

**MINUTES OF MEETING
BANNON LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Bannon Lakes Community Development District was held on Wednesday, **August 3, 2022** at 1:00 p.m. at the World Golf Village Renaissance Hotel, 500 S. Legacy Trail, St. Augustine, Florida.

Present and constituting a quorum were:

Art Lancaster	Chairman
John Dodson	Vice Chairman
Chris d'Aquin	Supervisor
Chris Hill	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Denise Powers	Amenity Manager
Sheila Papelbon	BNY Mellon
Luis Escobar	BNY Mellon
George Katsaras <i>by Zoom</i>	District Engineer

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 1:00 p.m. Four members of the Board were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment

Mr. Oliver noted there were three opportunities for public comment. A resident wanted to make sure that item nine is discussed and that there are clear communications. There being no other public comments, the next item followed.

August 3, 2022

Bannon Lakes CDD

THIRD ORDER OF BUSINESS

Affidavit of Publication

Mr. Oliver stated that the public hearing has been advertised in the local paper as required by Florida statute. The notice was published twice on July 6th and July 13th. Because there is not an increase in the per unit assessments, there was no requirement for a mailed notice.

FOURTH ORDER OF BUSINESS

Approval of Minutes

A. May 4, 2022 Meeting

B. May 4, 2022 Audit Committee Meeting

Mr. Oliver presented the meeting minutes from the regular May 4, 2022 Board of Supervisor’s meeting and the May 4, 2022 Audit Committee meeting and asked for any comments or corrections from the Board. There being none, he asked for a motion of approval.

On MOTION by Mr. Lancaster, seconded by Mr. d’Aquin, with all in favor, the Minutes of the May 4, 2022 Board of Supervisor’s Meeting and the May 4, 2022 Meeting of the Audit Committee, were approved.

FIFTH ORDER OF BUSINESS

Overview of Approved Fiscal Year 2023 Budget

Mr. Oliver gave a quick overview of the presented budget which was provided in the agenda package. The largest item in the general fund, which is the operating fund for the District, is the assessments to the tax roll. That has grown from \$444,000 to \$573,000. The growth is due to the number of platted lots. The total revenues went from \$610,00 to \$676,000 which mirrors what the projected increase in expenditures will be. There are some line-item descriptions that will need to be corrected based on the decision of the audit committee as well as janitorial changes. There is no increase in the assessments and the Board can amend the budget after it is approved.

SIXTH ORDER OF BUSINESS

Public Hearing

Mr. Oliver asked for a motion to open the public hearing.

On MOTION by Mr. Lancaster, seconded by Mr. Dodson, with all in favor, Opening the Public Hearing, was approved.

There being no public comments, Mr. Oliver asked for a motion to close the public hearing.

August 3, 2022

Bannon Lakes CDD

On MOTION by Mr. Lancaster, seconded by Mr. Dodson, with all in favor, Closing the Public Hearing, was approved.

A. Consideration of Resolution 2022-09, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2023

Mr. Haber noted that there are three separate documents under the consideration of the budget and they are looking for three separate motions to be approved. Over 60 days ago there was a resolution approving the budget and it was provided to St. Johns County for their review. This resolution formally adopts the budget and appropriates the funds as allocated. The adoption of the resolution formalizes the adoption of the budget, and the assessment amount will then be certified to the county for collection.

On MOTION by Mr. Lancaster, seconded by Mr. Dodson, with all in favor, Resolution 2022-09, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2023, was approved.

B. Consideration of Resolution 2022-10 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Haber explained that this resolution serves two functions, certifies for collection both the O&M and debt assessments. It also levies and imposes the O&M assessments because they get reimposed year after year.

On MOTION by Mr. Dodson, seconded by Mr. d'Aquin, with all in favor, Resolution 2022-10 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

C. Consideration of Developer Funding Agreement for Fiscal Year 2023

Mr. Haber noted that in the adopted budget there were two revenue sources, one being the assessments and the other was developer funding. This obligates the developer to make the funding only if it becomes necessary. It gives the District the ability to collect a shortfall if there happens to be one for any costs that are budgeted if the assessments do not cover the costs. This is in substantial form and staff will bring the final form of agreement for the Chair to sign.

August 3, 2022

Bannon Lakes CDD

On MOTION by Mr. Hill, seconded by Mr. d’Aquin, with all in favor, the Developer Funding Agreement for Fiscal Year 2023, was approved in substantial form.

SEVENTH ORDER OF BUSINESS

Consideration of Agreement for Landscape and Irrigation Maintenance Services with Landcare Group, Inc.

Mr. Haber noted that a form of the agreement was provided in the agenda packet along with the proposal that was provided by Landcare Group, Inc. The annual fee is \$139,218.13. The most notable change in the contract is the exclusion of mulch services due to fluctuating costs and mulch will be billed separately.

On MOTION by Mr. d’Aquin, seconded by Mr. Hill, with all in favor, the Agreement for Landscape and Irrigation Maintenance Services with Landcare Group, Inc., was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Renewal Proposal with Riverside Management Services, Inc for Amenity Management, Operations Management, and Pool Maintenance Services

Mr. Oliver noted that the proposed fees are in the adopted budget and this is the form of agreement for FY23 services. The question was asked if the Board had ever considered other management companies and there was a consensus that Riverside has done a wonderful job and they are happy with their services.

On MOTION by Mr. d’Aquin, seconded by Mr. Hill, with all in favor, the Renewal Proposal with Riverside Management Services, Inc for Amenity Management, Operations Management, and Pool Maintenance Services, was approved.

NINTH ORDER OF BUSINESS

Consideration of Amended and Restated Disclosure of Public Financing and Maintenance of Improvements to Real Property by the Bannon Lakes CDD

Mr. Haber stated that this document is similar to one that has already been approved and has been recorded in the public records of St. Johns County. This document specifies what the

August 3, 2022

Bannon Lakes CDD

project is for the District that has been taken from the engineer's report and goes into detail about bond issuances. It provides updates for each bond issuance and provides information about the Board and provides information about the District manager detailing Operation and Maintenance and debt service are paid for with assessments. It does note that this is a snapshot of the District at the time and is subject to changes over the course of the District's life. A resident had questions about maintenance responsibilities between his property and the lake. They decided to take that conversation offline, and GMS will follow up with the resident about the property in question.

On MOTION by Mr. Lancaster, seconded by Mr. Hill with all in favor, Consideration of Amended and Restated Disclosure of Public Financing and Maintenance of Improvements to Real Property by the Bannon Lakes CDD, was approved.

TENTH ORDER OF BUSINESS

Discussion for the Implementation of a Towing Policy for the Amenity Center Parking Lot

A. Consideration of Resolution 2022-11, Designating the Date, Time, and Place of Public Hearing to Adopt Rules Relating to Overnight Parking and Traffic Enforcement; Adopting the Proposed Rule as Temporary Policy; and Providing an Effective Date

Mr. Oliver led the Board in discussion regarding towing policies for the amenity center. Ms. Powers noted that generally the residents are good at communicating extended parking circumstances but there have been times where there was an issue, and she would like the authority if the situation was appropriate to have a towing company remove a car if necessary. A towing agreement will give her that authority and the towing company that is chosen will add signs to the areas about the agreed upon parking rules. As long as they are following the state laws that concern towing, the Board is in favor of new towing policies. Mr. Haber would like to amend the policies to state, "with exception of vehicles that have been granted permission by designated District representatives, overnight parking is prohibited." The language will be adjusted to amend the parking policies and add the towing policy. This document sets a public hearing for this to be put in place at the next regularly scheduled Board meeting. Approving the resolution will allow staff to make the appropriate changes discussed and they will be brought back for adoption. The public hearing to adopt the new parking policies will be held November 2, 2022 at 1:00 p.m.

August 3, 2022

Bannon Lakes CDD

On MOTION by Mr. d’Aquin, seconded by Mr. Hill, with all in favor, Resolution 2022-11 Designating the Date, Time, and Place of Public Hearing to Adopt Rules Related to Overnight Parking and Traffic Enforcement; Adopting the Proposed Rules as Temporary Policy; and Providing an Effective Date, was approved.

ELEVENTH ORDER OF BUSINESS

Ratification of Janitorial Services Agreement Jani-King, Inc.

Mr. Oliver noted that this was discussed at the last meeting and resulted in a lower fee and better services. He is just looking for a motion of ratification.

On MOTION by Mr. Lancaster, seconded by Mr. d’Aquin, with all in favor, Janitorial Services Agreement with Jani-King, Inc., was ratified.

TWELFTH ORDER OF BUSINESS

Update on Changes to Amenity Facility Policies

A. Presentation of Redline Changes to Amenity Facility Policies

Ms. Powers presented the changes and stated that the biggest change was discussed at the last meeting with the fitness center changes that included creating a minimum age restriction of 12-years-old to access the gym. The other significant change would allow residents to bring a bounce house and put it in the grass area by the playground. The resident would provide the liability insurance but would allow them to use the area for a rental that they provide. Mr. Haber added that these changes can be made without the holding of a public hearing.

B. Acceptance of Updated Amenity Facility Policies

The Board agreed with the changes and had no further questions.

On MOTION by Mr. d’Aquin, seconded by Mr. Lancaster, with all in favor, Acceptance of Updated Amenity Facility Policies, was approved.

August 3, 2022

Bannon Lakes CDD

THIRTEENTH ORDER OF BUSINESS

Acceptance of Audit Committee Recommendations

Mr. Oliver noted that the audit committee met prior to the Board meeting and ranked the received proposals. Staff will move forward with an engagement letter for Berger Toombs and bring it back to the Board for approval.

On MOTION by Mr. Lancaster, seconded by Mr. d’Aquin, with all in favor, Accepting the Audit Committee Recommendations with Berger Toombs Ranked #1, was approved.

FOURTEENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber didn’t have anything else to report to the Board and offered to answer any questions.

B. Engineer

1. Ratification of Series 2021 Requisitions No. 34 – 40

Mr. Katsaras presented the requisitions for ratification. Staff had some discussion with the engineer about the finishing of current projects and requested Mr. Katsaras come to the next Board meeting with signoff packages.

On MOTION by Mr. d’Aquin, seconded by Mr. Lancaster, with all in favor, Series 2021 Requisitions No. 34 - 40, were ratified.

2. Presentation of the Stormwater Needs Analysis Report

Mr. Oliver presented the stormwater needs analysis report and noted that it can be found in the agenda package. It was submitted to St. Johns County by the June 30th deadline. Mr. d’Aquin stated that he believes the map included with the report is out-of-date and staff will look into it and follow up to be sure the county has the most up to date version.

August 3, 2022

Bannon Lakes CDD

On MOTION by Mr. Lancaster, seconded by Mr. Hill, with all in favor, the Stormwater Needs Analysis Report, was approved.

C. District Manager – Consideration of Proposed FY23 Meeting Schedule

Mr. Oliver presented the meeting schedule for Fiscal Year 2023 with meetings on November 2, February 1, May 3, and August 2, 2023.

On MOTION by Mr. d'Aquin, seconded by Mr. Dodson, with all in favor, the Proposed FY2023 Meeting Schedule, was approved.

D. General Manager – Report

Ms. Powers presented the general manager's report and highlighted a couple items for the Board. The report can be found in the agenda package. She wanted to publicly thank Pulte. She explained how well they have worked with new residents, and she is very appreciative of them. She offered to answer any questions the Board may have, and there being none, the next item followed.

SIXTEENTH ORDER OF BUSINESS

Audience Comments

A resident asked a question about lake maintenance and if the Board had allocated anything in the budget to stock something that will control weed and algae growth. The Board did note that it should be taken care of by the pond maintenance crew. A resident asked about standing water and believes there might be a drainage problem. They will have the site contractor take a look at the area in question. The resident asked about the consideration of installing some bike safety racks. Ms. Powers did have some information to present and will continue to research the best options for bike racks around the community.

Another resident asked a question about the CDD fees and asked if they would consider lowering the fees. Operationally, there should not be an increase, but they do not typically go down either. There was a question about the HOA firm and Mr. Lancaster explained the Master Homeowners Association and how it will work before it gets turned over to residents. This particular resident will talk with Mr. Lancaster offline to try and get some clarity about the HOA issue he is having.

August 3, 2022

Bannon Lakes CDD

Another resident asked how the landowner’s election works and Mr. Oliver explained that process to him. Mr. Oliver will post the information of the election onto the website later in the week.

SEVENTEENTH ORDER OF BUSINESS Supervisor’s Requests

There being none, the next item followed.

EIGHTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures for the Period Ending June 30, 2022

Mr. Oliver presented the financial reports and had no unusual variances to report.

B. Assessment Receipt Schedule

Mr. Oliver reviewed the assessment receipt schedule and noted that the District is fully collected.

C. Approval of Check Register

Mr. Oliver noted that the check register required Board approval. There was question about some damage done and staff reported they will look into submitting a reimbursement request to the county.

On MOTION by Mr. d’Aquin, seconded by Mr. Dodson, with all in favor, the Check Register, was approved.

NINETEENTH ORDER OF BUSINESS Organizational Matters

A. Acceptance of Supervisor Linda Scandurra’s Resignation

Mr. Oliver asked the Board to accept the resignation of Linda Scandurra.

On MOTION by Mr. Lancaster, seconded by Mr. Hill with all in favor, Accepting Supervisor Linda Scandurra’s Resignation, was approved.

Mr. Lancaster suggested that they move Mr. Dodson over to Ms. Scandurra’s seat because his seat will expire and be filled in the upcoming landowner’s election allowing him to stay on

August 3, 2022

Bannon Lakes CDD

until 2024. Mr. Dodson resigned from his seat and Mr. Oliver asked for a motion to fill the vacant seat with Mr. Dodson which is seat number three. He will be sworn in before the next Board meeting.

On MOTION by Mr. Hill, seconded by Mr. Lancaster with all in favor, Accepting Supervisor John Dodson’s Resignation from Seat 2, was approved.

On MOTION by Mr. Hill, seconded by Mr. d’Aquin, with all in favor, Appointing John Dodson to Seat 3, was approved.

TWENTIETH ORDER OF BUSINESS

Next Scheduled Meeting – November 2, 2022 @ 1:00 p.m. at the World Golf Renaissance Hotel, 500 S. Legacy Trail, St. Augustine, FL 32092

Mr. Oliver stated the next scheduled regular meeting date would be November 2, 2022 at 1:00 p.m. at the World Golf Renaissance Hotel, 500 S. Legacy Trail, St. Augustine, FL 32092.

TWENTY FIRST ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

On MOTION by Mr. d’Aquin, seconded by Mr. Lancaster, with all in favor, the Meeting was adjourned.

DocuSigned by:
Jim Oliver
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Secretary / Assistant Secretary

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Art Lancaster
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Chairperson / Vice Chairperson