

**MINUTES OF MEETING
TWIN CREEKS NORTH
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Twin Creeks North Community Development District held Public Hearings and a Regular Meeting on August 22, 2023 immediately following adjournment of the Creekside at Twin Creeks CDD Meeting commencing at 1:15 p.m., at the Beachwalk Clubhouse, 100 Beachwalk Club Drive, St. Johns, Florida 32259.

Present at the meeting, were:

John Kinsey	Chair
Bryan Kinsey	Vice Chair
Jared Bouskila (via telephone)	Assistant Secretary
Christopher McKinney	Assistant Secretary
Neal Shact	Assistant Secretary

Also present:

Daniel Rom	District Manager
Sue Delegal (via telephone)	District Counsel

Residents present:

Rick Wicker	Mark Desmond	Dave Mullins	Jocelyn & Michael Wynston
Renee Klose	David Gardinier	Cindy Thoman	Brenda & Marty Stavish
Wes Benwick	Kathlene Campbell	Sue Clausen	Michelle & Steve Anderson
Paul Glaser	Stefanie Spencer	Melissa Cobb	Darla & Manuel Segura
Jon Cargill	Judit Bodi-Khoor	Lisa Hathaway	Lynne & Mark Kuper
Dee Musko	Laura Wertzberger	Karissa Frytsin	Claire & Greg Karp
Betty Ross	Cheryl Schuman	Jeff Materni	Christopher Campbell
Joe Green	Vaughn Beasley	Shane Bradley	Jim & Deb Quinn
Laura Ham	Anthony Cringolo	Eddie Sumner	Christie & Drew Wynkoop
Chris Boutin	Ronald Buttafogo	Jennifer Rickus	Ginny & Paul Stoner
Jose Aponte	Suzette Prasatek	Damien Bonner	Courtney Browning
Bonnie Rogulj	Other Residents		

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 1:17 p.m. Supervisors John Kinsey, Bryan Kinsey, Shact and McKinney were present. Supervisor Bouskila attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Rom welcomed all meeting attendees and explained the protocols for public comments. He noted that the Public Comments should be limited to CDD business.

Resident David Gardinier asked what is planned on County Road 210 (CR210) and how the commercial developments are getting permits without the CR210 improvements. He questioned implementation of additional assessments for the recreation lake across the street, since Beachwalk residents do not have access to it, and asked how the Board will grant access. He asked why Beachwalk residents are asked to pay for a pond that they cannot access but residents of other communities are not required to pay for the lagoon. Mr. John Kinsey stated he will address non-CDD matters after the CDD meeting. Mr. Rom stated the Field Operations portion of the budget contains the CDD's responsibilities. Mr. Gardinier questioned how the recreational lake is not the CDD's yet residents received a letter stating that CDD assessments are increasing. Mr. John Kinsey stated that lake is part of the Twin Creeks Recreational Lake District, not the CDD, as indicated in the documents builders provided to homebuyers at the time of purchase. Mr. Gardinier thinks the letter should be revised as it referred to the CDD.

Resident Mary Vastola stated she emailed her concerns about the appearance of the landscaping, sign and wall at the east entrance of The Cove. Mr. Rom stated he will discuss her numerous inquiries later in the meeting, including repairs to the fountain and tiles.

Resident Anthony Brody stated he is a Seaside Estates Board Member and he received numerous complaints about gate and topcoat installation. He asked for an update. Mr. Bryan Kinsey stated Seaside Estates work will start with curb repairs and then paving, which is anticipated to be done at the end of the year.

Resident Claire Karp suggested that CDD news be published. She expressed concern about the 30% budget increase and stated her opinion that the CDD is not well maintained. Mr. Rom stated the map is labeled with CDD items and the CDD website contains basic information but he can email additional information. Most HOAs have a handbook with information regarding each entity's responsibilities.

Resident Dave Mullins asked when the meeting minutes are posted. Mr. Rom stated the minutes are transcribed after the meeting and the draft is in the next meeting agenda. Minutes are posted on the CDD website after they are approved by the Board. Mr. Mullins reported that several streetlights on Beachwalk Boulevard are out. Mr. Rom stated, when residents observe light outages, they can expedite repairs by providing information from the light pole to JEA. He believes engaging a Field Operations Liaison will also help expedite requests.

Resident Renee Klose asked why public comments are taken before discussions. Mr. Rom stated comments are also taken at the end of the meeting and during public hearings.

Resident Brenda Stavish expressed concern about possible health risks at the lagoon. She understands from Crystal Lagoons that the Developer needs to manage it but she thinks it is not being done. She hopes for transparency and that all parties can work together.

Resident Lynne Kuper wants a microphone and speaker so she can hear comments.

Resident Bonnie Rogulj expressed concern about the lagoon and voiced her belief that four of her neighbors' children needed antibiotics after swimming. Mr. Bryan Kinsey stated the lagoon is not a part of the CDD, as CDD funds were not used to build it and do not maintain it.

THIRD ORDER OF BUSINESS

Discussion Items

A. Field Operations Liaison

Mr. Rom discussed the need for an on-site Field Operations Liaison.

Discussion ensued regarding The Club recruiting a maintenance person.

Mr. Shact discussed matters that a Field Operations Liaison could address and stated it would be advantageous to have one contact person for CDD and HOA issues. Mr. Shact was directed to work with Staff to develop a Draft Scope of Services and compensation plan.

B. Recreational Use of CDD Owned Ponds

Regarding a resident who reported residents fishing in CDD ponds and whether fishing is allowed, Mr. Rom stated there is no prohibition against fishing in the stormwater ponds.

Discussion ensued regarding prohibiting recreational use of the ponds, liability, enforcement concerns and easements.

Mr. John Kinsey asked Ms. Delegal to review the easements on the lake boundary and advise at the next meeting if fishing is a permitted use or if the easements are limited to lake maintenance. Ms. Delegal stated she will research and report her findings at the next meeting.

C. Fountain Maintenance Proposals

Mr. Rom stated proposals were requested from several companies. Mr. Bryan Kinsey stated a proposal was received from STA Blue this morning and several others will be submitted before the next meeting. Mr. Rom stated a line item was added to the budget to be approved today and noted that, if necessary, the amount can be increased today. Mr. Bryan Kinsey

suggested the Board approve execution of a proposal within the budgeted amount outside of a meeting, to be presented for ratification at the next meeting.

D. Miscellaneous Matters

There were no miscellaneous matters to discuss.

FOURTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

A. Proof/Affidavit of Publication

B. Consideration of Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Rom presented Resolution 2023-07. He reviewed the proposed Fiscal Year 2024 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes. The total Professional and Administrative budget is increasing due to insurance increases. The main reason for the assessment increase is the addition of several line items that were previously paid for by the Developer.

Mr. Bryan Kinsey asked if the matter of the irrigation cost share was resolved with Lennar or The Reef HOA. Mr. Rom stated the matter is still open; Lennar’s Attorney is researching it. If the Board approves the budget with the \$18,000 cost share and it is not used, the funds will be applied to unassigned fund balance; assuming the total expenditures fall below the budgeted amount.

Mr. Rom reviewed the components of the budget and assessments and noted that the Non Ad-Valorem section of the Property Tax bill will show one lump sum that includes the General Fund and the Debt Service Fund. The General Fund assessment can fluctuate, year to year, while the Debt Service Fund assessment generally does not. The current budget provides for total per unit annual assessment increases of \$245 to \$247.

On MOTION by Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, the Public Hearing was opened.

Resident Stefanie Spencer asked who manages line items and contracts. Mr. Rom stated the “Landscape and irrigation maintenance” line item relates to the Request for Proposals (RFP) for Landscape Maintenance and Irrigation. Vendors are managed by on-site staff. The financial portion includes thresholds, approvals and ensuring that contracted work is performed. RFPs are required for contracts over \$195,000; smaller contracts are at the Board’s discretion.

Resident Lisa Hathaway questioned several budget increases. Mr. Rom stated the \$18,000 Albany Bay irrigation cost share was discussed at a previous meeting. The builder of that area, The Reef, installed comingled CDD and HOA irrigation lines that are owned by the CDD and, in determining the cost analysis, it was discovered that Albany Bay was paying part of the CDD’s expenses. The builder should rectify the issue. The Board directed Staff to send a letter to Lennar’s Attorney about this because emails were not answered. The Reef prepared a cost report to determine the amount to be paid by the CDD; the CDD budgeted the amount in hopes that the problem is corrected appropriately and the CDD does not have to share the cost. Other line items were not budgeted in the past because they were paid for by the Developer.

A resident questioned the high entry fountains, Beachwalk channel letters and landscape lighting budget line items. Mr. Rom stated the entry fountains includes staffing, chemicals, equipment repairs and water replacement. Mr. John Kinsey stated the entry fountain was maintained by crews that cleaned the lagoon while the Developer was funding the expense. Now that the CDD is built out and recognizing resident complaints about the entry fountains, the Board engaged a vendor to maintain the entry features and the fountains so the CDD budget line item was budgeted accordingly for the expense. Asked if the vendor will ensure proper function and maintenance, Mr. Rom stated that will be part of the contract.

A resident complained that landscape lighting at the east entrance median is not working. Mr. John Kinsey asked the public to understand that the Board Members do not live in the CDD so they are unaware about such problems unless a report is received. Part of why an on-site Field Operations Liaison will be hired is to address issues much more expeditiously.

A resident complained about the entry fountain expenditures.

A resident asked if dead trees on the CR210 median will be replaced by warranty. Mr. John Kinsey stated there is a warranty on the trees; the Developer is keeping track of those that need to be replaced and will meet County obligations regarding trees.

A resident questioned the cost of a Field Operations Manager. Mr. John Kinsey stated the expenditure will be paid for by the CDD or The Club; either way, the community will fund

the expense. The extent to which the CDD reimburses The Club for part of the expense incurred will be discussed.

Resident Michelle Anderson asked when tiles will be replaced and stated she received conflicting responses to her emails about it. Mr. Bryan Kinsey stated the tiles will be replaced next week; due to the discontinuation of the original tile, all the tiles will be replaced.

A resident expressed his belief that residential units are subsidizing retail units. Mr. John Kinsey stated the retail share of the maintenance is established by the Methodology developed by the Assessment Methodology Consultant and approved long ago, based upon a formula used by CDDs based on the level of usage by the various retail and residential components. Mr. Rom stated the Methodology is not on the CDD website but he can provide a copy to anyone who requests it, via email. Mr. John Kinsey stated the amounts were not allocated by the Developer; the Methodology was developed and approved based on the District Engineer’s Report.

Resident Laura Hall asked if residents are responsible for mowing the grass behind their homes, up to the ponds, and if they can move their fence line back or plant in the area. Mr. Bryan Kinsey stated it is not uncommon for the Declarations and Covenants provided by the builder to provide that homeowners to not own that area of land behind their home but that they are required to maintain it. Mr. Rom and District Counsel will review the documents and advise at the next meeting. Several residents advised that landscaping around the ponds was done at one time. The RFP that was originally bid upon will be reviewed to clarify the question.

Resident Melissa Cobb expressed concern about unresolved maintenance issues. Mr. Rom stated the need for a Field Operations Liaison was discussed earlier.

Discussion ensued regarding contractors.

On MOTION by Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Bryan Kinsey and seconded by Mr. John Kinsey, with all in favor, Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**
- C. Consideration of Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Bryan Kinsey stated his understanding that the Organizational Documents state that the CDD pays for the expenses that were included in the budget that was just approved by levying and collecting assessments, consistent with the manner in which these functions are handled by CDDs statewide. If assessments are not levied, the CDD would not have the money to pay expenses.

Mr. Rom presented Resolution 2023-08, which allows the CDD to collect the assessments to fund the adopted budget,.

On MOTION by Mr. Bryan Kinsey and seconded by Mr. John Kinsey, with all in favor, the Public Hearing was opened.

Resident Rick Wicker asked if an increase is expected next year. Mr. Rom stated that question does not relate to this public hearing.

In response to a resident's question, Mr. Bryan Kinsey stated the Non-Ad Valorem tax information might not be included on the Truth-in-Millage (TRIM) notice but it should be on the previous year's tax bill and it will be on the current year's tax bill.

On MOTION Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, the Public Hearing was closed.

On MOTION by Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2022, Prepared by Berger, Toombs, Elam, Gaines & Frank

Mr. Rom presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2022 and stated that it was a clean audit. On Page 8, the General Fund Budgetary Highlights noted that “Budgeted expenditures exceeded actual expenditures primarily due to lower contingency expenditures than were originally anticipated. The September 30, 2022 budget was amended for irrigation and Beachwalk Boulevard project expenditures that were more than originally anticipated.”

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022

Mr. Rom presented Resolution 2023-09.

On MOTION by Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, Resolution 2023-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022, was adopted.

EIGHTH ORDER OF BUSINESS

Consent Agenda Items

- A. Acceptance of Unaudited Financial Statements as of July 31, 2023**
- B. Approval of May 23, 2023 Regular Meeting Minutes**

On MOTION by Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, the Consent Agenda Items, as presented, were accepted and approved.

Staff Reports

A. District Counsel: Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

- **Memorandum: Required Ethics Training**

Ms. Delegal discussed recently passed legislation that requires Supervisors to complete a four-hour ethics continuing education course every year. The requirement will become effective on January 1, 2024; next year, Form 1 will include a box to check to indicate the requirement has been met. Staff will email information pertaining to free training available, including courses offered by the Florida Commission on Ethics.

B. District Engineer: Prosser, Inc.

C. Field Operations Liaison

There were no District Engineer or Field Operations Liaison reports.

D. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: September 26, 2023 at 1:00 PM, or immediately following the adjournment of the Creekside at Twin Creeks CDD Meeting, scheduled to commence at 12:15 PM**

- **QUORUM CHECK**

The next meeting will be on September 26, 2023, unless cancelled.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

ELEVENTH ORDER OF BUSINESS

Public Comments

Ms. Rogulj reiterated her concerns about the lagoon and her belief change is needed.

Ms. Spencer recommended designating a point of contact for HOA issues to field communications meant for the HOA rather than the CDD.

Ms. Karp asked for assurance that HOA issues will be addressed. Mr. Bryan Kinsey stated they will be addressed following the CDD meeting.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. John Kinsey and seconded by Mr. Bryan Kinsey, with all in favor, the meeting adjourned at 2:41 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair