that says we have ownership, which is causing problems right now. The food trucks see that as an open door. We maintain it, we clean it, and we help the plants. I'm holding off on many things because I've told the County I think they need to fix that. Right now, it's viewed as their right of way and they don't generally agree to parking lots in their right of way, so they're not sure

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how that happened. So, right now we don't have ownership which means I don't have much control.

Chairman Steiner stated we put the slips in, but it's not ours. I think what's going to end up happening is Trinity is coming there and they're going to be wanting to claim that the homeowner's associations and the individual neighborhoods that Towering Oaks is not going to want food trucks lined up in front of those homes.

Mr. Soriano stated well, if you recall, we got the email from Trinity asking about those areas because they really wanted us to work on the asphalt. They want to redo areas and they're worried about the sidewalks. They viewed it as ours. The concern is it's not really ours and we're not going to focus on it until it is ours. It leaves that area as no man's land.

Chairman Steiner stated the only thing I was aware of is on the opposite quadrant of Trinity there is supposed to be a playground.

Mr. Soriano stated it was supposed to be on your side here. There was supposed to be area carved out for something whether it was a playground or green space, but there was nothing carved out on the Towering Oaks side.

Mr. Mifsud asked who owns right in front of the University of Florida doctor's office; that whole area in front of the new condos that are there?

Mr. Soriano responded the commercial people believe we own it. That was always the agreement, but it's county right of way.

Ms. Suchsland stated they're mowing it at this time.

Mr. Soriano stated they should always maintain that. The grass plots are theirs.

Vice Chairman Hartigan stated I want to acknowledge Trinity Baptists Church's appeal to the Board regarding the taxes. The meetings have been open and continuous for three months. They've had every opportunity to be present. Therefore, I can't see moving forward with any types of appeal.

Ms. Giles stated I've had conversations with him throughout the week about that. It's unfortunate, but it's a commercial lot and that is how it's assessed.

Vice Chairman Hartigan stated we've all had a chance to read it. I just wanted to acknowledge it as public record.

Chairman Steiner stated they've been at a high rate since they took ownership. It went from no CDD fee to \$24,000. They're concurrently working with Clay County on their taxes

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because they went from \$3,000 to \$9,000. That is a big lot and when you go by square footage, it's at a low ERU factor. I need to understand fully what obligation we have if they're not using the pools and all this other stuff. If the slip lanes are not ours, I'm not sure how it goes from there, but they are correct in the fact that it was a big jump if they don't have any of the debt payment.

Mr. Eckert stated if they didn't have a debt assessment it looks like a pretty high increase. In my opinion they waive their objection by not attending. If they provided notice within the 20 days they arguably could say, we did object, but at least at this point you're locked in on your budget amounts and how much you have to collect and if for some reason you wanted to do something for them, you could do that to the detriment of the other homeowners and that would be difficult.

SEVENTH ORDER OF BUSINESS

Next Scheduled Meeting

Ms. Giles stated our next meeting is scheduled for October 10th at 2:00 p.m. here at the Plantation Oaks Amenity Center.

EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Mifsud seconded by Mr. Spellman with all in favor the meeting was adjourned.

DocuSigned by:
Marilee Giles
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Secretary/Assistant Secretary

DocuSigned by:
Michael Steiner
835D57052CEB44D...
Chairman/Vice Chairman