

**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 Monday, **November 4, 2024** 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
Sherrie Mifsud	Vice Chair
Julie Arnau	Assistant Secretary
Shawn Bland <i>by phone</i>	Assistant Secretary
Jonel Hicks	Assistant Secretary

Also present were:

Marilee Giles	District Manager
Michael Eckert	District Counsel
Jay Soriano	Field Operations Manager
Chalon Suchsland	VerdeGo
Matt Biagetti	GMS, LLC

FIRST ORDER OF BUSINESS

Roll Call

Ms. Giles called the meeting to order at 2:00 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. Minutes of the October 14, 2024 Board of Supervisors Meeting**
- B. Financial Statements**
- C. Assessment Receipts Schedule**
- D. Check Register**

Ms. Giles stated on page seven of your agenda package are the minutes from the October 14th meeting. Unless there's any corrections or changes, I just look for a motion to approve.

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On MOTION by Vice Chair Mifsud seconded by Ms. Arnau with all in favor the minutes of the October 14, 2024 meeting were approved.

Ms. Giles stated on page 16 are your financial statements as of September 30, 2024, followed by your assessment receipt schedule showing the District is 100% collected on page 28. The check register starts on page 30, and it is in the amount of \$221,238.64. I see no unusual variances with anything on the consent agenda. Unless there's any comments or questions, I just look for a motion to approve the check register.

On MOTION by Mr. Hicks seconded by Chairman Steiner with all in favor the check register was approved.

FOURTH ORDER OF BUSINESS Staff Reports

A. District Counsel

Mr. Eckert stated just two updates. Number one, if you haven't taken your ethics training yet, you still have till December 31st to be able to do that. The other thing is I have not heard back from the broker on the impact fee credits. I'll reach out to her and have an update at your December meeting. I do know she was working with a builder, trying to get a proposal together with them. So, we'll have to get another update from her and talk about that in December.

Ms. Giles stated do any of the supervisors need me to send them the link for the ethics training?

Mr. Hicks stated yeah.

Ms. Giles stated if Joe's coming off the board, does he have to do it?

Mr. Hicks stated in the future, if I wanted to come back or there just so happened a seat becomes available, I should probably have it done, right?

Mr. Eckert stated I'll go back and look at our research. We contacted the Commission on Ethics and their opinion was that you were supposed to take it if you were a supervisor during this particular year. But let me verify that and then when you send out the training for that, copy me, and then that'll jog my memory to go ahead and make sure I do that, and I'll let you know. It's four hours of online.

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B. District Engineer - Acceptance of the Annual Engineer's Report

Mr. Soriano stated we've seen these before. These are pictorial reports. These are not the requirements per state. We do these and send them to the trustees as part of the bond requirements. So, we used to get these from ETM in the past. I mentioned last time, they're a little more thorough with these. They came out and took pictures of a lot of items. Even if they're little items, sometimes there's paint on there. That to me, is not really a structural thing, but it is nice to have another set of eyes. I get two or three sets of eyes that do reports for me like this. And it helps to kind of put things on a list to make sure we get taken care of. A couple of you guys might have caught this when you went through it. I emailed Mike and Alex. Mike's department is the one that goes out and takes all the pictures. The last 20 pages or so are privately owned areas owned by Fieldstone Homeowners Association and Millstone Homeowners Association. So, they came out and looked at the area. It does fall within the district, but we don't take care of any of those multifamily parks and pools and things like that. So, there's pins from number 49 to 69. I sent them a list of all the items that don't fall under our responsibility. So, they're going to adjust that report and take those off. And then there were also a couple on there. For instance, if you look at pin number 24, these were sidewalk issues. But these are county owned sidewalks. The district really only deals with the sidewalks that are within our amenity center grounds. Or for instance, we have the sidewalks that lead into the playground, but the sidewalk in front of the playground is a county right of way sidewalk. We don't deal with those at all. We do leave the maintenance to the county as part of their right of way. Now this one, depending on where it's at, a lot of times if it's close to our area, for liability concerns, if it's something we're already out fixing a sidewalk that's a foot away from what I believe is the county's, a lot of times I'm just going to take care of it just for safety, to make sure that we did everything that we have to take care of. But if it's pretty far away, I think the next one I had on there, 45, was an area that was completely theirs. I have concerns with that. The county does too. They want to make sure we're not doing any work on their property so they can keep track of everything. Especially if we do something wrong. They don't want to be held accountable for something that we did. So, they asked us not to do things like paint or sidewalks or anything. I've asked about that before. If you go up and down the road, there's some sidewalks from tree roots that come up, and to me it would make sense to go ahead and paint. However, the

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one thing they mentioned is that it puts them on a timeline and says, well, we knew about it. And if they didn't actually know about it, they don't have record of it, when to fix it. And then somebody has a slip and fall accident, it can look bad for them. So, they ask us not to do those things, just to report the sidewalk, which I always tell everybody. It's always good for the residents to call that in and make an actual report so we have record of when it was reported. They do sometimes take a long time to get around to things. There are some in Double Branch that have been reported for a couple years now. They finally got to this year. They had the whole crew out early this summer. If you saw them over there fixing a lot of our sidewalks, and some of those have been reported year after year after year. So, it can happen. Clay County does have a lot of sidewalks in the county that they have responsibility for. But like I said, unless it's, I'm fixing this slab here and there's a crack right there, we try to stay hands off. So, I did point all these out to Alex and Mike to get this adjusted. But then the other thing about this type of report that I like, especially with the pictures and the pin drops, is that as we're going through, some of these have already been repaired since they've been here. As we're going through quarterly, I'll send Alex pictures of these. So, whether it's 10 or 20 at a time, they'll go in and update this software for us so that we can have a report of everything that's been done throughout the year. So not only do you get my reports, but their reports will show year to year, what's been repaired, or what's new from next year. Because we get these reports every year. I don't like the same sidewalk being on there. It might be a different slab or different area and it looks like we didn't address it. So, I do like the fact that they can update this a little easier. We didn't get that before.

Ms. Giles stated so knowing that approximately 20 pages are going to be removed from this report, should they accept it in substantial form or table it?

Mr. Eckert stated it would it be good if they could accept it subject to the removal of those pages, and then we could just process it afterwards. Unless you want to see a final product, that's your call.

Chairman Steiner stated I think we can go ahead and accept it, but I think the board would like to see a final copy just to make sure that nothing else and that everything we talked about had been removed from it.

Mr. Soriano stated yeah, that's really for us to have on record and feel comfortable with, because this is already gone out to the trustees. So, I've kind of explained it to everybody the same way now at this point that they're new. They did ask for a map. I can give them a map. But

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we use the Property Appraiser's website too to match up. Because you guys see even in your package, you have a big map of the district, and all of those areas are within the district, but they're not our responsibility. We don't take care of things inside of Millstone or Fieldstone. We don't take care of the items inside of the Preserves or Cambridge, any of those. That's been pretty much the understanding since the beginning. So, they'll kind of learn that. And I would explain that to all the trustees and my bosses and things like that. But we'll get that updated once we keep it on file.

Chairman Steiner stated I don't have a problem with the work they've done. I think this is just part of the growing pain to bring in the new engineer. But I am pleased with the thoroughness of it. The areas, for the most part, I wasn't even aware of. But I'm going to make a motion for approval in substantial form with the correction of removing those pages which are not applicable to our District.

On MOTION by Chairman Steiner seconded by Vice Chair Mifsud with all in favor the annual engineer's report was accepted with removal of inapplicable pages.

C. District Manager

Ms. Giles stated I think we talked about adding the assessment methodology to this time of year. Is that something y'all want to see on the agenda in December or January?

Chairman Steiner stated if it can be worked. Now, assessment methodology that's to go and address the aquatics and non-aquatics and that kind of information and potentially going to a standardized unit of measure.

Mr. Eckert stated I think it probably would be good, assuming we're meeting in December, to have a board discussion from a policy standpoint on whether you want to make that change. If so, then it would be direction to your staff to come up with the methodology. So you all can see that at that for your January meeting.

Chairman Steiner stated so that would be adding that to the December meeting.

Mr. Eckert stated to have the policy discussion. Because the board may conclude we don't want to make the change. We don't know. But there's no point in incurring the cost and expense of doing a new methodology if the board doesn't want to.

Ms. Giles stated okay, so I'll have that added.

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D. Operations Manager

Mr. Soriano stated we have had a lot of district events. We did have our large Halloween party about a week ago, and then we just had our community yard sale. We also had a lot of activity because you had the resident run event the very next day after the Halloween party. Everything did work out well. She did get us all the paperwork in time. She got me insurance the night before, which is good and they cleaned up after themselves. If you came down that day, it was busy down here. The church had something going on. There was the Touch a Truck event over at the other church on the clock tower area and then the event here in our parking lot. So, it was packed. I did get a complaint from the one rental in here, but it was really just because of it being hard to find a spot to park. It wasn't bothered by all the extra people. That's what happens here on weekends. I mean in summertime you're going to be packed. So, people are kind of used to it. But I always just warn Wanda when we have things like that, even if it's not our event, to try to let those rentals know to be prepared. People could be fighting for parking spots. But everything worked out well. Our next event is this Friday. We go back to the movies on the green. So, we'll have a movie at your sister district out on the multi-use fields. Then about a week later we start our virtual turkey shoot. That's our fun run every year that we do for Thanksgiving. Then the next big event on your side will be Cocoa with Claus in December in this room. Just an update on our year-round swim team. I know that was discussed last month. They did do their first month of registration and swimming and I reported to you guys they had 21 people. So, planning for this month or they're doing registrations this week and then we'll be practicing the rest of the month. They have a lot less. It's getting cooler. So, they went from 21 that I reported last time down to 10. So, we'll see how they end this week. We did get one cold week if you guys recall. It made it a little tough for them. So, I think they got to see what it's going to be like swimming off season. I did get lots of emails from the parents of what temperature do you guys turn it up to and when you turn the heaters on, things like that. I explained it. We discussed this a couple years ago and actually voted on what temperature we're going to put it at. Those pools are only heated to 74 degrees and that was cost saving but trying to balance out how high do we want to turn heaters up if it's just five or six people that we normally see swimming. So now this is a little better. They did kind of point that out. Well, we were hoping to offset that. Even at 20 people, they're not offsetting. It's nice to have a few extra

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dollars, but one or two degrees can make a couple thousand dollars' worth of difference in our bill every month when we turn that up. So, the heaters are installed. We did get a leak test late Friday, so they were here. I think I left at about 7:30, 8:00 and they were finishing up. So, we didn't turn them on that weekend just because of nobody's here. I won't be able to watch them. So, today's the first day they're going on pool contractors coming by to finish everything up this afternoon. So they'll be on and heating. But 74 degrees is what I put it at. I told them they can always come to you guys and ask for something more. But that was an actual discussion point a couple years ago, what temperature we want. So, we're going to stay to that until they present that and you guys change your mind for that. If kids are falling off already, it's not because of the water temperature, because the water temperature is about 71 degrees right now. But that big pool takes a while to really cool down and then we're right back to 80 plus degrees. It's that ambient temperature. When you're outside and it's 58, 60 degrees. It's a lot tougher to swim than when it's 80 degrees outside. So, we're going to see that change. So, they did ask that if it would be fine this first year. I thought it was a great idea. But they asked if they could just take off December, January, February. We were planning on being closed for January, February anyway, so that worked. So, they're registering just for this last month, getting practice. They like what they've built, and they want to come back to start in March, which will be good for the program. I think this was the way to kind of build it slowly. Twenty some kids is a great start and keep them in kind of a fringe season. They have a lot more practice time to get ready for the summer. That's where most of those kids came from was the summer program. So, a couple months after and a couple months before, I think just makes that program bigger. If they have a few more next year, then great. I did give them a list of rules, but because we were just worried about how many they were going to get in we didn't finalize everything, but they did give you three days a week. They didn't set the days because the coaches are still trying to figure out who gets what day. They did ask that if there's a weather incident, say it's raining on Wednesday night. They're practicing Monday, Wednesday, Friday. Would they be allowed to move to a Saturday? I'm fine with that. My main concern is coaches must be on deck when the kids are on deck. So, I don't want it to be where the kids come in. It's 8:30. The first coach isn't here until 9:15. They've got to be here for the kids to be on deck. We don't have monitors; we don't have lifeguards. So, there would be concerns with liability. So whether it's Monday, Wednesday, Friday, or they have to switch one off and pick up a Saturday, that part to me is really the more important part is the

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oversight of those kids when they're here. I'm not concerned with it being Saturday unless any of you guys have concerns. Outside of that, the only other things I gave them were cleaning up after themselves when they leave practice, putting the lane lines back to the normal position. We do normally have a couple out so that people can float around. Not all of them are set up just for lap swimming, but when they do practice, they move those out. So they're supposed to be in charge of moving those before they decided to drop this next month. Originally it was going to be they had to help pull the covers at the end. Since we're not going to be here, I'm not going to give them that requirement. But in March, that may be something to do just for that last month before these pools open up. Once these pools open up, we turn the heaters off, we stop pulling the covers. So, they may have one month they have to help out with the covers. So unless there's any objections, I'm just going to keep moving forward with them. Like I said, they're only going to be here for a few more weeks and then they're going to take the summer off.

Chairman Steiner stated is there any way that you can get word out to the residents on the broadcast or whatever it is? I believe Sherrie mentioned about wanting to see a schedule for the purpose of letting people know that if they go, there's going to be this situation and we can identify that.

Mr. Soriano stated we had posted it at pool. So, our swimmers here knew about it. We didn't send it out by email just because we didn't have some of the stuff finalized. But I can let you know we didn't have any concerns from our normal crowd that's down there. I did have one complaint, but it did not have anything to do with the swim team. It was going to happen whether it was year-round swim team. The high school was still there, but we had one night where there was a swim meet here with a high school team and we had people that came over from Double Branch because they were closed down for a few weeks. They lost a pool filter on their lap pool. So, the one or two people I have that swim laps over there had to come over here and then they got hit when they walked in with the swim meet. Now this was a swim meet that wasn't originally advertised because it was one that had to get rescheduled because of the storm. So, I just apologized to them. Didn't really have anything to do with the year-round portion. But that was the only complaint we got this last month for that. But as soon as we have dates, like I said, we've been advertising just at the pool and parents did have little papers there to let them know they would be in there with the high schools. So, a lot of times people are in a hurry for the high schools to be done. So, it's nice and quiet there again. They're going to have a couple lanes of

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kids for this next morning. Moving on. So, I did mention the heaters are in and we're going to be turning them on. I did have our health department walkthroughs last week and everything was checked off. So, we're good for all of our permits for this next year. Our permits kind of go from the end of one summer around to the other. So, this was our last inspection of the year. But officially it's our first inspection for the new permit here. So, we're good to go there. I do have a couple things I wanted to go over. We're going to be starting to paint work hopefully this week. I have to get with Mike's office to finalize the agreement now that I have some dates. They're going to come in Friday to prep and get all their stuff together. Hopefully they'll be painting next week. But he did ask if he could have some leniency on those six weeks because he's going to be out on vacation one week. Told him that's fine. I said as long as he's communicating with us, Mike's office just has to be able to put some dates in there for our start and our ending point. But if he communicates with us, he needs an extra week, even two, because of things like that. It's not going to be a problem. I did set up this time because this was the biggest stretch of time we had where we only had one wedding in this room for a six-week period. So as long as he's communicating with us, we'll be able to work with anybody if they do rent the room out. So, we should see that starting next week. I am going to have to add on some roof work. So, this is not roof with the shingles. We got that replaced. Everything's good there. We started having a leak here a couple months ago and those three sprinkler heads right there were leaking. We thought it was coming from our fire system. So, you may have seen this large emergency bill in your packet there for calling them out on the weekend to come turn our fire system off and inspect it. It wasn't actually coming from the sprinklers; it was coming from upstairs. Those big chimney stacks that are up there. The walls are actually cracking. This concrete wall, the water's getting in through that and coming down and then dripping on our piping and it's making it down. The easiest way is to go along the pipe and drip out through the ceiling. So, I did get the same guy to go up and inspect that did our shingles. They did a great job. That was Jaden Roofing and they put together some proposals. I'm going to take care of. It's well within my amount, but we'll see that work going on at the same time that we're doing the painting so that him and the roofer can work together to make sure all flashing is put in correctly and everything's sealed nice and tight. All the caulking we need so that we don't have to deal with any leaks.

Chairman Steiner stated are they going to be doing repair work to the chimney column itself?

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Mr. Soriano stated the straight part, yep. So, it's not bumpy like stucco, but it's a concrete cover on that and that's what's cracking. So, they're going to seal all that up and recoat everything.

Chairman Steiner stated do we still have the missing piece?

Mr. Soriano stated yes. I wasn't going to replace it. So, if you look up there, in fact, while they're up there, I'll probably have them take the last one down. If you look up there on the top, you have these two big rectangular chimney chip things. I don't know why they're there. The terracotta chimneys sit on top of those. They're just big bowls with like the top of a pipe sticking out. Those have been hit multiple times by lightning. One of the times we had claims because people were in the parking lot and chunks of the terracotta clay hit cars. We had people contacting us because they wanted payment for the cars and I put them in touch with our insurance, but it's an act of nature. But they've been struck multiple times so we have four of them up there, there's only one left. I'm going to go ahead and take that one. They were in the frame, they said about this tall and they're like 24, 30 inches wide. So, they're big. From the ground, they look small, but they're large things. We're going to take that last one down. It's just going to be flat. They don't function. They would be right underneath where the sprinkler heads are on this side and one on the other side. There's no fireplace, there's no chimney. It's just decorative. The widows walk in between. There's really no way to be out there walking around. But we will seal it all up and then clean everything off, so it looks consistent. I do have one last item. I got an email the end of last week before my report had to be to you guys. In our last fire system inspection, we had a lot of red tags that I have to fix. Unfortunately, some of them are heads. The whole system has to be drained when we replace heads. Right now, the quote is \$18,000. That is a big system. Only the fire companies can do this work, so it tends to be very expensive. At 18 grand, it is going to fall into an emergency repair. So, I'll be able to move forward and we can finalize it before our next meeting. But I am going to bring in a couple other companies like WW Gay or somebody to give us a second and third proposal. Just because of that amount. I know it's still going to be expensive looking at these items on the list. We did just replace a backflow device a couple years ago. It was like six grand for this thing. But there are a lot of items, it's a 20-year-old system that needs to be updated and recharged. So, it's going to be expensive. But let's say one of them give me a quote at \$15,000 or something like that. I'd rather move with them. I still have to have it in a timely manner though, because these items, when that

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happens and they get red tagged, it does get reported to the fire marshal. So, I have to have a little bit of time how much I can work on that. So just to make you aware, what we'll see probably before the next meeting.

Chairman Steiner stated is any of that in the reserve plan?

Mr. Soriano stated there's small amounts that he put in every couple years to repair and update, but it was just a couple thousand dollars here and there each year. Other than that backflow device, we really haven't spent any money on this system in 20 years. I get an inspection quarterly, but the report that goes to the fire marshal is annually and it's done at this time every year. We paid for that contract. So outside of that, we really haven't spent a lot of money on this system. So, there's a couple thousand dollars that gets put in for repairs and replacement, but not \$18,000.

Chairman Steiner stated but this would take off, meaning that one of those requirements, even though we haven't spent it, it's just a matter that we can put an earmark that it was updated such and such point.

Mr. Soriano stated right and then the dollars he put in there for the next year and year after, we wouldn't have to be concerned with those. Correct. So outside of that, unless there's any questions on any of those other maintenance items on my report, that's it for me.

FIFTH ORDER OF BUSINESS

Audience Comments / Supervisor Requests

Chairman Steiner stated I'm going to bring up an issue that has come up for the board to be aware of. As a matter of giving some background before I go into it, our landscaping contract for our MVCDD has a cost sharing between our CDD and South Village, which is Eagle Landing. Back in 2004, the two boards drafted a cost sharing interlocal agreement in which costs for doing the landscaping and maintenance would be shared primarily along Oakleaf Plantation Parkway. At that time, the Parkway was a primary egress and access point for those two communities. Most of the other communities weren't around. So, for the last 20 years we've been sharing that cost with them and we're the only two CDDs that are paying into that expense. South Village will be meeting tomorrow night. There was a meeting requested by South Village between myself and the Chair of that CDD. They feel a little disparaged because they're the only ones sharing the costs. Well, I have a problem in the fact that it was levied on Middle Village to assume that landscaping costs. Clay County owns the parkway, it's their property, but we have

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the easement to do the maintenance work and the mowing. They would like to go ahead and terminate that interlocal agreement. For them it's a budgetary windfall, for us it is a budgetary impact. I explained their cost share this year was \$36,000. I had no objection to the termination. In other words, I didn't foresee our board fighting it. . At their next meeting, which is tomorrow night, the Chairman is going to suggest submitting a termination letter. I explained to him that the biggest thing with it, was it could not occur in this budget year. It had to be effective no earlier than the 2026 budget year, which would be November 2025, to allow our board to look at ways to minimize the impact of that deficit. I've done a lot of personal research to get an understanding of who issued the initial requirement for us to have to maintain the parkway. To be honest with you, everything I found as far as within various documents, states that Middle Village is responsible for maintaining the property, the physical structures, and the enhancement landscaping on common grounds. The Parkway is not common ground. So, working with SVCDD, they're going to go ahead and take some approaches to work with Clay County as well to see what it will take for Clay County to take over the mowing of that Parkway area, the area that they own. As it is, we pay the lighting. I would also assume that we would continue to do so and he had stated that they would probably continue to take on the enhanced landscaping at the entrance to Eagle Landing. They probably at some point, may even do the mowing for that area. I would see that Middle Village would have a requirement or a desire to continue to maintain the clock tower and the bell tower, the traffic circles, the main entry points. I would see that we may stipulate and get agreements between us and the county to where we would do enhanced landscaping, possibly at the entrance point of the Amenity Center. I know some of the communities have enhanced landscaping at the tips of their entry area. In some cases, that's taken care of by that community. But it is probable, because I doubt seriously Clay County will do the same level of mowing maintenance. But understand there's a section of this that is completely within a county maintenance already. It's the section that runs from the county line out to Argyle Forest. That's all Duval County. Years ago, I thought they really messed up because they came in and just cut the trees back to nothing. But they're coming back great. I don't see it being any worse than that. Working with Jay and working with VerdeGo, I look to see what that does to our contract requirements. I don't know how much we cover. Jay has mentioned that there's some other areas that we might look at to go ahead and recoup that. But the main thing is, I wanted to let everybody know that this next year we will probably be looking to find a way to recoup or

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recover that \$36,000. I think it's not an issue. I think it probably will work. I know that Eagle Landing is working on two things. They're working the Oakleaf Parkway, but they also have a road that's a public road that comes through the back end of their community and that issue out there is the fact of having to get the county to take care of it. There is a commissioner that resides over in that community, as I understand it. It looks like maybe they had some pull there with what's going on with the highway up there. But nothing's official. Like I said, they're meeting tomorrow night. They may reject it. I don't know. But just to let you know, to this point, where things stand, and if anybody has any questions. I don't have much more information at this time.

Mr. Eckert stated just so the board is aware, our firm represents the South Village CDD. I don't, but my firm does, which means that our firm would have a conflict giving you advice on that agreement. I can answer questions in terms of what Middle Village's responsibilities are to the county or to our internal documents or anything like that, I can do that. But in terms of the proposed termination of that agreement, whether that's valid, not valid, I cannot give you advice on that. I can get you in touch with an attorney who could give you advice on that, so you'd have independent counsel to look at that. But it's a conflict of interest that I would never ask this board to waive because, we're on both sides of the same controversy and that would not be appropriate.

Chairman Steiner stated along those lines, I can understand it South Village wanted to contest, or we wanted to fight accepting the termination, that would be a conflict to me. If both sides are agreeable to the termination and it's just a matter of how to word the document so that the termination of that interlocal agreement is the only thing that occurs, would that be something we would have to have? Because we also have not only legal, but our district manager, Marilee, is affected as well from that standpoint. And like I said, I'm not anticipating any problem here. I think it falls in line with what this board's been trying to do, and that is making sure the people who own the property are paying and maintaining it. So, from that standpoint, again, we won't know anything until they have their meeting tomorrow night. But these is some of the issues that are out there, and I don't think it's too terrible of an impact at this moment. We have a couple of thoughts as to how we might resolve that funding, but I think it would be good for us to do that. As it is, we're going to end up paying for the lighting. We're doing that now. The biggest question I have, and lot of aspects is Clay probably won't accept the irrigation. We have the irrigation in the pumps, so there's some things that have to be ironed out, but I think it's something that we've got enough time to work. It's not like they just came in and

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want to take it out of our coming year budget. So, it gives us time to work and deal with this. That's all I had. Don't mean to hog all the time. Any questions or anything like that, let me know.

Ms. Giles stated Mike, anything to add to that?

Mr. Eckert stated no, I think it's appropriate just to find out what happens at your December Meeting what they do tomorrow, and then from there the board can make a plan. Again, I've got somebody that I can think of that is a former colleague of mine, but is in a different firm now that I think would be appropriate to help you all out, to get some independent advice if you need to. But I think it can wait till December.

Ms. Giles stated Jay, anything to add?

Mr. Soriano stated no, I think there's a lot there that everybody has to consider. It's not just the money aspect, but when you change operations there and what's been expected over the years, that's where it's always hard. We've done that a couple times in the last couple years where we said, look, we're not doing this anymore because it's really not our property or not truly our responsibility. But then we have to be able to deal with complaints, too, because people thought, we always took care of this because it's been 20 years now. It really should go to whoever owns that or how do we do it? But that one can be a big one because that's a big stretch right through the middle of our neighborhood.

Chairman Steiner stated we've already gotten prior complaints based on the Duval County owned parkway landscaping, they were calling us to get why we were letting it go and what does it take to get it done and it wasn't even our CDD or county.

Mr. Soriano stated some of those I'll never get away from. I have lights out now when they're on the Parkway. Some of my biggest complaints come from Forest Hammock and I think you guys don't even pay for this. There's no way to get any money from them where at least with South Village, we were working together over the years to pay for some of that.

Chairman Steiner stated yeah, I think we're going to see a lot of traffic along this area pick up excessively between what they're doing with the Double Branch community, not the CDD, but the community that's going in on the other side of the expressway. The apartments are units further down the parkway there by Niagara Water and they've started the work permits for Walmart. So this is going to be a main thoroughfare and I don't think that was anticipated when they were carving up the pie as to who's going to take care of what where.

Mr. Hicks stated are you saying that Clay County actually owns Oakleaf Parkway.

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Chairman Steiner stated yes. All of the roadways and even some that are back in the communities. The Preserve over here or the multifamily over here, the roads in there belong to that those owner associations, not the CDD.

Mr. Soriano stated even right there in front of your house, the sidewalk and the road, that's owned by the county. Even though it falls within the district boundaries, we don't do anything back there.

Mr. Hicks stated my concern is just Clay County. It just goes back to what you were saying earlier. It took them years to just come in. So, if we turn that back over to them, like what can we expect from that?

Chairman Steiner stated we can expect a lot of constituents that live in this area that pay Clay County taxes to voice that to their commissioners. Granted, us taking that off, I can tell you will probably mean if you go downstream, there's going to be a little bit of a tax increase from Clay County to cover that. But it's spread over a lot more people than what we have solely within Middle Village. Forest Hammock has no CDD and there's more and more communities that are going to be coming up.

Mr. Eckert stated from a context standpoint, though, with new communities that are master planned communities, this is not an uncommon situation where it is a county road, but the district chooses to pay for enhanced landscape maintenance because if it was just up to the county, they probably would have Bahia and mow every six weeks or so like that. So, a lot of communities make that decision early on to go ahead and fund and do all that enhanced maintenance. Then sometimes boards, like you're doing now, evaluate whether or not that makes sense on a continuing forward basis. But if you stop maintaining it, then the county would have to maintain it, but they would do it to their standards. So, I just wanted you to know it's not an uncommon situation and this is not an uncommon evaluation that the board is going through. Boards go through this all the time as communities mature.

Ms. Giles stated we'll have an update at our December meeting. But I think what you're saying, Mr. Chair, is it's something to think about for this board. No matter what South Village does on their own. Does this board want to continue mowing and taking care of it.

Chairman Steiner stated just to have people understand that that is going to be potentially an increase on assessments if we're not cost sharing and Clay is not doing it. You want this stuff, then it's going to be in the assessments.

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Mr. Bland stated I just think that if we have another lawyer who does not have a conflict of interest, we should definitely get their input, just so we have it.

Ms. Giles stated I think what we need is additional comments from another lawyer if we go through with the termination from South Village.

Mr. Eckert stated my suggestion, because, the issue is how you deal with the termination if it's proposed. If it's not proposed, then there's no issues. But if it is proposed, then my advice is you should talk to an independent lawyer to tell you what your rights are under the agreement and to give you advice on a moving forward basis. That's my suggestion. It may seem amicable, but there may be issues that come up that you'd want to know about. I think the board could authorize, if you wanted to, between now and the next meeting, the chair to retain a different counsel to provide advice on this particular issue and I can put him in touch with somebody who I know at least would be qualified to do that, that's not affiliated with me or my firm, if you wanted to do that. But my advice always is, if I have a conflict, you should get advice from an independent attorney to tell you what your rights are under the agreement.

Mr. Bland stated I agree with you 100%. I don't know about the other board members, but I fully support the Board chairman to do that between now and the next meeting.

Mr. Soriano stated do we need motion? We'll know by tomorrow night, so we'll be ready to move forward if that's the choice. Do we need a motion for them to do that?

Mr. Eckert stated I think since we're all here, I think it would be a good thing if you wanted to do that in case there was any work that needed to be done between tomorrow night and the next board meeting, that perhaps you would be in a position to know how to react in December when you have your meeting, if you would get that person on board right away. So, again, that's my advice.

Chairman Steiner stated correct me if I state this wrong, then I pose a motion to, based on a decision coming from South Village to terminate, that we acquire or we contact an appropriate legal resource to review our next actions.

On MOTION by Chairman Steiner seconded by Vice Chair Mifsud with all in favor authorizing the Chairman to retain and work with outside legal counsel should South Village CDD decide to terminate the interlocal landscape maintenance agreement was approved.

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SIXTH ORDER OF BUSINESS

Next Scheduled Meeting

Ms. Giles stated our next meeting is scheduled for December 9th here at the same location. At that meeting we will have organizational matters on the agenda for the newly elected supervisors.

SEVENTH ORDER OF BUSINESS

Adjournment

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

Signed by:
Manlee Giles
A38999D0EDC14F4...
Secretary/Assistant Secretary

Signed by:
Michael Steiner
FFB7F92990414F7...
Chairman/Vice Chairman