

MINUTES OF MEETING  
PALM COAST PARK  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Palm Coast Park Community Development District was held Friday, January 15, 2021 at 10:40 a.m. at the Hilton Garden Inn Palm Coast/Town Center, 55 Town Center Blvd., Palm Coast, Florida 32164.

Present and constituting a quorum:

David Root	Chairman
Jeffrey Douglas	Vice Chairman
Garry Parks <i>by phone</i>	Assistant Secretary
Henry Vassa Cate III <i>by phone</i>	Assistant Secretary
Ken Belshe	Assistant Secretary

Also present were:

Bob Koncar	District Manager, Inframark
Michael Chiumento III	District Counsel
Clint Smith	Field Services Manager
George Flint	GMS-CF, LLC

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Root called the meeting to order while Mr. Koncar called the roll. Five Board Members were present at the meeting constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Root noted there were no audience comments.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the Meeting**

**A. November 20, 2020 Meeting**

Mr. Root presented the minutes from the November 20, 2020 Board of Supervisors meeting and asked for any comments or corrections. The Board had none.

On MOTION by Mr. Belshe, seconded by Mr. Douglas, with all in favor, the Minutes of the November 20, 2020 meeting were approved as presented.

**B. December 18, 2020 Meeting**

Mr. Root presented the minutes from the December 18, 2020 Board of Supervisors meeting and asked for any comments or corrections. The Board had none.

On MOTION by Ms. Belshe, seconded by Mr. Douglas, with all in favor, the Minutes of December 18, 2020 meeting were approved as presented.

**FOURTH ORDER OF BUSINESS**

**District Manager’s Report**

**A. Discussion of E-Verified – Memorandum of Understanding (MOU)**

This item was tabled until the next meeting so the Board can have a full understanding of the E-Verify system and it will be presented at the meeting in March.

**FIFTH ORDER OF BUSINESS**

**Public Hearing to Consider Matters Related to Tracts 2 and 3**

**A. Consideration of Resolution 2021-02 Declaring Special Assessment**

Mr. Belshe asked Mr. Root and the rest of the Board to have patience with this matter for a little longer as they don’t have all the issues worked out with all the agencies involved. He then stated that he believes the matters will be resolved by February 19, 2021 and would like to table it until then. Mr. Root stated that they would have to schedule a special meeting to discuss that mater. Mr. Koncar expressed his concern about having to readvertise the meeting and suggests that this meeting be continued to the later date to save money on advertisement. District Counsel indicated that it appeared the public hearing was not properly advertised and therefore the hearing cannot be continued. He would research and the issue and will be addressed at the next Board meeting.

**SIXTH ORDER OF BUSINESS**

**Approval of Agreement with GMS-CF, LLC for Provision of District Management Services**

Mr. Root presented the contract from GMS-CF, LLC and Mr. Chiumento reported that it is a standard form of contract and he had no issues with it. Mr. Flint stated that the scope and the fees are consistent with what is presented in the proposal.

On MOTION by Mr. Root, seconded by Mr. Belshe, with all in favor, the Agreement with GMS-CF, LLC for Provision of District Management Services, was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-03 Electing Certain GMS-CF LLC Employees as Officers of the District and Rescinding Election of Inframark Employees as Officers of the District**

Mr. Root stated that this is standard practice for staff in order to execute things on behalf of the District. Mr. Flint added it is primarily for purposes of being able to administer the bank accounts and conduct the business of the District. It appoints him as the secretary and Ariel Lovera as the treasurer. He also added that it rescinds the appointments of the Inframark employees that are listed in the resolution.

On MOTION by Mr. Belshe, seconded by Mr. Cate, with all in favor, Resolution 2021-03 Electing Certain GMS-CF, LLC Employees of the District and Rescinding Election of Inframark Employees as Officers of the District, was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-04 Directing the District Manager to Open an Operating Account and Designating Account Signers**

Mr. Flint reported that they can do it one of two ways. One way involves changing the signers on the existing operating account and the other is to close the existing operating account and open a new one. To the extent a new operating account needs to be opened, this resolution authorizes the District accountant and himself as the Treasurer to be the signers on the account, which is standard for all of the Districts that they manage.

Mr. Douglas asks that if a new account were to be opened that it be done with one of the local banks as long as they have the qualifications required. Mr. Flint stated that they have to be qualified public depositors.

Mr. Flint then added that if they are just changing over signatory privileges, this resolution is not needed. No action was required.

**NINTH ORDER OF BUSINESS**

**Termination of Inframark as  
Dissemination Agent**

**A. Approval of Agreement with GMS-CF, LLC for the Provision of Dissemination Agent Services**

Mr. Flint stated that for GMS-CF, LLC to serve as Dissemination Agent they have asked Inframark to place these two items on the agenda. The first one would terminate them as the Dissemination Agent while the second is an agreement between the District and GMS-CF, LLC that indicates that GMS-CF, LLC will serve as Dissemination Agent and will comply with the Continuing Disclosure Agreements for the Series 2006 and 2019 bonds. The fee associated with the agreement is \$5,000 which includes both series of bonds and is consistent with what was in the GMS proposal. This cost also meets the CDD’s budget.

Mr. Root asked if this needed to be two separate actions. Mr. Flint answered that it could be done in one motion. Mr. Chiumento added that it is not a statutory resolution, so however the Board would like to move forward is fine.

On MOTION by Mr. Root, seconded by Mr. Belshe, with all in favor, Termination of Inframark as Dissemination Agent and Agreement with GMS-CF, LLC for the provision of Dissemination Agent Services, was approved.

**TENTH ORDER OF BUSINESS**

**Attorney’s Report**

Mr. Chiumento stated he had nothing more to report and the Board had no questions for him.

**ELEVENTH ORDER OF BUSINESS**

**Engineering and Maintenance Report**

**A. Maintenance Activity Report**

Mr. Smith presented a maintenance report. He indicated that there was an issue with the irrigation mainline back in October which he had fixed immediately. Following the problem, they received a bill for over a million gallons which was approximately \$2,000. He reached out to the utility department to see if there was any sort of forgiveness, which they have started the process on.

Another issue that came to light was with the meter and timer switch for the irrigation system that is attached to the amenity center and it should be separate because the CDD does not own or maintain the amenity. He is working through options to fix this problem. Mr. Cate noted that he will take care of that issue and be sure the two are separate.

Mr. Smith then reported that he got a bill that corresponded with the irrigation system from the north entry that is normally approximately \$60. This time it was included with the city's stormwater fee. In his opinion, that should be exempt because it is outside the adopted stormwater service area. This has happened before, and he did not approve that invoice. He is working to fix the problem. He also wants to be sure that residents know they will more than likely be exempt from paying this bill as well. Mr. Cate will be sure to get with the builder to let them know if the issue.

Mr. Smith continued to report that last month he got a request from the developer for a repayment of cost incurred that was prior to the District assuming maintenance. The Board only approved taking over from October 1<sup>st</sup> on and this was before that. The cost was \$34,000 and he will not be approving that. The costs were associated with irrigation, maintenance, and landscaping.

Lastly, he received a notification from the city of another repayment on upsizing the utility connection fee. The payment is approximately \$259,601 and he believes they are from impact fee payments that were made by the houses in Sawmill Creek. He wants to be sure the new manager will be aware of that and also wants to be sure that the Board gave the Chairman authority to sign those. Mr. Root confirmed that that is correct and that he signed a one page acknowledgement that the payment is being made subject to the agreement.

Mr. Root went into detail for Mr. Flint on the details of how they dealt with this issue and where the money goes as it is received from the County. The Board decided that the money will go back into the bond construction fund. Mr. Flint will look into how the funds should be recorded and will seek advice from the auditor.

Mr. Douglas asked what the Board is planning on doing with the money and Mr. Root answered that they are not sure yet. Ultimately, there will be approximately \$2 million back in the construction fund and it can be used for a variety of things as long as it is consistent with the original Engineer's Report.

**B. Ratification of Irrigation Proposal by Yellowstone**

Mr. Smith presented the ratification item to the Board and reported that he had previously signed the proposal. The cost is \$270 to make repairs to the irrigation system.

On MOTION by Mr. Belshe, seconded by Mr. Douglas, with all in favor, the Irrigation Proposal by Yellowstone, was ratified.

**TWELTH ORDER OF BUSINESS**

**Acceptance of December Financial Statements and Approval of the Check Register and Invoices for December 2020**

Mr. Root presented the financial statements to the Board.

On MOTION by Mr. Belshe, seconded by Mr. Douglas, with all in favor, Acceptance of December Financial Statements and Approval of the Check Register and Invoices for December 2020, was approved.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors Requests**

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS**

**Continuation of Meeting to February 19, 2021**

Mr. Root stated that this meeting will have be continued until February 19, 2021 at 10:30 a.m.

On MOTION by Mr. Douglas, seconded by Mr. Belshe, with all in favor, the meeting was continued.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman