

MINUTES OF MEETING  
BANNON LAKES  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bannan Lakes Community Development District was held on Wednesday, February 7, 2024 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	Supervisor
Chris Hill	Supervisor
Michael Sheldon	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber <i>by phone</i>	District Counsel
Diana Lambert	Amenity Center Manager
Jeff Johnson	RMS

**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 this was the public's opportunity to make comments on items that were on this agenda. Hearing no comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the November 1,  
2023 Meeting**

Mr. Oliver presented the meeting minutes from the regular November 1, 2023 Board of Supervisor's meeting. Ms. Lambert provided some corrections to the minutes.

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On MOTION by Mr. Lancaster, seconded by Mr. Dodson, with all in favor, the Minutes of the November 1, 2023 Board of Supervisor's Meeting, were approved as amended.

**FOURTH ORDER OF BUSINESS****Presentation with WGV Fighting Turtles Swim Team**

Mr. Oliver noted there is a document in front of the Board, and he had spoken with some of the Supervisors about it already. Kim Little, President of the Fighting Turtles stated they are a nonprofit organization ran by volunteers and have been supporting the community for over 15 years. The season two sections preseason starts in April and during season is mid-May. She is asking for some support to help with the preseason time when the kids come to practice and get really confident in the pool. She noted they support kids from age 5-18 and the children only need to be able to swim the length of the pool without touching the bottom/sides to join the team.

They do offer community members a discount to join. Coach Lindsey noted she has been a swim coach for over 20 years and in her fifth season with the Fighting Turtles. Mr. Oliver asked what their specific request for the Board is. Ms. Little noted it is to help with preseason which is March 24, April 17, and April 14 for evaluations. After that, it is just supporting the practices three days per week, Mondays, Tuesdays and Thursdays from April 15- May 23. They move to Mirabella for the during season. The ask right now is for Monday, Tuesday and Thursday from 4-7. Mr. Lancaster asked if the evaluations are just for Bannon Lakes kids or outside people coming in. Ms. Little noted evaluations will be for Bannon Lakes and any other residents in the World Golf area. A Board member asked what is the need for the facility at Bannon Lakes and would it be replacing the current practice locations. The current practice place is King & Bear. A Board member asked if a parent comes with the child. Ms. Little noted either way. The coach is certified in CPR and a lifeguard. Ms. Lambert noted if there are a lot of swimmers in the pool for practice, there would be no room for residents in the pool. The capacity is 150. Ms. Little noted they typically only have 30 kids in the pool at one time.

Mr. Lancaster noted just general observations, when the project was developed the pool was designed for exercise laps. His first concern would be that it was not designed for a swim team. It was designed for people to exercise in with no diving and was limited in size because of that. The amenities were built to host the community. Overcrowding is an issue in the summertime and this falls during the Spring Break time period. A security issue with people accessing the pool

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and kids being unattended. A Board member asked how a liability issue is covered. Ms. Little noted they have their own insurance to cover them and the kids. Mr. Haber stated there are a number of CDDs that they represent that have swim teams that are co-community swim teams so they are not as broad as this concept and even in those circumstances those swim teams create 501C3 corporations, not for profit corporations that the CDD enters into an agreement with and that agreement will obligate them to have insurance and also has indemnification and specific language should they damage CDD property that they are obligated to repair those things. Mr. Oliver advised the Board that this can be internal discussion and reach a consensus or bring it to a vote. A Board member expressed concern that there is only one lap line, existing issue with security and only being three lap lanes. There is not a system in place that it's just Bannon residents and should be focused on Bannon residents and kids.

- Sandra Lubbock stated she heard them say its three days a week April 15 – May 23 so its three days a week and not three dates. The Board is just referring to the evaluations and not the practices. If it benefitted the community where evaluations were just for Bannon kids, they would be open to that. Ms. Little noted she can take it to their Board for discussion. A Board member stated Ms. Little can communicate directly with the community manager on that.
- Richard Mather noted he hadn't heard of the Fighting Turtles prior to this meeting. There are a lot of venues that can be used to market the program.

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

#### **Memorandum Regarding Annual Ethics Training & Annual Form 1 Filing**

Mr. Haber stated CDD Board members are required to complete four hours of ethics training by the end of this year. The training will cover Chapter 112 Florida Statutes which is Code of Ethics also Sunshine Law and Public Record Law. A memo with two links was circulated to District Managers for the agenda package. Form 1 is filed electronically with the Commission on Ethics. You will mark a box on that form stating you fulfilled four hours of ethics training.

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

#### **Review of Amenity Center Policies**

Mr. Oliver noted the Board reviewed these at the last meeting. At that meeting, Diana requested they change some of the language. One of the changes was to have two specific rental blocks from 10 a.m. to 4 p.m. and 4 p.m. to 10 p.m. Also to make clear for private or small group

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functions, if furniture is to be moved it is the reasonability of that party to move the furniture and then move it back to where it was. If it is a CDD event, CDD staff will move the furniture. She has incorporated these in the policies. No action is required by the Board.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Requisitions (5-6)**

Mr. Oliver noted these are two requisitions that were payable to Allstate Electric tied to the FPL project and out of the Series 2022 construction fund. They have been executed so looking for ratification. An FPL line had to be moved for construction of the infrastructure and then had to be reestablished.

On MOTION by Mr. Dodson, seconded by Mr. Hill, with all in favor, Requisitions (5-6), were ratified.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Agreement with Bio-Tech Consulting**

Mr. Lancaster noted under the St. Johns water management District permit for the CDD, there is a requirement for ongoing monitoring and reporting to the District the status of the easement. They monitor the littoral areas and walk the boundaries. They do under state guidelines environmental management of that District permit until such a time as the Districts permit weights which is typically five years from the last point of construction. This proposal was to make sure the easement was under good standing for that amount of time. A Board member noted it mentions the mitigation area and asked if that is something the CDD currently owns. Mr. Lancaster answered the CDD owns the permit. The lands are within a separate title but the permit is in the name of the CDD. The mitigation is recorded as an easement. The easement is to the benefit of the District and then that easement benefit is transferred to the Water Management District. All items being monitored are all constructed and improvements within the mitigation easement.

On MOTION by Mr. Lancaster, seconded by Mr. Hill, with all in favor, the Agreement with Bio-Tech Consulting, was ratified.

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**NINTH ORDER OF BUSINESS**

**Consideration of Mowing of Area Located Near Water Tank Berm**

Mr. Oliver noted on page 67 of the agenda packet is a map of the small area. According to LandCare it would be \$125 per month/\$1,800 per year to mow this area. They wouldn't be maintaining the berm or anything at the water tank. Mr. Lancaster noted he looked at the title on the berm around the water tank and it's a no go as that is owned by Lennar's community. Lennar built it. Their HOA should pay for it. It is not CDD property and not CDD responsibility. Mr. Haber noted he agrees and the reason why the CDD is hearing from them is they recorded a declaration that the CDD didn't sign off on or consent to that says the CDD will maintain berms. Mr. Lancaster noted a correction as all of Duran Drive to Bridge Bay is a common area. Is there a piece there that is not being maintained. Mr. Sheldon noted from behind Penny's Place to the dam currently belongs to Bridge Bay. A Board member noted this berm was built by Lennar backing up to the reclaim water tank that runs behind the houses. Mr. Oliver noted no to the berm area but yes on the Duran Drive area.

On MOTION by Mr. Lancaster, seconded by Mr. Hill, with all in favor, the Mowing of Area Located Near Water Tank Berm but Not Berm, was approved.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-02, General Election Resolution**

Mr. Haber stated the District Statutorily transfers from a landowner elected Board to Board elected through the general election. For certain seats, St. Johns County Supervisor of Elections conducts the election on the Districts behalf. The resolution identifies which seats are up in 2024 which is seat 1 currently held by Art Lancaster and seat three held by John Dodson. They will be filled with residents in the District during the qualification period. Mr. Oliver noted it will be noticed in the newspaper and on the District's website also will send an email blast out to the residents.

On MOTION by Mr. Lancaster, seconded by Mr. Hill, with all in favor, Resolution 2024-02 General Election Resolution, was approved.

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**ELEVENTH ORDER OF BUSINESS**

**Consideration of Proposals for Bike Rack**

Mr. Johnson noted he has submitted the report and would be happy to take any questions. He said there are two areas where he would like to put bike racks. He noted he would like to put one over by the fitness center and the other one by the dog park which will allow them to put the bikes coming to the amenity center and not bringing them up into the amenity center parking lot. Mr. Hill asked if installation did not include concrete pads. Mr. Johnson noted they did not come with a concrete pad. There are a couple of racks already installed that aren't in concrete pads so trying to follow suit. There is a dead area with a little bit of mulch where the bikes sit. The one by the fitness center, half of it will be on concrete already because there is a preexisting pad. The other will lead into the dirt line. It will be secured down and anchored in. Mr. Johnson stated the install will be done in house. Ms. Lambert noted students come around 4:00 every day and there is nowhere to place their bikes. It has been a long-time problem of them leaning the bikes up against the patio or leaving them on the walkways.

On MOTION by Mr. Hill, seconded by Mr. Dodson, with all in favor, the Park Proposal for Bike Racks, was approved.

**TWELFTH ORDER OF BUSINESS**

**Other Business**

Mr. Oliver noted that the next item was discussion of use of community room for physical fitness related classes. Groups using the facilities for their events such as poker, yoga, Pilates, etc. (indoors or covered outdoor space) are responsible for setup and return to original arrangement of furnishings. For events available to all residents, staff will take care of setting up and cleanup.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Lancaster asked about legislative activity this year that could have an impact on the community from an HOA perspective. Mr. Haber noted they monitor the CDD legislation. There are lawyers in his office that specifically do it and they haven't brought anything to his attention that has passed. It is probably things that you have heard us report in the past along the lines of dealing with sovereign immunity limits, things like that. From an HOA perspective, he noted he would be happy to speak with him offline. A Board member stated they need to be careful about

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suggesting voting against certain legislation as a CDD. Mr. Haber noted as a CDD Board member you have an opinion on state legislation and there is no prohibition on you expressing that opinion.

**B. Engineer**

Mr. Oliver stated that there was nothing to share from the engineer today.

**C. District Manager**

Mr. Oliver stated he would bring the proposed budget and will have discussions with each of the Supervisors between now and the May meeting and approve it before the June 15<sup>th</sup> deadline then refine that budget as approaching adoption in August.

**D. General Manager – Report**

Ms. Lambert noted she submitted her report but will take questions. A Board member asked if the Board allows for someone to bring a pop tent or anything out in the field utilized for events. Ms. Lambert noted no and the event field can't be reserved for events. They get the amenity center and pool. Mr. Hill asked how the pool is doing. Mr. Johnson noted they put in a new motor and piping throughout, everything updated and running smoothly. Ms. Lambert noted the seats were recovered last budget year.

**FOURTEENTH ORDER OF BUSINESS**

**Audience Comments**

- Will there be an alliance and overseer with the CDD going away? - Mr. Lancaster noted the CDD runs independent of HOA. The way they set up their communities that have multiple communities within it is they have a master association of which John and I stay on the Board until we own no more land because they want to maintain architectural control and the only reason that Board is put in place is to main architectural control in most instances. In Bannon Lakes it has one other obligation and that is to pay Parkland for access. The HOA collects a small fee every year that goes to Parkland. He noted they are done with the community. All of the properties are sold and all the obligations are met so we are getting ready to leave the Board and it is to be a full community run Board, the CDD. A Master POA is there for one thing to make sure architectural control was maintained. He noted they are looking to simplify and

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keep from confusing the community by merging and let the Board be the Board of both. There will be sub associations.

- Just to clarify, the POA is over the HOA's? Are you over any of the business out front or apartments out front? – From an architectural standpoint. Mr. Haber noted the idea is that the Boards will be comprised of the same people but the POA Board will be the entity that has the control that it still has.
- Christina from the Preserve at Bannon Lake: Question about Leland, is that the small fee they are paying each year, will that continue on forever? – That is correct. It could be used toward maintaining long term drainage. There has already been a transfer at one point.
- Resident noted last year he was very apprehensive with Denise leaving but can say now he is very confident that you all found an excellent replacement in Diana. The public space and activity center has been awesome. He asked if the CDD can do anything about contacting the apartments for the abysmal look along Duran. The backside of the apartments is terrible. Mr. Lancaster noted he will address that.
- Resident noted she lives in Bannon Lakes Preserve. There is a lake behind her, are any plans for a fountain or something to help mediate the bugs? The Board noted that would need to be addressed by the HOA.
- Resident asked about HOA meetings. Is a lap pool being built? Signs stating nature trails, is that the sidewalk? – No lap pool and not familiar with any nature trails.
- Resident noted speeding between Ash Breeze and Orchard Lane, there is no current crosswalk between those streets, possibility of one? – Board noted that it's a public road.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisor's Requests**

No Supervisor requests.

**SIXTEENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet and Statement of Revenues & Expenditures for the Period Ending December 31, 2023**

Mr. Oliver presented the unaudited financials through December 31, 2023, one quarter into the fiscal year. There were no unusual variances on the income statement.



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**B. Assessment Receipt Schedules**

Mr. Oliver stated the District is 71% collected.

**C. Approval of Check Register**

Mr. Oliver presented the check register for the General Fund to the Board. The pool repairs that Jeff spoke to earlier were invoiced in January so you will not see those in the check register. They were from the Capital Reserve Fund.

On MOTION by Mr. Hill, seconded by Mr. Lancaster, with all in favor, the Check Register, was approved.

**SEVENTEENTH ORDER OF BUSINESS**

**Shade Session: Consideration of Proposals for Security Camera Systems\***

Mr. Oliver noted at the last meeting there was a shade session to discuss security matters and there were some presentations from two different firms. You asked staff to go back out and renegotiate with those companies. They have come back with their best and final. Since they are just talking pricing, they don't have to have a shade session. He noted there was a substantial price decrease based on renegotiation. The one received from Atlantic Securities, they dropped pricing a total of \$550 and turned out to be a better value of the two. Ms. Lambert noted Envera is the best in the field. They have services that allow us to communicate with residents, the two-way voice. Atlantic did not have that. The recommendation by Riverside is to go with the Envera proposal. This will come from the Capital Reserve for the installation and there will be an operating cost in the FY25 budget. Mr. Hill stated Envera is full service, tried and true.

On MOTION by Mr. Hill, seconded by Mr. Lancaster, with all in favor, the Envera Proposal, was approved.

**EIGHTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – May 1, 2024 @ 1:00 p.m. at the World Golf Renaissance Hotel**

Mr. Oliver stated the next scheduled regular meeting date would be May 1, 2024 at 1:00 p.m. at the World Golf Renaissance Hotel, 500 S. Legacy Trail, St. Augustine, FL 32092.

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**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

The meeting was adjourned.

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

DocuSigned by:



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Secretary / Assistant Secretary

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Chairperson / Vice Chairperson