

Minutes of Meeting  
Armstrong Community Development District

The regular meeting of the Board of Supervisors of the Armstrong Community Development District was held Wednesday, December 5, 2018 at 3:30 p.m. at the Eagle Landing Sales Center, 3973 Eagle Landing Parkway, Orange Park, Florida.

Present and constituting a quorum were:

Mike Taylor	Chairman
Grady Miars	Vice Chairman (by telephone)
Liam O'Reilly	Supervisor
Blake Weatherly	Supervisor

Also present were:

James Perry	District Manger
Katie Buchanan	District Counsel (by telephone)
Keith Hadden	District Engineer
Dean Vincent	Armstrong Ventures (by telephone)
Marilyn Ayers	East West

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Perry called the meeting to order at 3:30 p.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Consideration of Appointing Blake Weatherly  
as an Officer of the District**

Mr. Perry stated at the last meeting Blake Weatherly was appointed to the board.

Mr. Perry being a notary public of the State of Florida administered the oath of office to Mr. Weatherly.

Ms. Ayers joined the meeting at this time and stated I hereby tender my resignation.

Ms. Ayers left the meeting at this time.

Mr. Perry stated with that resignation we have an open position for supervisor.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor Rose Bock was appointed to fill the unexpired term of office.

Mr. Perry stated we will contact her and give her the meeting schedule.

**FOURTH ORDER OF BUSINESS**

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

Mr. Vincent made an amendment to the minutes at the top of page 5.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the minutes of the November 14, 2018 meeting were approved as amended.

**FIFTH ORDER OF BUSINESS**

**Acceptance of the Minutes of the November 6, 2018 Landowners' Meeting**

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the minutes of the November 14, 2018 landowners' meeting were accepted.

On MOTION by Mr. Taylor seconded by Mr. O'Reilly with all in favor Rose Bock was appointed an assistant secretary.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-04 Amending the Fiscal Year 2019 O&M Budget**

Mr. Perry stated item six is consideration of a budget amendment, Resolution 2019-04. The budget that is currently in place is just an administrative budget and it appears that there will be some costs associated with some field services for landscaping, irrigation, utilities, etc. and that will be the change to this budget. Those are proforma numbers, we haven't gone out for bid or anything of that nature. We can amend the budget at any time and typically amend it toward the end of the year to reflect all of that approvals of the supervisors during the course of the year.

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor Resolution 2019-04 was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Proposal from VGlobalTech for Website Compliance**

Mr. Perry stated we are doing these for all the districts to ensure they are in compliance with ADA parameters. It is a one-time charge upfront of \$2,250 for the conversion. We bid this out and these are the most reasonable terms we could find.

Mr. Taylor asked the budget amendment we just adopted did it contemplate that expense?

Mr. Perry responded not specifically and toward the end of the year we will do a budget amendment to recognize this amount.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the proposal from VGlobalTech in the amount of \$2,250 was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Change Order from JR Davis for Greyhawk Phase 1**

Mr. O'Reilly stated this is a culmination of lots of changes throughout the entire project. We asked that they monitor them and with Keith's help we have been able to track them and put them all on one change order. It is also a credit for the second lift of asphalt. As you know we have done the first lift, the second lift will come at 80% C.O.s. At the end of the day it ends up being a credit of about \$90,000. This has been vetted through myself, the project administrator as well as Keith.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor change order from JR Davis for Greyhawk Phase 1 for a credit of \$90,076.69 was approved.

**NINTH ORDER OF BUSINESS**

**Discussion of Meeting Location**

Mr. Perry stated there was discussion previously about possibly moving the meeting across the street to the Plantation Oaks Amenity. That is available if this board would like to relocate.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the location of future meetings will be Plantation Oaks Amenity, 845, Oakleaf Plantation Parkway, Orange Park, Florida.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being none, the next item followed.

**B. District Engineer**

Mr. Hadden stated we had a walk through with the county this morning and everything is okay. I submitted my formal recommendation for acceptance to the board of county commissioners and that will all be done next Tuesday, December 11<sup>th</sup>.

The final as far as Tynes is concerned the second course is going down today, they will be putting down thermoplastic in 14 days, the signal is operational, they have it hooded but the lights are working. Liam and I have been told if the trees aren't in that is okay they will accept it. We were also told a month ago that we didn't have to have the second course of asphalt down then she changed her mind.

Mr. O'Reilly stated Dean is going to be working with Stephanie to confirm that what she has previously said about landscape is still the case so there are no surprises.

Mr. Taylor asked Dean do you think we can get something in writing so we know what we are dealing with?

Mr. Vincent stated no. I will call Thursday night, once the asphalt is complete and once the signs are up and I will have her acknowledge what she and I discussed previously and I will report back. At this point we are concerned about Stephanie's position relative to staff's position. They should be the same, but we don't know until we hear it from Stephanie.

Mr. O'Reilly stated as Plan B in conjunction with Dean I have also had a conversation with the engineer, Shawn Thomas, and he confirmed that he was coordinating with Stephanie that they are all under the same assumptions with the conditions for acceptance.

Mr. Taylor asked what do we expect to hear on the 11<sup>th</sup> hearing?

Mr. O'Reilly stated at the 11<sup>th</sup> hearing assuming that DOCC passes they will accept the subdivision with a conditional acceptance that Tynes Boulevard has thermoplastic striping down; that is the condition. We will probably receive a letter from the county saying Greyhawk subdivision has been accepted conditional with the thermoplastic of Tynes.

Mr. Taylor asked do you think we need legal representation at that meeting on the 11<sup>th</sup>? I don't think it would hurt. I'm not sure if that is something you are comfortable in doing.

Ms. Buchanan stated I will be in the area already so it is fine, but the reality is a lot of this is being worked out in advance.

Mr. Taylor stated our project Phase 1 is complete and should stand on its own merit to be accepted. I just don't want our subdivision to be brought in on a technicality related to Tynes Boulevard. Is there any reason to believe that beyond the conditions brought forth today that could come up that we are unaware of that would delay acceptance of both Tynes and Phase 1? It sounds like we are conditioned upon Tynes being accepted before we are accepted?

Mr. O'Reilly responded the condition is striping not Tynes acceptance. Tynes won't be fully accepted until the landscaping is in and the work that East West and the county are doing in conjunction is 100% complete. The county and Stephanie have said they know that won't happen for another month, so they said it is okay to not have landscaping done and any other irrigation fully running and the sign complete as long as the signal is operational and the striping is down.

Mr. Taylor asked are we on the consent agenda or are we on public comment?

Mr. O'Reilly stated we are on the agenda. If the question is, is there a risk that the board or Stephanie could bring in a new item that we were unaware of then yes, I think there is always going to be a risk but in my opinion that is where we have been working very hard behind the scenes to make sure we are aware of all those things.

Mr. Taylor stated I commend you, Dean and the district engineer for pushing the ball down the road on our behalf for Phase 1.

Mr. O'Reilly stated there have been many curve balls already, so I think there is always going to be a risk.

Mr. Taylor stated it would be my recommendation to have legal representation there just so if we get hung up on a technicality I would like that to be available to me because I plan to attend the meeting.

Ms. Buchanan stated I'm happy to go. I think the reality is these issues are engineering and safety issues. If you get someone dug in on those then no lawyer in the world is going to get the county to open a road if there is not striping or if for some reason the county thinks it is an unsafe condition. That is why Keith, Liam and Dean have been trying to work with Stephanie to get her comfortable with this. Isn't that right?

Mr. O'Reilly stated yes.

Mr. Vincent stated technically what they are taking action on is they are saying we are going to accept Greyhawk Phase 1 on the 11<sup>th</sup> recognizing that she won't have the final striping down until 10 days later. There is always a possibility someone could say I have an issue with that.

Ms. Buchanan stated I don't think it is the work it is the conditional striping and someone can have a wreck on the road and we would have taken on that liability.

Mr. Hadden stated no, because they say their final acceptance is contingent upon that striping regardless of what the date is if that striping doesn't go down the final acceptance isn't there. On the 21<sup>st</sup> or 22<sup>nd</sup> if the striping is down then that condition is automatically lifted and if they had a second BCC meeting in December this wouldn't be an issue. We would have it on the agenda for the second meeting.

Mr. Taylor asked what happens if it goes down on the 24<sup>th</sup>?

Mr. O'Reilly stated it is not accepted until it is striped.

Mr. Hadden stated if it is not striped until January 5<sup>th</sup> then they won't accept it until that time.

Mr. Taylor asked do we get a letter saying that it is accepted?

Mr. Hadden stated yes.

Mr. Taylor asked assuming all of this doesn't go to plan are there going to be issues with builders building homes today?

Mr. O'Reilly asked do you mean in regards to C.O.?

Mr. Taylor responded yes.

Mr. O'Reilly stated no, the builders are allowed to pull a C.O. on model homes right now. The homes they have under construction that are not models the county will allow temporary C.O.s if there is a crazy reason someone needs to move in or they absolutely have to pull a C.O. The county would allow that so no one is homeless but fortunately there is no one moving into any of the homes. I don't think any of the houses will be ready for a C.O. until January, other than one model.

Mr. Taylor stated your comments are taken. Katie I will see how the next day or two goes.

Mr. Buchanan stated absolutely, I will be in town already. I suggest if we don't get anything from Stephanie in writing then perhaps you write your own understanding of how it is

going to function and you send it to her and say, just wanted to confirm this I'm trying to report back to my board.

Mr. Taylor stated okay.

Mr. O'Reilly stated keeping in mind too that they are subject to sunshine like we are so they are very hesitant to put stuff in writing.

**C. District Manager**

There being none, the next item followed.

**D. Tynes Boulevard Project Administrator**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS      Supervisor's Requests and Audience Comments**

Mr. Taylor stated I would like to suggest that we have an agenda call before the meeting and you staff can set up that call 10 days prior to the meeting.

Mr. Perry sated okay.

**TWELFTH ORDER OF BUSINESS      Financial Statements as of October 31, 2018**

A copy of the financial statements was included in the agenda package.

**THIRTEENTH ORDER OF BUSINESS      Consideration of Funding Request No. 28 (General Fund)**

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor funding request no. 28 was ratified.

**FOURTEENTH ORDER OF BUSINESS      Consideration of Funding Request No. 26 (Construction Fund)**

On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor funding request no. 26 was ratified.

Mr. O'Reilly stated we have a requisition that didn't make it on the agenda. This is the very first pay app for Scheer Construction, who is the general contractor that has started the amenity center. The amount is \$45,234.00. They mobilized and pulled the building permit and it is for their first month of work.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the requisition for Scheer Construction in the amount of \$45,234.00 was approved.

**FIFTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – 01/09/19 at 3:30 p.m. Location to be Determined**

Mr. Perry stated our next scheduled meeting will be January 9<sup>th</sup> and it will be across the street at the Plantation Oaks Amenity Center on the second floor.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the meeting adjourned at 4:00 p.m.



Secretary/Assistant Secretary



Chairperson/Vice Chairperson