

MINUTES OF MEETING
CANOPY
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Canopy Community Development District was held Tuesday, June 7, 2022 at 11:00 a.m. at Dorothy B. Oven Park, 3205 Thomasville Road, Tallahassee, Florida.

Present and constituting a quorum were:

Tom Asbury	Chairman
Gregg Patterson	Vice Chairman
John "Al" Russell	Supervisor
Colleen Castille	Supervisor
David Brady	Supervisor

Also present were:

Darrin Mossing	District Manager
Lauren Gentry	District Counsel
Jim Oliver	GMS
Tracy Bryant	Resident
Henry Bryant Jr.	Resident
Rhony Alston	Resident
Betty Pickard	Resident
Karen Bradley	Resident
Nancy Marciniak	Resident
Gene Nelson	Resident
John Green	Resident
Mark Brown	Resident

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mossing called the meeting to order at 11:00 a.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Marciniak stated I want to reserve my comments until later but in general what the community is concerned with is the amenity center. We are thankful that we have it but there have

June 7, 2022

Canopy CDD

been concerns about reserving areas of the amenity center. We were recently told that someone was hired and there are questions as to who is paying for the activities director. She is able to plan things but we are told we are not able to reserve a pavilion or the part of the gym that is going to be sectioned off as a private room. We are told there will be no parties and this is why we wanted a clubhouse in the first place.

Mr. Asbury asked who has said that?

Ms. Marciniak stated Laura, your new employee. She has told residents that there will be no parties and you will not be able to bring more than four people as your guests as in the handbook that we helped put together, which is not what we were told. Other issues are minor.

Ms. Alston stated I would like to reserve my time as we get into further discussion.

Mr. Bryant stated the same as Ms. Marciniak talked about. It sounded ridiculous to me.

Mr. Nelson stated I have a letter that I want to put into the record. When trees were planted in Canopy recently, I asked Mark Ellingson not to put one in my yard between my driveway and Henry Braggs Driveway. The strip of land is approximately four feet by ten feet, there are two gas lines and two water meters there. It made me extremely nervous and the city had marked no water, gas, or electrical lines ahead of time. The flag to indicate that we were getting a tree went down 15-minutes before planting. Mark told me to take my reluctance up with the city and he planted the tree despite my objections. I was robbed of any time to work with the city with only 15-minutes notice. Subsequently I was told by the city that there is some leeway in where these trees could be planted. Mark told my husband to send Premier an email stating why we do not want the tree, Premier was going to take any objections to the city, if they did, we have heard nothing and we still have the tree. One of the reasons we moved to Canopy was the lack of trees. In March 1994 the storm of the century came through Tallahassee and a black gum tree cut our house in half in Killlearn. Luckily, we were out of town as the tree landed on our 12-year-old son's bed. It would have killed him. We moved to a hotel for weeks and lived in one room with no kitchen, my husband, myself, a 12 and 5-year-old plus our dogs. The tree is not only too big for the spot it is in, but it will also eventually buckle the sidewalk and driveway and be a trip hazard. We had a neighbor seriously injured in our previous neighborhood, Cameron Chase, when the tree planted on the right of way raised the sidewalk unevenly. The tree has caused me much distress, I truly want it removed. Please give it to someone who wants it.

June 7, 2022

Canopy CDD

Mr. Brown stated I will piggyback on the comments about the community center and on the trees. I didn't have a problem with the trees but I did have a problem with the lack of communication. From the day I signed a contract with Premier the communication has been atrocious and when anything changes or happens, we don't seem to get good communication and the way things are communicated is very haphazard. I would like to see that changed. On the community center at least consider that we handle that in the neighborhood. So far, we get commentary on our Facebook page and I feel that our neighborhood, while Facebook can be extremely annoying, as far as the pool area everybody has been very respectful and to my knowledge, responsible and everybody posted what they would like to do and nobody has challenged it, everybody has been agreeable and people have participated. Being told what to do, how to do it in a manner that sounds like it is coming out of malice is very uncomfortable for somebody that pays what we pay to live in that neighborhood. We have had very high expectations for a long time and other than the fact that I love my house and I love the pool, the rest is nowhere near meeting my expectations.

Mr. Asbury stated I hear you and I was unaware that she had said that. I will find out about that, but I don't know the reasons and I will track it down.

Ms. Gentry stated we did include in our policies a limit on the number of guests each person can bring. I don't know what conversations have been had with Laura, but we have a limit on the number of guests that can be brought by one resident to the amenity facilities. That said, we can put into place some procedures for people to get permission to bring more for parties or reserve areas and that sort of thing. That is something we can discuss with the Board today, that way there is no confusion, it is written down and everybody knows exactly what is allowable.

Ms. Marciniak stated we did discuss this originally when we helped you write the amenity handbook. We discussed having the right to reserve and in the amenity handbook we do have in there a disclosure that whatever happens to you it is on your dime. We did mention we would like to have certain areas as a possibility in the future to be added to the amenity handbook. One of my committee members put something together that you could comment or add to it.

Ms. Gentry stated we can talk about that with the Board today if they would like to add those procedures as an additional option.

June 7, 2022

Canopy CDD

A resident stated I lived in a neighborhood in Sarasota that had an area like we are talking about here and we had rules that were posted saying how one would go about reserving things. It only becomes a big deal when you are told you can't do it.

Ms. Alston stated a little over a month ago the committee had a meeting with Jason and because this issue had come to light where so many people in our community were posting on the Facebook page, we would like to have a party here, we are going to have a party here, we are going to do this, we are going to do that. We felt it was the best move for the community to put some kind of plan in place, a plan where you could reserve an area where other people knew that this area was reserved so you don't have three different families coming on Saturday expecting to have a party and everybody there is expecting the same thing. Nancy and I are familiar with properties that have clubhouses where you can make a reservation and rent it for a party for a nominal fee. Piney-Z publishes the rental of their clubhouse facility. We put together what we thought was a comprehensive list of suggestions to move forward and discussed this all with Jason. Not a word have we heard since until Laura told everyone you are not going to be able to do that.

A resident stated my grandson, his wife and two sons moved to Panama City and if they want to go to the pool, who of the five of us has to stay at my house if only four people can go.

Mr. Asbury stated the reason we said four people is so that there is some control over it. I don't think someone is there checking IDs to see if there are more than four people, the idea is that should someone show up with 10 people that you have something to be able to tell them to go. It is a guideline.

Mr. Mossing stated the board has heard the community's concerns and they will be working on that.

Mr. Asbury stated one of the goals to get someone at the facility was so that we would have some management and control and that she would coordinate getting people down there and using it. I hear you and this board hears you and we will figure it out.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 1, 2022 Meeting

On MOTION by Mr. Patterson seconded by Ms. Castille with all in favor the minutes of the March 1, 2022 meeting were approved as presented.

June 7, 2022

Canopy CDD

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2022-05
Approving the Proposed Budget for Fiscal
Year 2023 and Setting a Public Hearing Date
for Adoption**

Mr. Mossing stated Resolution 2022-05 approves the proposed Fiscal Year 2023 budget and sets the public hearing for August 16, 2022. This is just the start of your budget process and we ask the board to take the next 30 days to review that and we will have this item on the July agenda for discussion. This is basically the same budget as Fiscal Year 2022, we just adjusted individual line items based on actual expenditures the District is incurring at this time. We are still receiving some of the invoices the developer is paying directly for the amenity center, getting them transitioned into the District's name. This is at least a 60-day process and the resolution anticipates the public hearing for formal adoption to be August 16, 2022 meeting at 6:00 p.m. at the same location as last year at the amenity center.

Ms. Gentry stated we will update the location of that meeting; it currently reads this location, but it will be at the amenity location.

On MOTION by Ms. Castille seconded by Mr. Patterson with all in favor Resolution 2022-05 approving the proposed fiscal year 2023 budget and setting the public hearing for August 16, 2022 at 6:00 p.m. in the amenity center was approved.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2022-06 Electing
Officers**

Mr. Mossing stated I introduced Jim Oliver, who has been with GMS for 17 years, he manages 15 districts out of the Jacksonville office. He is also District manager for Capital Region CDD, which is SouthWood development and it seemed like a good time to transition Jim into managing the Canopy CDD due to his familiarity with this area. We are asking him to become the treasurer, he signs most of the checks for GMS that come out of that office.

On MOTION by Mr. Asbury seconded by Mr. Brady with all in favor Resolution 2022-06 electing James Oliver as Treasurer was approved.

June 7, 2022

Canopy CDD

SIXTH ORDER OF BUSINESS**Consideration of Resolution 2022-07
Designating Date, Time, and Location of
Landowners' Meeting**

Mr. Mossing stated Resolution 2022-07 designates the date, time, and location of the landowners' meeting. The District's board of supervisors is currently elected by landowners' election, and that is one acre one vote or one platted lot one vote. The developer owns the majority of the property therefore, he has the votes to elect the board of supervisors. Every two years on even years three board members are elected. The next landowners' election is November 2022. If you own property in Canopy you can show up and vote in that election. As the community develops that election process transitions into a general election process. After six years from establishment and 250 registered voters it will convert to a general election process. Later in the agenda you will see there are 272 registered voters currently residing within the District. You have met that threshold to convert to a general election, the next threshold is six years and the district was established in 2017 and six years will be 2023 and the next election would be in 2024, so two of the five board members will be elected in the general election process in 2024. You have to live within the District and be registered to vote in Leon County. The third board member will be elected by the landowners' election process. In 2026 there will be two more board members elected in the general election process. In 2028 it will be all resident controlled.

Ms. Gentry stated a sample ballot and all the documents that explain more about the landowner election process that we will be doing this November are included in the agenda package and posted on the District's website.

Mr. Mossing stated the three board members whose seats are up for election are Gregg Patterson, Al Russell, and David Brady.

<p>On MOTION by Mr. Russell seconded by Mr. Brady with all in favor Resolution 2022-07 designating November 15, 2022 at 11:00 a.m. at the amenity center as the landowners' meeting date, place and time was approved.</p>
--

June 7, 2022

Canopy CDD

SEVENTH ORDER OF BUSINESS**Ratification of Pool Maintenance Agreement**

On MOTION by Mr. Patterson seconded by Mr. Russell with all in favor the pool maintenance agreement with Premier Pools of Tallahassee, LLC in the amount of \$2,300 per month was ratified.

EIGHTH ORDER OF BUSINESS**Ratification of Escrow Agreement Funding for Segment 3B Project**

Mr. Mossing stated segment 3B project is being initially funded by the developer and when it is complete, we will get reimbursed by the City of Tallahassee, Blueprint agency. Ms. Gentry stated this agreement is the same process we used for the first phase of Welaunee Boulevard. It simply spells out how the funds will flow once we receive reimbursement from the City.

On MOTION by Ms. Castille seconded by Mr. Brady with all in favor the escrow agreement funding for segment 3B project with Ox Bottom Mortgage Holdings, LLC was ratified.

NINTH ORDER OF BUSINESS**Consideration of Work Authorization No. 10 Annual Public Facilities Report Proposal**

Mr. Mossing stated work authorization no. 10 is for the proposal for the annual public facilities report. There is a requirement in the series 2018 bonds for the annual engineer's report, which is what this work authorization covers.

On MOTION by Mr. Patterson seconded by Ms. Castille with all in favor work authorization no. 10 to prepare the annual public facilities report for the lump sum fee of \$6,000 was approved.

TENTH ORDER OF BUSINESS**Ratification of Agreement with Leon County Tax Collector**

Mr. Mossing stated as part of the budget process we levy a non-ad valorem assessment and that assessment gets certified to the Leon County tax collector to be placed on the November 1 property tax bill and this agreement covers that service.

On MOTION by Mr. Asbury seconded by Mr. Russell with all in favor the agreement with Leon County tax collector was ratified.

June 7, 2022

Canopy CDD

ELEVENTH ORDER OF BUSINESS

Ratification of Change Order No. 1 to the Welaunee Boulevard Segment 3B Contract with Sandco, LLC for \$195,170.02 Representing Direct Purchase of Materials

Mr. Mossing stated the district has previously approved a contract with Sandco, LLC and in order to save 7% sales tax the district has opted to enter into a direct purchase arrangement with Consolidated Pipe and the \$195,170.02 will be deducted from the Sandco contract and Consolidated Pipe will be paid directly from the district.

On MOTION by Ms. Castille seconded by Mr. Brady with all in favor change order no. 1 to the Welaunee Boulevard segment 3B contract was ratified.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry stated if desired I can walk the board through options on making changes to amenity policies. The Board agreed.

Ms. Gentry stated the policies we adopted last year did not provide any procedures for reserving amenity space or renting amenity space for events. Part of the rationale behind that was that you do need someone who is present to manage that process and coordinate everything and at that point we did not have that person. Now it sounds like we do, and we are hearing feedback from the residents that there is a desire to have a procedure in place to have events where you can bring more guests than you would normally be entitled to. You need to manage that process so the pool is not overcrowded and to prevent conflicts. It is a balance between allowing residents to host events and bring guests, and making sure the amenities are still reasonably available for day-to-day use by other residents.

At many of my districts you can reserve amenity spaces; it is not uncommon. The Board will have to say what spaces you want available for rental, and we would have a short agreement with the person hosting it, who signs off that they will be responsible if anything happens. You can choose to charge a fee or require a deposit, but we do need to go through the rulemaking procedure and we can start those at your next meeting and have them adopted by August.

Mr. Asbury asked can you help us with what other districts have done so that we can learn from them?

June 7, 2022

Canopy CDD

Mr. Oliver stated it is just a matter of finding that sweet spot and there is no one right answer. You don't want anything too wide open and nothing too restrictive.

Mr. Asbury stated you and I can talk about that and put something out to the Board so we can discuss it?

Mr. Mossing stated Jim has a tremendous amount of experience in that area and he will be very helpful in getting the board and community where they want to be.

Ms. Gentry stated what I'm hearing from the Board is that at the next meeting we will review some sample policies that will allow for rentals in different areas and Tom will work with Jim and put together a recommendation.

B. Engineer

Mr. Mossing stated the engineer is going to have to submit the stormwater analysis report that is required by the end of this month.

C. Manager

i. Approval of Check Register Summary Summaries

- a. February 2022**
- b. March 2022**
- c. April 2022**

On MOTION by Mr. Patterson seconded by Mr. Brady with all in favor the check run summaries were approved.

ii. Balance Sheet and Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

iii. Special Assessment Receipts Schedule

A copy of the special assessment receipts schedule was included in the agenda package.

iv. Number of Registered Voters in the District - 272

A copy of the letter from the supervisor of elections indicating there are 272 registered voters residing within the district was included in the agenda package.

June 7, 2022

Canopy CDD

v. Next Meeting Date

The next meeting will be July 12, 2022 at 6:00 p.m. in the amenity center and the public hearing will be August 16th at 6:00 p.m. in the amenity center.

THIRTEENTH ORDER OF BUSINESS Other Business

A resident asked who is responsible for spraying the ponds for bugs and mosquitos, algae?
Mr. Asbury stated the big pond is owned by the city and they should be taking care of them. The ones owned by the district is a district responsibility.

A resident stated a number of residents have reported the amenity center building is not being kept clean.

FOURTEENTH ORDER OF BUSINESS Supervisors Requests

There being none, the next item followed.

FIFTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Patterson seconded by Mr. Asbury with all in favor the meeting adjourned at 12:13 p.m.

DocuSigned by:
Jim Oliver
D1BA5E5E7410418

Secretary/Assistant Secretary

DocuSigned by:
[Signature]
9FCFBE9D0DEC43B...

Chairman/Vice Chairman