

MINUTES OF MEETING  
WYNNFIELD LAKES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Wynnfield Lakes Community Development District was held Wednesday, January 16, 2019 at 6:00 p.m. at the University of North Florida, University Center, 12000 Alumni Drive, Room 1090, Jacksonville, Florida.

Present and constituting a quorum were:

Dr. Kristi Sweeney	Chairman
Luis Diaz-Rodriguez	Supervisor
Kate Priddy	Supervisor
Claire Marsh	Supervisor
Sharon Thomaszfski	Supervisor

Also present were:

Daniel Laughlin	District Manager
Don Craig	District Engineer
Jason Walters	District Counsel
Chris Hall	Riverside Management Services

*The following is a summary of the discussions and actions taken at the January 16, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Laughlin called the meeting to order at 6:00 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Laughlin stated Goosemasters is here to talk about the egg program so we're going to let them speak first.

The Goosemasters representative stated we wanted to make everyone aware that the association has pulled the permit for Wynnfield Lakes and that takes care of all of the common areas. Any eggs or nesting that goes on we do what's called "paddle" the eggs or if they are faced with endangerment we will pick the nest up. We will not go on landowner's property without an email from them but if you do have a nest on property we will take care of it with your permission. I would highly recommend not getting near them because they are very

dangerous when there is a nest in the area. The nesting season runs from the first of March through June so we will keep watching all of the eggs. It's a way of controlling the population legally. We also want to talk about feeding the geese. Feeding geese creates a problem called "angel wings" or "droop wing". You had one goose out there that could not fly. In fact, a lot of people saw it and came up to it and when it would run it would tumble and fall over. We now have that goose where it can fly a little. There is a Florida Statute on feeding geese so it is against the law. People need to be aware there are fines that can come with feeding geese. Marsh Landing imposed a fine and put a lien on one resident's house until she paid it.

Dr. Sweeney asked would that be the HOA's responsibility?

Mr. Walters stated I won't complicate it with the analysis of why the CDD can't do that but the HOA could.

Dr. Sweeney stated I would recommend we have Richard send an email out to let residents know. We've sent notices out before but I think because we are spending money to do this it would be good to provide them a little more information. I think if it's known how it affects the geese they might think twice about it.

A resident asked is it going to take three years to get rid of them?

The Goosemasters representative responded you're never going to get rid of them completely. We're going to cut the numbers down. Since we've been here we've seen a substantial drop in numbers because we count regularly. We're not on your site 24/7 so what we try to do is control it the best that we can.

### **THIRD ORDER OF BUSINESS**

#### **Organizational Matters**

##### **A. Consideration of Resolution 2019-01 Declaring a Vacancy for Seats 2 and 4**

Mr. Walters stated by Statute you have terms for all of the seats and there are occasions where no one will run for a particular seat that is expiring. When that happens, the existing supervisor will remain in that seat and it says by Statute the Board will declare the vacancy, so that is what the resolution is for. In terms of the two seats that no one qualified for, by law Supervisor Stanley and Supervisor Sweeney are still in those seats but the Board will declare this vacancy and then they have the authority to fill those vacancies by a motion to appoint. The qualifications are you have to be a registered voter residing within the District.

On MOTION by Dr. Sweeney seconded by Mr. Rodriguez with all in favor Resolution 2019-01 was approved.

**B. Consideration of Appointing New Supervisors**

Mr. Laughlin stated I received an email from a resident expressing interest in filling the vacancy so we will open it up to questions. Dr. Sweeney is also interested.

Ms. Thomaszfski stated I have an Associates Degree in programming and a four-year degree in communications. I served as Secretary on two different HOA boards when I lived in Myrtle Beach and I am a registered voter.

On MOTION by Dr. Sweeney seconded by Ms. Priddy with all in favor appointing Sharon Thomaszfski to fill seat number two was approved.

On MOTION by Ms. Marsh seconded by Ms. Priddy with all in favor appointing Dr. Kristi Sweeney to fill seat number four was approved.

**C. Oath of Office for Newly Appointed Supervisors**

Mr. Laughlin administered an oath of office to Ms. Thomaszfski and Dr. Sweeney.

**D. Consideration of Resolution 2019-02, Designating Officers**

Mr. Laughlin stated currently Dr. Sweeney is the Chairperson, Terry was the Vice Chairman and all other supervisors are Assistant Secretaries. Of my office, Dave deNagy is Secretary, James Perry is Treasurer and Assistant Secretary and James Oliver, Patti Powers and Rich Hans are Assistant Secretaries for document signing purposes.

Mr. Walters stated the two key questions are Chair and Vice Chair. Obviously, we lost our Vice Chair so we can either do it my motion on each one or if it's the will of the Board that Dr. Sweeney remain Chair we can seek an appointment for Vice Chair and then we will fill in the rest of the resolution accordingly.

Mr. Diaz-Rodriguez stated I would like to submit my name for Vice Chair and the strength of my suggestion is I've been on the Board longer than the other members.

On MOTION by Mr. Diaz-Rodriguez seconded by Dr. Sweeney with all in favor Mr. Diaz-Rodriguez serving as Vice Chair was approved.

Mr. Laughlin stated since Dave deNagy is now retired I would ask that I serve as Secretary and we will have Dave on as Assistant Secretary.

On MOTION by Dr. Sweeney seconded by Ms. Thomaszfski with all in favor Mr. Laughlin serving as Secretary and Mr. deNagy serving as Assistant Secretary was approved.

On MOTION by Ms. Marsh seconded by Ms. Priddy with all in favor Dr. Sweeney serving as Chair was approved.

On MOTION by Ms. Marsh seconded by Ms. Priddy with all in favor Resolution 2019-02 with all remaining position remaining the same was approved.

#### **FOURTH ORDER OF BUSINESS**

#### **Approval of Minutes of the November 14, 2018 Meeting**

On MOTION by Dr. Sweeney seconded by Mr. Diaz-Rodriguez with all in favor the minutes of the November 14, 2018 meeting were approved.

#### **FIFTH ORDER OF BUSINESS**

#### **Other Business**

There being none, the next item followed.

#### **SIXTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. District Counsel**

Mr. Walters stated you have in front of you a couple of letters for information purposes. The first letter is from the Fowler, Hein, Cheatwood & Williams law firm. He essentially represents the owner of the multi-family property within the District. There is some history going back there and I've tried to briefly summarize it in my response letter, but when the community was master-planned it was a single family product and then a condo/townhouse type product so it was always an ownership based model. There weren't going to be any "rental" properties within

the community. That property was developed, got sold and sold again so it changed ownership a few times and at some point they applied to the County for a land-use change from a condo product to an apartment product and that's not something we have any authority in and the County approved that. Throughout the years we've tried to cooperate with them and to the extent possible not use words like apartment or rental on the signage and things like that. At one point they came to us to get an easement for placing a sign advertising the available units and we said at that time we were okay with as long as they didn't use those type of words. It was nothing we could force on them; it was just in the spirit of cooperation. As you can see from his letter they've come to the District a few times over signage but they are planning to put the word apartments on their signage. If you look through his letter he's correct in term of the sign is on their property and we don't have any authority over that. If he has gone through the property channels of the HOA and to the extent it was approved, there is nothing we can do about it but I did feel the need to respond to his letter so you'll see my response behind his letter. It's more for informational purposes and I took some liberties to vent some of my own frustrations from the years of dealing with this issue to try and say there's nothing we can do to stop them, but it certainly will be something the Board will consider in the future. It's up to the Board obviously but I felt it was at least worth a response to state our position.

Dr. Sweeney stated I know I've looked at three different signs since I've been on the Board. Is it possible to ask that they provide documentation of the approval by the HOA?

Mr. Walters stated the HOA can drop the hammer. The HOA has the authority here, not the CDD and that's why I copied the HOA representative on the letter. I made it clear they need HOA approval for the signage. Whether they've done that or not, I can't tell, but if they haven't and the HOA takes exception to it, the HOA can certainly take action.

Mr. Diaz-Rodriguez stated the HOA has not been approached officially, either through our management company or directly.

Dr. Sweeney asked what happens if they do proceed?

Mr. Walters stated if they proceed and needed HOA approval and didn't seek it, the HOA could certainly take action through whatever their enforcement procedures are. It's really up to the HOA. Like I said, this is just informational and I just wanted you to be aware of the realities of the situation.

**B. District Engineer**

There being none, the next item followed.

**C. District Manager**

There being none, the next item followed.

**D. Operation Manager's Report - Memorandum**

Mr. Hall stated the Yellowstone proposal you have in front of you is to repair everything that is in the pond erosion report, except for the repair on the homeowner's property that we are splitting the cost with.

Mr. Laughlin stated we ended up approving an amount not to exceed \$5,000 for the erosion repairs at the last meeting but it ended up coming in just under so we had to bring it back for approval.

On MOTION by Dr. Sweeney seconded by Ms. Marsh with all in favor the Yellowstone proposal for pond erosion repairs in an amount not to exceed \$5,195 was approved.
---

Mr. Hall stated Richard and I have been trying to figure out the best way to get a bigger screen for the dive-in movies. Some of the palm trees around the pool deck are dying so we'd like to remove some of them and we will fill it in with rubber mulch. Richard will have proposals at the next meeting. At the last meeting it was brought up to put a backboard on the tennis courts. I've found three different sizes, 8x8 for \$1,675, 8x12 for \$2,395, and 8x16 for \$3,355. That does not include shipping and most companies charge about \$750.

Mr. Diaz-Rodriguez stated in the past in places where I've worked they just got 3/4" plywood and attached it to the fence and it cost maybe \$20 to do that. I can't wrap my head around spending that much money. Look into the possibility.

Dr. Sweeney let's table this for now. I didn't expect it to cost that much.

**E. Amenity Manager**

Dr. Sweeney stated Richard is not here. We had an issue where a group of residents had a soccer team, they hired a coach, and it was brought to my attention that it was about \$300 a kid. I happened to be working out in the fitness center and all these kids were knocking on the door asking to come in so I asked if they had a key and they said no, we don't live here. I asked if the

coach had a key and they said no, he doesn't live here. There were multiple practices so it was organized. I do think we have to address it for a couple reasons. Coastal Kicks made a proposal to us and we agreed as a Board to let them use CDD property. When that proposal was brought to the Board one of my fellow supervisors couldn't believe that I would ask if they were going to give a portion of the amount that they were paying in case we need to maintain the field. The majority of what people are paying for with the fees is for field space or gym time and there is an additional liability. I spent \$1,200 for JFC for my daughter for the year, but JFC spends \$250,000 with the City to maintain the park. I don't think we want to discourage people from using it. I do think there could be times Coastal Kicks could use it or if somebody wanted to host a soccer clinic as long as it comes to us for approval. There are a number of issues and then it gets concerning. I think to help Richard we need to address it. I do have a daughter that plays and I thought about her playing rec and it would have been easy for me, as a resident, to go out and find a coach and everybody pays half as much to the coach if we don't pay for the field and the girls can just go and play but I don't see that fair for a lot of reasons. The field then has more use and maintenance and we just put ourselves in a position where we're scheduling the field and residents battling for field space.

Mr. Walters stated I have communities with expensive fields with very organized systems. I think they have close to ten fields and the programs all contribute in excess of \$15,000 a year because with that much use you have to re-sod the fields every few years. Part of the issue is use versus exclusive use, meaning if someone is covering the field no one else in the community can use it. If you have organized sports play you have to maintain the field to some level. Part of it is just come and speak to us and let's be coordinated. We've been reasonable with other groups. We've given Coastal Kicks permission for certain times so if you go out at the same time we've got a conflict. Richard was frustrated and in a tough spot in terms of "show me where I can't do this" and they pointed to absurd examples such as cricket on the tennis court. The question is do we look at our policies and have a prohibition against organized use unless you come to the Board for approval.

Dr. Sweeney stated I think if we had a statement that anything that's organized and commercial that more than 30% of the participants don't live in the neighborhood.

A resident stated when Richard emailed me I asked if we could apply similar rules as the pool. You can bring four or five guests to the pool so if that ratio were to stay the same for a

practice it's in the same spirit that not every single kid has to live here. Richard was looking for a standard rule.

Mr. Walters stated you want to have community involvement and have the kids in the neighborhood to go and play. What you don't want is a guy who has one kid in the neighborhood who is charging \$400 a kid and making \$5,000 off this and he's just using your field because it's there. It's hard to find that balance.

Ms. Thomaszfski asked are we getting anything from Coastal Kicks right now?

Mr. Diaz-Rodriguez responded no we're not.

Dr. Sweeney stated we agreed we would allow the program and we would re-evaluate so we re-evaluated and we didn't spend any more and we got a great response from the neighbors about it.

A resident stated Coastal Kicks is just once a week.

Ms. Thomaszfski stated but they park in the parking lot, use the trash bins and the bathrooms so that's quite a bit of maintenance.

Mr. Hall stated that's Richard's concern. Before the meeting I went up to the amenity center and the parking lot was full and Coastal Kicks was having practice. It kind of discourages residents that are there and if it's in the spring or summer it's going to get full.

Dr. Sweeney asked could Richard determine what is reasonable use and send something to the Board if needed?

Mr. Walters stated again, it puts Richard in a tough spot because he's now the arbiter of what is reasonable use and I wouldn't want to be that judge either. The question is really do we want some sort of policy on this. It's not something we would define tonight; we would come back with that. He's had some other suggestions on other things so maybe we bring it all at once. We will have staff put our heads together and we will bring that back at the next meeting.

A resident asked for permission to use the field for intermittent football practice for the next two months. The Board discussed the request and decided to allow the request and noted a policy will be put in place in the future.

On MOTION by Dr. Sweeney seconded by Ms. Priddy with all in favor granting the resident's request to allow use of the recreation field for sports practice until the next meeting was approved.
---



Mr. Rodriguez stated there are also issues with swim and tennis lessons.

Mr. Walters stated that will all be covered under the same proposal.

Mr. Diaz-Rodriguez stated speaking of the tennis courts; the lights are on all the time.

Dr. Sweeney stated can we ask the security guard to check it since he's there at various hours and report back.

Mr. Diaz-Rodriguez asked what exactly is Lake Doctors supposed to be doing?

Mr. Laughlin responded water treatment. They keep things like algae blooms from happening and stock it with carp if needed.

Mr. Diaz-Rodriguez asked does that include trash around the lakes?

Mr. Hall responded they do not pick up trash. RMS does that.

Mr. Diaz-Rodriguez stated there's a plant that's growing right on the edge of the lakes.

Mr. Hall stated we're seeing that so we can have Lake Doctors spray it.

Ms. Thomaszfski stated at our last HOA meeting some residents were complaining about trash in the lakes.

Mr. Laughlin stated Lake Doctors could do that they would probably just charge more on top of their monthly fee.

Dr. Sweeney stated find out how much Lake Doctors would charge and how much it would cost to have RMS pick up trash more than once a month.

#### **SEVENTH ORDER OF BUSINESS**

#### **Audience Comments / Supervisor's Requests**

Mr. Laughlin stated we got a proposal to get the pond bank erosion fixed and we're still trying to get a hold of the other resident because work has to be done on the property line. Ideally we could get the CDD and both homes to split the cost equally and we would need permission to go on their property, which the Bradford's have already done. We've written up an agreement that they are reviewing. The other house is filled by renters apparently so we have to get a hold of the landlord.

Dr. Sweeney stated a resident sent me an email asking if we could change our policy on our gym hours. He likes to work out at 4:30 a.m. and we currently open at 5:00 a.m.

Mr. Hall stated that is what's in the policies.

Mr. Walters stated the Board can set the hours to whatever they would like.

Dr. Sweeney stated I'd like to change the policy to open at 4:00 a.m. and close at midnight.

On MOTION by Dr. Sweeney seconded by Mr. Thomaszfski with all in favor changing the hours of the fitness center to 4:00 a.m.–12:00 a.m. was approved.

Mr. Peter McCary, 11895 Wynnfield Lakes Circle, stated the water in the fitness center is spring water in the five gallons bottles that have to be replaced periodically. I don't know if it would be a cost savings, but I know it would a savings in labor, to just replace that with water lines. The other thing is the toilet paper in the bathrooms are just a single-roll spindle and I think it would helpful to get the industrial ones that hold reserve paper. There were literally four different rolls of toilet paper in different levels of use sitting around when I went in there this morning.

Dr. Sweeney asked Mr. Hall to look into the requests.

Ms. Thomaszfski stated my question was more of a follow-up from the last meeting on the fitness equipment that may or may not be under warranty. Just leave Richard a note to follow-up on that.

Dr. Sweeney stated I had a neighbor ask about adding additional swings on the playground; specifically a second infant swing.

Mr. Hall stated I can look into the cost of that.

#### **EIGHTH ORDER OF BUSINESS**

#### **Financial Reports**

##### **A. Approval of Check Register**

Mr. Laughlin stated the total of the check run is \$98,506.53. I will point out the insurance payment for FY19 was paid, which was a large sum, as well as the assessment roll administration fee, which was \$5,000.

On MOTION by Ms. Priddy seconded by Dr. Sweeney with all in favor the Check Register was approved.

##### **B. Balance Sheet & Income Statement**

A copy of the balance sheet and income statement was included in the agenda package.

**C. Special Assessment Receipt Schedule**

Mr. Laughlin stated we are currently 96.5% collected.

**NINTH ORDER OF BUSINESS**

**Next Meeting Scheduled – March 20, 2019,  
6:00 p.m. at the University of North Florida,  
University Center, 12000 Alumni Drive,  
Room 1090, Jacksonville, FL 32224**


Mr. Laughlin stated the next meeting will be March 20, 2019 at 6:00 p.m. at this location.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Dr. Sweeney seconded by Ms. Thomaszfski with  
all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairperson/Vice Chairperson