

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, November 17, 2021 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	Chairperson
Luis Diaz-Rodriguez	Vice Chairman
Mark Oliver	Supervisor
Claire Marsh	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jennifer Kilinski	District Counsel
Don Craig	District Engineer (by phone)
Lina Hernandez	General Manager - Vesta
Tim Harden	Field Operations Manager – Vesta
Todd Myhill	Vesta

*The following is a summary of the discussions and actions taken at the November 17, 2021 meeting. An audio 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**

A resident stated I have a question about the roads in the apartment complex. I thought we owned those roads, so the question is how are they getting sealed? Is the apartment complex paying for them?

Mr. Laughlin responded the District doesn't own any of the roads. They're maintained by the County.

The resident stated I don't think the City is doing it, so that's why I'm asking if the apartment complex is paying for it themselves.

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Mr. Laughlin stated I have not been informed they were doing that. I would imagine not, because I don't think they have the authority to do that. We couldn't go in and resurface our roads even if we had the money, so it's possible they might have had somebody pushing the County to get it done. I could reach out to public works department and see if they have any information on that. That would be the only place I can think of to find that out.

**THIRD ORDER OF BUSINESS****Organizational Matters****A. Acceptance of Resignation of Kate Priddy**

On MOTION by Dr. Sweeney seconded by Mr. Diaz-Rodriguez with all in favor Kate Priddy's resignation was accepted.
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**B. Consideration of Appointing a New Supervisor to Fill the Seat 5 Vacancy**

Mr. Laughlin informed the Board of a second vacancy in Seat 2 and noted he has received two applications for interested candidates so the Board could fill the Seat 5 vacancy for now and advertise the Seat 2 vacancy as was done with Seat 5, or the Board could fill both vacancies. Candidate Mark Oliver was in attendance and gave the Board a brief overview of his qualifications.

On MOTION by Dr. Sweeney seconded by Mr. Diaz-Rodriguez with all in favor appointing Mr. Mark Oliver was approved.
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The Board requested a notice for the Seat 2 vacancy be posted.

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

Mr. Laughlin, being a notary public of the State of Florida, administered an oath of office to Mr. Oliver. Ms. Kilinski advised Mr. Oliver of the Sunshine Law, public records law, and commission on ethic rules and regulations and recommended he create a separate email for all CDD communications.

**D. Consideration of Resolution 2022-01, Designating Officers**

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Mr. Laughlin listed the current officers: Dr. Sweeney as Chairperson, Supervisor Diaz-Rodriguez as Vice Chair and Supervisor March as Assistant Secretary; Mr. Laughlin is Secretary and from his office for document signing purposes, James Oliver is Assistant Treasurer, Patti Powers is Assistant Treasurer and Rich Hans is Assistant Secretary. He also noted James Perry is listed as Treasurer and Assistant Secretary, however he has since retired. He asked to remove James Perry and add Ernesto Torres and Marilee Giles from his office for document signing purposes. Mr. Mark Oliver was designated as an Assistant Secretary.

On MOTION by Ms. Marsh seconded by Mr. Diaz-Rodriguez with all in favor Resolution 2022-01, designating officers as detailed above was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the September 15, 2021 Board of Supervisors Meeting**

There were no comments on the minutes.

On MOTION by Dr. Sweeney seconded by Ms. Marsh with all in favor the minutes of the September 15, 2021 Board of Supervisors meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Ratification of Resolution 2021-08, Waiving Portions of Rule 1.3 Relating to Meeting Notices**

Ms. Kilinski reminded the Board a copy of the resolution waiving portions of Rule 1.3 relating to meeting notices was handed out at the September meeting. The purpose of the resolution is to allow the District to save money by only publishing annual and special meeting notices, including budget notices.

On MOTION by Ms. Marsh seconded by Dr. Sweeney with all in favor Resolution 2021-08, waiving portions of Rule 1.3 relating to meeting notices was ratified.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02, Authorizing a Change in Registered Agent and Registered Office**

Ms. Kilinski informed the Board the previous registered agent and office was with Hopping Green & Sams. The request is to change the registered agent to Mr. Laughlin, and the

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registered office to GMS's office as the vast majority of items the registered agent receives are forwarded to the District Manager's office.

On MOTION by Dr. Oliver seconded by Dr. Sweeney with all in favor Resolution 2022-02, authorizing a change in registered agent and registered office was approved.

## SEVENTH ORDER OF BUSINESS

### Staff Reports

#### A. District Counsel – Memo re: Stormwater Needs Analysis

Ms. Kilinski informed the Board of a change in legislature requiring that local governments submit a stormwater needs analysis for a 20-year period every five years. The District will need to procure a work authorization from the engineer to provide the report. She noted if the budget is not available to fund the preparation of the report, there is not a penalty currently, however, there likely would be an audit finding that the District failed to comply with a statutory reporting requirement.

#### B. District Engineer – Acceptance of the 2021 Annual Engineer's Report

Mr. Craig informed the Board that the annual engineer's report contains the findings from his inspection of the recreation facilities, entry features, berms, landscaping, ponds and outfall structure. He noted all were found to be in working order and appear to be maintained.

On MOTION by Dr. Sweeney seconded by Ms. Marsh with all in favor the 2021 annual engineer's report was accepted.

#### C. District Manager

Ms. Kilinski reminded the Board the District has withheld a total of \$11,514.97 worth of invoices for RMS and \$5,474 worth of invoices for Crystal Clean. It is estimated that the cost to repair pool equipment will total \$19,200 and approximately \$400 to replace damaged rubber mulch. She noted the District is about \$8,500 in arrears of what it is claiming to be owed and the options are for the District to proceed with demand letters and small claims court, which will come with some costs associated with the court proceedings, or to let the issues rest. Mr. Laughlin informed the Board he has not received any sort of response from Crystal Clean on the deficiency letters sent. He has received a quote from Yellowstone to replace the rubber mulch

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that was painted, and a letter has been drafted to ask for reimbursement of that expense. Lastly, he noted RMS will not be pursuing payment on the invoices that the District has withheld. The Board members discussed the options in detail and each stated their preference for moving on from the issues rather than pursuing them further.

**D. Operation Manager - Report**

Mr. Harden gave an overview of his report, a copy of which was included in the agenda package.

Mr. Harden asked for direction on the holiday decorations such as what should be used and where. The Board made the following motion to allow Supervisor Oliver to work with staff outside of the meetings. Dr. Sweeney asked that a minimal number of cool lights be purchased only if necessary.

On MOTION by Dr. Sweeney seconded by Mr. Oliver with all in favor appointing Supervisor Oliver to work with staff on the plan for holiday lights and decorations was approved with an amount not to exceed \$500 approved to replace broken lights.
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Mr. Harden reported that the contractor hired to replace broken coping around the edge of the pool has said it will take six months to get matching coping as it is on backorder. Mr. Harden showed the board an option lighter in color that can be received within a few weeks. The Board directed him to proceed with the alternative option.

Ms. Kilinski informed the Board the contractor that is providing the chemicals and chemicals feeders, Poolsure, has not agreed to the standard form of agreement or the added language holding the contractor responsible if there are issues with the feeders or the chemicals aren't delivered and there are problems with the pool because of those issues. The contractor instead would like a disclaimer that the contractor will not be liable for incidental special punitive exemplary damages in connection with the agreement, chemicals or any controllers provided, even if notice is given of the possibility that those damages were reasonably foreseeable. She summarized that they're saying there is no warranty associated with the controllers and she is not comfortable with it from a legal perspective given the recent issues with the previous vendor, however they are not budging, so she was bringing back the pros and cons to the Board. She also advised them of the concerns she has after hearing of issues with

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Poolsure in other communities. Various options were discussed such as proceeding without a contract or signing the contract agreeable to Poolsure in the meantime to give staff time to gather proposals from other vendors. Mr. Laughlin advised of another vendor that offers the option of paying per gallon, rather than a set amount per month as Poolsure does. The decision was made to sign the contract agreeable to Poolsure and have staff obtain proposals for other chemical providers for consideration at the next meeting.

*Supervisor Rodriguez left the meeting at this time.*

#### **E. Amenity Manager**

Ms. Hernandez gave an overview of her report, a copy of which was included in the agenda package.

Ms. Hernandez presented quotes from Yellowstone for irrigation repairs at the Kernan entrance totaling \$285.50 and the amenity center area. Mr. Laughlin informed her that staff is authorized to proceed without board approval on small items such as these.

Ms. Hernandez presented quotes for an air purifying UV light system for the gym and recommended approval of the REME Halo system totaling \$1,250 as it includes a seven-year device warranty and three-year cell warranty.

On MOTION by Dr. Sweeney seconded by Ms. Marsh with all in favor purchase of a REME Halo Air Purifying System for the gym in the amount of \$1,250 was approved.

Ms. Hernandez presented a quote of \$34,080 for Yellowstone to resod portions of the soccer field that receive the most traffic after the soccer season which runs through February 16<sup>th</sup>. The Board put the proposal on hold.

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

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

There were no audience members present.

Dr. Sweeney informed the Board and staff of kids seen on camera using gym equipment improperly, putting them at risk of being injured. She asked that an e-blast be sent reminding residents that the gym is under surveillance and that the gym equipment is meant to be used properly.

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**NINTH ORDER OF BUSINESS**

**Other Business**

There being no other business, the next item followed.

**TENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet & Income Statement**

A copy of the balance sheet and income statement was included in the agenda package. Mr. Laughlin noted the budgeted numbers in the financial statements are incorrect, which he will discuss with the District Accountant.

**B. Special Assessment Receipt Schedule**

A copy of the assessment receipts schedule showing the fiscal year 2021 assessments were 100% collected was included in the agenda package.

**C. Approval of Check Register**

A copy of the check register totaling \$57,462.65 was included in the agenda package. The Board discussed the substantial increase in the liability insurance premium. Ms. Kilinski noted there are only a couple of insurance providers that can provide the type of insurance required for CDDs and their board members. Mr. Laughlin stated that he would reach out to the insurance provider and ask them to attend a meeting to explain the increase.

Ms. Hernandez informed the Board she received a request from a resident renting the veranda to have alcohol at her event. The current policy is there is no alcohol permitted unless approved by the Board and there are also insurance stipulations. Ms. Kilinski noted staff has worked with the insurance provider to come up with a matrix regarding alcohol at events that she will send to the Board for review. Essentially, in this instance if the resident is renting the facility and bringing outside non-resident guests, then she will have to provide a homeowners insurance policy at the least, but likely also hire a licensed bartender or caterer that can serve the alcohol at the event. Staff will also be required for the event at the cost of the renter.

On MOTION by Ms. Marsh seconded by Dr. Sweeney with all in favor the check register was approved.

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**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – January 19, 2022  
at 6:00 p.m. at the University of North  
Florida, University Center, 12000 Alumni  
Drive, Room 1090, Jacksonville, Florida  
32224**

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

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

DocuSigned by:  
*Daniel Laughlin*  
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Secretary/Assistant Secretary

DocuSigned by:  
*Kristi Sweeney*  
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Chairperson/Vice Chairperson