

**MINUTES OF MEETING
RYALS CREEK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Ryals Creek Community Development District held Public Hearings and a Regular Meeting on July 11, 2023 at 9:30 a.m., at the office of England-Thims & Miller, Inc., located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258.

Present were:

A. Chester (Chip) Skinner, III	Chair
J. Malcom Jones	Vice Chair
Clayton (Riley) Skinner	Assistant Secretary
Chris Eyrick (via telephone)	Assistant Secretary
Davis Skinner	Assistant Secretary

Also present, were:

Ernesto Torres	District Manager
Katie Buchanan (via telephone)	District Counsel
Jason Crews	Project Engineer
Jason Hall	District Engineer
Alex Jacobs	England-Thims & Miller, Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 9:30 a.m.

Supervisors Jones, Riley Skinner, Chip Skinner and Davis Skinner were present. Supervisor Eyrick attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

- B. Consideration of Resolution 2023-03, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning Octobre 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Torres presented Resolution 2023-03. He reviewed the changes to the proposed Fiscal Year 2024 budget that were discussed at the last meeting. Mr. Chip Skinner stated that changes are mostly because certain areas will be conveyed to the CDD in Fiscal Year 2024.

On MOTION by Mr. Riley Skinner and seconded by Mr. Jones, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Davis Skinner and seconded by Mr. Riley Skinner, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Jones and seconded by Mr. Davis Skinner, with all in favor, Resolution 2023-03, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning Octobre 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**

These items were included for informational purposes.

- C. **Consideration of Resolution 2023-04, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

A Board Member asked if the Special Assessments are for just the Operations and Maintenance assessments of the CDD and do not include bond Debt Service assessments. Mr. Chip Skinner replied affirmatively; it is for O&M and Professional & administrative costs.

On MOTION by Mr. Davis Skinner and seconded by Mr. Riley Skinner, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Chip Skinner and seconded by Mr. Jones, with all in favor, the Public Hearing was closed.

Regarding Resolution 2023-04, Ms. Buchanan asked if the Collection Schedule for direct billing is convenient for the Developer. Mr. Chip Skinner replied affirmatively.

On MOTION by Mr. Jones and seconded by Mr. Riley Skinner, with all in favor, Resolution 2023-04, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Agreement Regarding the Direct Collection for Special Assessments for Fiscal Year 2023-2024

Ms. Buchanan presented the revised Agreement Regarding the Direct Collection of Special Assessments for Fiscal Year 2023-2024, which differs from the version in the agenda. This Agreement governs the CDD's collection of off-roll assessments and ability to enforce any non-payment via the two methods provided for by Florida Statute. This Agreement is being re-introduced in all her CDDs due to the current real estate market conditions, to avoid potential litigation for any unstable projects that might end in default. She recommends having an Agreement in place with any direct collected landowner that has a large number of assessments.

On MOTION by Mr. Chip Skinner and seconded by Mr. Riley Skinner, with all in favor, the Agreement Regarding the Direct Collection for Special Assessments for Fiscal Year 2023-2024, with Sawmill Timber, LLC, in substantial form, subject to Mr. Torres receiving a copy of the final executed Agreement, was approved.

- **Consideration of Boggy Branch CDD Request to Transfer Maintenance Responsibility for Landscaping and irrigation Installed on Generation Avenue**

This Item, previously the Ninth Order of Business, was presented out of order.

Mr. Chip Skinner presented the June 12, 2023 Boggy Branch CDD letter requesting transfer of the landscape and irrigation maintenance responsibilities on Generation Avenue from the Boggy Branch CDD to the Ryals Creek CDD, since the property is located within the Ryals Creek CDD's boundaries. He noted the cost of the road was split 50/50 with the CDD and ICI Homes, who also installed the landscape in certain areas because of the traffic being directed to their Sales Center.

Mr. Chip Skinner discussed conversations with Mr. Weekely, Ms. Buchanan and Mr. Crews, the landscape proposal behind the Eleventh Order of Business that excludes irrigation, suggested terms to present to Boggy Branch CDD for transfer to commence October 1, 2023, outlining the areas of maintenance responsibilities between both CDDs and the Boggy Branch CDD incurring costs to separate the irrigation system.

Discussion ensued regarding confirming if the C.S.S. Landscaping proposal covers the entire road and, if so, the need to break the costs down between the CDDs, on a monthly basis. Other discussions included the suggestion for the CDD to take on the landscape responsibilities since a Shared Cost Agreement already exists and funding the additional expense utilizing funds allotted to the Fiscal Year 2024 "Maintenance & repairs" budget line item, if available at year end.

Ms. Buchanan suggested resolving the other issues, such as adding Pond D to the Shared Facilities Exhibit so that it is subject to the Interlocal Agreement, which was discussed at the last meeting. Mr. Chip Skinner asked Staff to prepare the appropriate documents prior to October, when the property will be conveyed to the CDD.

Asked if proposals from C.S.S. Landscaping to maintain Stillwood, Phase 2, Buckfield Circle and Pond D, etc., were obtained, Mr. Crews replied no. Staff will need to include this in the appropriate documents. It was noted an estimate for Buckfield Circle was obtained.

This item was deferred to September.

- **Consideration of Seven Pines Entry Monument**

This item, previously the Tenth Order Business, was presented out of order.

Mr. Chip Skinner distributed and presented the Construction Specialties of North Florida (CSNF) Estimate #36264, which is a rebid on the monument sign based on the revised plans. CSNF was the lowest bidder on the initial bid package, which was to provide two monument signs and one in the middle. He discussed his conversation with the vendor about the increase in cost and recommended for approval.

On MOTION by Mr. Riley Skinner and seconded by Mr. Jones, with all in favor, Construction Specialties of North Florida Estimate #36264, for the Seven Pines Entry Monument, based on the revised plans dated June 21, 2023, in a not-to-exceed amount of \$159,379, was approved.

- **Consideration of C.S.S. Landscaping, Inc., Sevens Pines Phase 1A & 1B Maintenance Addendum #4**

This item, previously the Eleventh Order Business, was presented out of order.

This item was deferred to September.

SIXTH ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2022, Prepared by Berger, Toombs, Elam, Gaines & Frank

Mr. Torres presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2022 and noted the pertinent information. There were no findings, recommendations, deficiencies in internal control or instances of noncompliance; it was a clean report.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022

<p>On MOTION by Mr. Eyrick and seconded by Mr. Jones, with all in favor, Resolution 2023-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022, was adopted.</p>
--

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District and Providing for an Effective Date

This item was deferred.

NINTH ORDER OF BUSINESS

Consideration of Boggy Branch CDD Request to Transfer Maintenance Responsibility for Landscaping and irrigation Installed on Generation Avenue

This item was presented following the Fifth Order of Business.

TENTH ORDER OF BUSINESS

Consideration of Seven Pines Entry Monument

This item was presented following the Fifth Order of Business.

ELEVENTH ORDER OF BUSINESS

Consideration of C.S.S. Landscaping, Inc., Sevens Pines Phase 1A & 1B Maintenance Addendum #4

This item was deferred.

TWELFTH ORDER OF BUSINESS

Consideration of Fiscal Year 2024 Deficit Funding Agreement

This Item was discussed during Item 16A.

THIRTEENTH ORDER OF BUSINESS

Update: Construction Account Activity

The Construction Account Activity related to the Boggy Branch Interlocal Agreement was included for informational purposes.

Mr. Chip Skinner stated that the latest Vallencourt requisition indicates the project is 92.26% completed. Mr. Crews stated that the remaining 8% consists of Vallencourt completing signing and the final pavement markings, the final testing and punch list items. They advised that this excluded billing for the Phase 1B watering on the hydro meter and requested a final landscape walkthrough with the team. Mr. Chip Skinnner voiced his opinion that, from the photographs he received, a lot of work still needs to be completed before turnover.

Discussion ensued about coordinating inspections with Vallencourt and C.S.S. Landscaping, Vallencourt pushing JEA Electric to complete its project before accepting conveyance and deeming the project complete and if the transformer for Phase 1B arrived.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2023

On MOTION by Mr. Jones and seconded by Mr. Riley Skinner, with all in favor, the Unaudited Financial Statements as of May 31, 2023, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of May 2, 2023 Regular Meeting Minutes

On MOTION by Mr. Chip Skinner and seconded by Mr. Davis Skinner, with all in favor, the May 2, 2023 Regular Meeting Minutes, as presented, were approved.

A Board Member reported that he still has not received his Supervisor stipend. Mr. Torres stated that he will contact the Accounting Department.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

There was no report.

Discussion ensued regarding August and September meetings. Staff was directed to cancel the August meeting.

Ms. Buchanan presented the Fiscal Year 2024 Deficit Funding Agreement behind the Twelfth Order of Business. Consideration was deferred.

B. District Engineer: England-Thims & Miller, Inc.

Mr. Hall stated that he is preparing the bid package to advertise and hopes to present the responses at the September meeting. Ms. Buchanan stated she will need to prepare a Construction Funding Agreement with the Landowner, due to the CDD’s current financial status.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **__ Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: August 1, 2023 at 9:30 a.m.**
 - **QUORUM CHECK**

The August 1, 2023 meeting was cancelled. All Supervisors confirmed their attendance at the September 5, 2023 meeting.

SEVENTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Chip Skinner recalled that ETM's contract extends the CEI for six months from November and asked if the bill he received is final. Mr. Hall replied affirmatively and stated that any additional work from ETM will be based on the retainer.

EIGHTEENTH ORDER OF BUSINESS

Public Comments

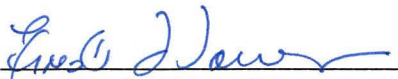
No members of the public spoke.

NINETEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Jones and seconded by Mr. Davis Skinner, with all in favor, the meeting adjourned at 10:27 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair