

**MINUTES OF MEETING  
JULINGTON CREEK PLANTATION  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Julington Creek Plantation Community Development District held a Regular Meeting on April 26, 2022 at 6:00 p.m., at Julington Creek Plantation Club, 350 Plantation Club Parkway, St. Johns, Florida 32259.

**Present were:**

Tom Chambers	Chair
George Doran	Vice Chair
Cindy Howell	Assistant Secretary
Michael Morton	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Jennifer Kilinski (via Zoom)	District Counsel
Lauren Gentry	KE Law Group PLLC
Rob Sniffen (via Zoom)	Sniffen & Spellman - Employment Counsel
Jeff Branch	Field Operations Manager
Matt Roberts	General Manager
Jay King	Vesta Property Services, Inc. (Vesta)
Ken Council	Vesta
Leigh Starnes	Resident
Joe Anderson	Resident
Marty McEachean	Resident
Pat Jacob	Resident

**FIRST ORDER OF BUSINESS**

**CALL TO ORDER**

Mr. Rom called the meeting to order at 6:02 p.m.

**SECOND ORDER OF BUSINESS**

**ROLL CALL**

Supervisors Chambers, Howell, Morton and Doran were present, in person. Supervisor Gavin was not present.

**THIRD ORDER OF BUSINESS**

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

***Disclaimer:** These summary minutes are intended to only highlight the topics discussed, items being considered and actions taken.*

Resident Joe Anderson referenced a previously forwarded handout to the Board regarding a request for a long-term rental for a start-up church in the area. He described the type of church it would be and information about the Pastor and stated the venue would be needed for 3½ hours on Sunday mornings. He asked who would be following up with a response.

Mr. Roberts stated there would most likely be a deferment and that he would be in touch.

Resident Marty McEachean discussed working for the YMCA and the discovery that, while the YMCA's senior citizen participants amounted to less than one-third of the total users, that group generated two-thirds of the YMCA's revenue because they have the money and time to participate. He noted that the YMCA has a huge "Silver Sneakers" program and voiced his opinion that the CDD needs to offer a program like that for its senior residents. He discussed his involvement in youth programming and the Police Athletic League (PAL) and asked the Board to partner with him to help grow community sports programs.

**FIFTH ORDER OF BUSINESS**

**BUSINESS ITEMS [approximate 80 minutes]**

**A. Discussion/Update: Stormwater Permanent Pond Exchange with POA**

Mr. Rom stated that he conferred with Mr. Maggiore and Staff is awaiting a response from the St. Johns River Water Management District (SJRWMD) regarding the permit transfers. Notification of the outcome is expected in early May and an update would be provided at the May meeting.

**B. Discussion/Consideration: In-House Employment Considerations**

Mr. Rom recalled that a Third Amendment to the Vesta Property Management Agreement for the next fiscal year was presented at the last meeting and the Board deferred it and directed District Staff to draft a Request for Proposals (RFP) for Management Services and consider potentially bringing employees in-house.

Mr. Rom stated that, over the past three or four years, there has been discussion regarding cost increase amendments presented to the Board on an annual basis. The Board deferred the last amendment due to its submission and, in less than 24 hours prior to a meeting, learned of an issue pertaining to a pool maintenance contractor agreement. District Staff has had

discussions with Vesta regarding verification of on-site employees and requested detailed staffing information. Some information was received but he felt it was insufficient to present.

Ms. Kilinski stated Mr. Sniffen's firm has been on retainer for the CDD for approximately 10 years and he has assisted with previous Human Resources (HR) matters. Mr. Sniffen could provide a high-level overview of what it means to be a governmental employer, along with the advantages and disadvantages associated with direct employees, a third-party contractor and hybrid employees, if the Board wants to go in that direction.

Mr. Sniffen described the concept of Professional Employer Organization (PEO) employee leasing; an alternative employment arrangement whereby one company takes care of the details of the employment and the other receives the services. He discussed what it means to be an employer of governmental employees, such as having more control, not having to go through a middleman and some of the things that come with being an employer, whether public or private, including payroll, payment of taxes and all that must be handled when paying employees. He addressed issues that often arise with third-party employers, such as lack of communication, lack of responsiveness, lawsuits and which entity is liable.

Mr. Chambers asked if the CDD's liability for employees would make a difference whether the employees are under Vesta or in-house. Mr. Sniffen, stated if Vesta were to be sued, the CDD would also likely be sued because most employees and attorneys are unfamiliar with Vesta and Vesta may place liability insurance on their practice; if the CDD decides to disengage from Vesta, that is one of the responsibilities that the CDD would have to take over.

Mr. Sniffen responded to questions regarding securing liability insurance, workers' compensation, what costs the CDD would assume, engaging a payroll service, employee administration and Vesta's current responsibilities. He recommended engaging an HR Specialist to handle HR matters, if the consensus is to disassociate with Vesta.

Discussion ensued regarding an HR Consultant's role, avoiding employment lawsuits and personnel problems, employing a hybrid approach, Vesta's cost increases and cost-savings.

**Mr. Sniffen left the call.**

Ms. Kilinski stated, at the last meeting, the Board directed Staff to present an RFP and research direct employment options for consideration. She highlighted the following options:

- Option A: Remain with Vesta for the 4<sup>th</sup> year term of their contract, in which case Vesta would stay on board for the next fiscal year and the CDD would go out to RFP the following year, particularly if the CDD builds a new improvement that may require different staffing.

- Option B: Go out to RFP for all amenity services. She referenced the draft RFP and contract in the agenda packet.
- Option C: Contemplate some direct employment arrangement where all employees are employees of the CDD.
- Option D: A combination of any of the three prior options is available as well.

Referencing notes, Mr. Chambers outlined the issues with Vesta and concluded that he could not vote for a year contract without going out to RFP. He stated that he would later motion to withhold \$38,000 in payment to Vesta until documents are produced proving the CDD owes that amount. He voiced his opinion that there is a lack of transparency and trust in Vesta.

The Board and Staff discussed the pool maintenance services concerns, Vesta’s contract with BigZ, BigZ’s billing for the year, Vesta’s performance, pulling services out of the contract, yearly price increases, Vesta’s contract amendment, how many new in-house employees would be needed, hiring a Facilities manager and three full-time employees, employee benefits, purchasing a vehicle for about \$20,000 and a timeline of September 1, 2022 for transitioning.

Mr. King stated Vesta previously suggested going out to RFP. He discussed Vesta’s cost savings efforts, outsourcing pool maintenance, cost increases, staffing and the hybrid approach.

Mr. Chambers motioned for CDD Staff to obtain all the data to start the engaging part, review the benefit package and report their findings and the maintenance costs for the fiscal year at the next meeting and then proceed with the RFP process.

Ms. Kilinski reviewed the RFP for Amenity Center Management, including the project manual, instructions to proposers, scope of services needed, proposal forms and the form of agreement. She stated one option is to make some changes to the draft RFP and present it again.

Discussion ensued regarding staffing levels, hours worked, pricing, evaluation process, bids, metrics, scope of services in the RFP for the purposes of bidding and excluding the maintenance component.

The Board directed CDD Staff to revise the RFP and present it at the next meeting without the maintenance component.

**On MOTION by Mr. Chambers and seconded by Mr. Morton, with all in favor, authorizing CDD Staff to engage with Facility Staff to bring employees in-house and assess the needs and for CDD Staff to report its finding and present a cost summary, was approved.**

The meeting recessed at 8:08 p.m., and reconvened at 8:15 p.m.

**C. Discussion/Consideration: Draft RFP for Amenity Center Management**

This item was presented during Item 5B.

**D. Discussion: Resident Poll Draft Review**

Mr. Rom recalled that an impromptu draft poll was presented for the Board’s review at the last meeting and Staff was directed to coordinate with Mr. Morton in between meetings, make necessary edits and report back. The edits were emailed to the Board earlier today, along with other CDD assessments provided by Ms. Kilinski and Mr. Roberts and with a recap from Ms. Kilinski of what processes the CDD has taken to tackle misnomers.

Discussion ensued regarding changes that must be made to the survey, comparisons to neighboring communities, ELM, posting the survey, the change in maintenance costs in five years, survey responses and the next steps.

**On MOTION by Mr. Chambers and seconded by Ms. Howell, with all in favor, finalizing the resident poll and posting the survey on the CDD website for resident access, was approved.**

**E. Discussion: Wounded Warrior Project**

- **No-Cost Rental Application**

**F. Consideration of the Pick-Up Start Up Plan**

Items E and F were deferred.

**G. Discussion: AmeriGas Pricing Agreement**

Mr. Branch reported the following:

- Due to recent increases in gas prices, Staff researched other options and contacted AmeriGas.
- Staff negotiated a deal of cost plus \$0.75, which amounts to a \$2.35 unit price.

**On MOTION by Mr. Chambers and seconded by Mr. Moton, with all in favor, authorizing Staff to amend the existing AmeriGas Pricing Agreement, was approved.**

**H. Consideration: Vesta Partnership with Teen Organizations to Provide Youth Programming for JCP Members**

This item was deferred.

**SIXTH ORDER OF BUSINESS**

**STAFF REPORTS [approximately 15 minutes]**

**A. Field Operations Manager: *Jeff Branch***

**I. Landscape Maintenance Report: *Brightview Landscape Services, Inc.***

**II. Monthly Report**

**III. CIP**

These items were included for informational purposes.

Mr. Branch presented the Monthly Report included in the agenda.

Discussion ensued about the pickleball court quotes, purchasing a vending machine, the need for an Arborist, the Aquatics complex and parking lot and facilities maintenance costs.

**B. General Manager: *Matthew Roberts***

**I. Monthly Report**

**II. Pickleball Courts (Operational Management Costs and Operational Plan)**

Mr. Roberts presented the Monthly Report.

Discussion ensued regarding whether to approve the church’s rental request, logistical concerns regarding long-term recurring rentals and revising the resident rental policy. Mr. Roberts to add a “Parking Lot Report” to the monthly report.

**On MOTION by Mr. Chambers and seconded by Mr. Doran, with all in favor, authorizing Staff to revise the resident rental policy to allow for two rentals per month and booking no more than three months in advance, was approved.**

Discussion ensued regarding the pickleball challenges and logistics, basketball facilities, tennis courts and the Loggerheads.

**On MOTION by Mr. Chambers and seconded by Mr. Doran, with all in favor, authorizing Mr. Roberts to coordinate with Mr. Morton to e-blast the CDD’s pickleball plans to residents, was approved.**

**C. District Engineer: *England-Thims & Miller, Inc.***

There was no report.

**D. District Counsel: *KE Law Group, PLLC***

There was no report.

**E. District Manager: *Wrathell, Hunt & Associates, LLC***

There was no report.

**SEVENTH ORDER OF BUSINESS**

**CONSENT AGENDA ITEMS [approximately 5 minutes]**

Mr. Rom presented the following Consent Agenda Items:

**A. APPROVAL OF MINUTES**

- **March 22, 2022 Regular Meeting**

**B. ACCEPTANCE OF UNAUDITED FINANCIAL STATEMENTS**

- **As of March 31, 2022**
  - **Check Detail**
  - **Credit Card Activity**

**On MOTION by Mr. Chambers and seconded by Mr. Doran, with all in favor, the Consent Agenda Items, as presented, were approved and accepted.**

**EIGHTH ORDER OF BUSINESS**

**SUPERVISORS' REQUESTS**

Mr. Doran requested hosting a bigger parade in the coming months.

Resident Leigh Starnes asked about lifeguards.

Discussion ensued regarding the family pools, aquatics pool, lifeguards and lazy rivers.

**NINTH ORDER OF BUSINESS**

**NEXT MEETING DATE: May 24, 2022 at 6:00 P.M.**

**o QUORUM CHECK**

The next meeting would be held on May 24, 2022.

**TENTH ORDER OF BUSINESS**

**ADJOURNMENT**

**On MOTION by Mr. Doran and seconded by Ms. Howell, with all in favor, the meeting adjourned at 9:19 p.m.**



---

Secretary/Assistant Secretary



---

Chair/Vice Chair