

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

The Board of Supervisors of the Ryals Creek Community Development District held a Regular Meeting on January 14, 2025 at 9:30 a.m., at the office of England-Thims & Miller, Inc., located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258.

Present:

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

Also present:

Ernesto Torres	District Manager
Katie Buchanan (via telephone)	District Counsel
Jonathan Johnson (via telephone)	Kutak Rock, LLP
Jason Hall	District Engineer
Jason Crews	England-Thims & Miller, Inc.
Jason Ellis	England-Thims & Miller, Inc.
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 Chip Skinner, Riley Skinner and Jones were present. Supervisor Davis Skinner was not present at roll call. Supervisor Eyrick was not present.

SECOND ORDER OF BUSINESS

Public Comments (3 Minutes Per Speaker)

No members of the public spoke.

Mr. Torres distributed an updated agenda and asked attendees to disregard the version in the agenda books.

THIRD ORDER OF BUSINESS

Update: Construction Account Activity

This item was presented following the Fifth Order of Business.

FOURTH ORDER OF BUSINESS

Consideration of Agreements with
National Stormwater Trust, Inc.

Ms. Buchanan stated the St. Johns River Water Management District (SJRWMD) incorporated additional requirements as part of the CDD's permit. She presented the following Agreements that provide for the required equipment installation and monitoring with the National Stormwater Trust, Inc. (NST):

A. Agreement for Smart Pond Maintenance and Monitoring Services

Ms. Buchanan stated that the Maintenance and Monitoring Services Agreement offers a secure pricing system with a cost of approximately \$11,000 per year, on a monthly basis, with a provision for extra costs in a not-to-exceed amount of \$10,000, should those be warranted. Because this is a permit requirement and, based on conversations with ETM and the Chair, her firm recommends the Agreement be locked in for a long-term basis. The Agreement provides for the initial five-year term and three renewals, for a total term of twenty years. Understanding that the NST might be cautious about entering into a long-term agreement, price increases are provided for at each renewal, in a not-to-exceed amount of 10%.

Mr. Chip Skinner noted that the NST is currently the only contractor authorized to service this system; for this reason, it was thought that extending the contract and providing a reasonable escalator would be beneficial.

Ms. Buchanan stated that the Agreement provides for termination, with notice, for both parties. She suggested considering a longer term than the typical 30 to 60-day cancellation notice period. Section 33 states that the NST accepts responsibility for the additional costs associated with design and construction of the backup system, which provides additional capacity, as contemplated in and required by the permit, should the system fail to produce conditions that satisfy the permit. It was noted that the NST obtained approval from water management districts throughout Florida and is working with the DOT, the State and other large master-planned communities. Implementation was approved with the CDD and the City of Jacksonville for the permit modifications for installation of the equipment.

Mr. Chip Skinner noted that the NST has not yet seen the contract; upon receiving Board approval and authorization, he will negotiate the contract with the NST.

B. Agreement for the Purchase and Installation of Smart Pond Equipment

Ms. Buchanan presented the Agreement. The Maintenance and Monitoring Agreement will not accrue costs to the CDD until the equipment is installed and operational. The NST was

asked to break out construction costs from additional consulting and engineering costs to lower the \$212,632 costs to below the bid threshold that requires a Performance and Payment bond. It has a two-year equipment warranty, standard insurance provisions and indemnification.

Discussion ensued regarding the increased costs since the first quote of \$150,000.

The form of the Agreement will be approved and the team will negotiate the price.

Reductions and adjustments in pond acreage and placement of ponds were discussed.

Mr. Davis Skinner arrived at the meeting during the Fourth Order of Business.

On MOTION by Mr. Davis Skinner and seconded by Mr. Jones, with all in favor, the Smart Pond Maintenance and Monitoring Services and the Purchase and Installation of Smart Pond Equipment Agreements, both in substantial form, and authorizing the Chair to execute, once finalized, were approved.

FIFTH ORDER OF BUSINESS

Acceptance of Transfer of Sawmill Timber, LLC Properties Into the CDD

- **Consideration of Sawmill Timber, LLC Peak Hour Trips Purchase Agreement**

Ms. Buchanan presented the Agreement, which is unchanged since approved at the last meeting. This conveys to Sawmill Timber LLC about \$8.8 million in peak hour trips. The CDD will convey over 2,137 peak hour trips in exchange for \$8,778,796. The closing will likely occur today or tomorrow; funds will offset construction costs of the 2A and 2B Project.

On MOTION by Mr. Chip Skinner and seconded by Mr. Riley Skinner, with all in favor, transfer of Sawmill Timber, LLC Properties into the CDD, the Sawmill Timber, LLC Peak Hour Trips Purchase Agreement Between the CDD and Sawmill Timber, LLC, and conveyance of 2,137 peak hour trips in exchange for \$8,778,796, were approved.

Ms. Buchanan will send the Deed for Mr. Eyrick's signature to effectuate the transfer.

Regarding accounting for the acres, it was noted that assessments were based on developable acres and that the road going through the Village Center right-of-way (ROW) will be deducted from the developable acres, so an adjustment will be made accordingly.

Discussion ensued regarding updating the map to identify all developable acreages and account for adjustments to pond acreages.

Mr. Torres will find out when information must be submitted for the tax roll.

- **Update: Construction Account Activity**

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

It was noted that all but one of Vallencourt's most recent bills were paid; the one is pending deposit of additional funds into the Construction Account. Vallencourt Requisition 1023, totaling over \$2.2 million, was paid except for \$34,558.27 of the total. Mr. Chip Skinner stated the other funds awaiting processing were approved and will be paid upon receipt of the funds from Sawmill Timber. He noted that the CDD direct-purchased a lot of materials.

Discussion ensued regarding processing Change Orders, deductive Change Orders that are needed and the need for prompt processing.

Mr. Chip Skinner asked for the Change Orders spreadsheet to be submitted by January 25, 2025.

SIXTH ORDER OF BUSINESS**Ratification of ETM, Inc. Design Contract
for Buckfield Circle [Seven Pines – Village
Center Internal Road]**

Mr. Crews recalled that a contract was previously executed for design of the Buckfield Circle extension, connecting around to Stillwood Pines to create a loop. The continuation of the same typical section will include two lanes with parallel on-street parking on each side of the road. The road will be owned and maintained by the City; it was platted. The CDD is responsible for maintaining the on-street parking and landscape. Design and permitting processes are underway and running in conjunction with the Village Center Project work.

It was noted that a copy of the ETM, Inc. (ETM) Design Contract for Buckfield Circle to be ratified was emailed but is not included in the agenda.

Mr. Crews presented ETM Proposal No. 19-115-14-04, for Seven Pines – Village Center Internal Road.

Mr. Chip Skinner noted that the work related to ratification of the ETM Design Contract for Buckfield Circle has begun. The internal road contract is a new contract for which approval is sought today. He and Mr. Crews reviewed the scope of work and he is comfortable with the scope, in the amount of \$185,000, for design of the north-south road and mass grading plan for the rest of the property.

Discussion ensued regarding the scope of work, timing of development and replanting.

Mr. Chip Skinner noted that the scope of work will be similar to Parcel 5.

It was noted that not much money will come from timbering. When that project moves to construction, the CDD bidding process will be followed, as the CDD will build the internal road. Bid alternates will be sought for mass grading for the two pads that will be a Sawmill reimbursement or expense. The goal would be to store excess materials to be utilized.

On MOTION by Mr. Davis Skinner and seconded by Mr. Jones, with all in favor, ETM Inc. Proposal No. 19-115-12-02 for the Design Contract for Buckfield Circle, was ratified.

SEVENTH ORDER OF BUSINESS**Discussion: Contract for N/S CDD Road
West of Regency Property**

Mr. Crews discussed ETM Proposal No. 19-115-14-04 for the Seven Pines-Village Center Internal Road, which was discussed during the Sixth Order of Business. It was noted that on-street parallel parking will be provided; water, sewer, stormwater and reuse water will be included in this road that will be set up for master planning of the other parcels as well.

Mr. Chip Skinner noted that Regency is building the piece to the north.

For purposes of future land sales, it was noted that, if it happens as it is contracted, Regency will begin building its project and at the same time the CDD is clearing land, mass grading and filling, so that, if additional property is sold, it will be sold pad-ready, with utilities stubbed. Utilities will not have the stub off the roundabout.

The updated Engineering plan, costs, commercial parcels, etc., were discussed.

On MOTION by Mr. Chip Skinner and seconded by Mr. Davis Skinner, with all in favor, ETM Proposal No. 19-115-14-04 for the Seven Pines-Village Center Internal Road, in the amount of \$185,000, was approved.

- **Discussion: Carter Environmental Services Proposal: Seven Pines-5.24605 Planting, Monitoring and Maintenance Proposal**

This item was an addition to the agenda.

Mr. Chip Skinner distributed and presented the Proposal and noted the following:

- Due to the permit for the road, mitigation is required to satisfy the mitigation requirements for the SJRWMD permit conditions. Planting will be required when the Cabin pond is drained, and in another small area south of the Cabin field.

- Plantings must be monitored for five years and a Monitoring Report must be created.

Mr. Chip Skinner stated the contract is for the minimal amount of planting required to satisfy the permit, so plantings might need to be supplemented to make it more attractive.

On MOTION by Mr. Jones and seconded by Mr. Davis Skinner, with all in favor, Carter Environmental Services Proposal for Seven Pines-5.24605 Planting, Monitoring and Maintenance, in the amount of \$40,2254, was approved

Mr. Chip Skinner stated this cost will be incurred in Fiscal Year 2025.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2024

On MOTION by Mr. Jones and seconded by Mr. Davis Skinner, with all in favor, the Unaudited Financial Statements as of November 30, 2024, were accepted.

NINTH ORDER OF BUSINESS

Approval of Minutes

- A. November 5, 2024 Landowners' Meeting**
- B. November 12, 2024 Regular Meeting**

On MOTION by Mr. Jones and seconded by Mr. Chip Skinner with all in favor, the November 5, 2024 Landowners' Meeting Minutes and the November 12, 2024 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Kutak Rock, LLP**

There was no report.

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

ETM representatives reported the following:

- Buckfield and the internal road are in the design phase.
- Mr. Jason Allens was brought in to speak to construction progress.
- The schedule is going well. Both of the extremely large wet wells for the lift stations were installed and built out about halfway.
- Force main and sanitary sewer are being installed. A lot of fill operation is ongoing.

- The box culvert extensions were installed.

Discussion ensued regarding construction, stockpiles, settling unsuitables, trenching, scanning, recordkeeping and Vallencourt's contingency number. It was noted that none of the contingency numbers have been used.

Mr. Crews estimated that the project is 25 to 30-days behind, due to rain in September. Vallencourt will try to make up the time; the lost and cleanup days were confirmed and, while days can be made up during dry seasons over two years, being completely caught up is unlikely.

Discussion ensued regarding installation of sleeves. The consensus was to advertise and bid irrigation and landscaping work. Entry monuments were discussed.

Mr. Chip Skinner asked if Vallencourt should submit a Change Order to install the sleeves. It was noted that the contract includes Bid Alternates based on sizes and linear footage. Total quantities were not known at bid time; Staff can work from there.

Discussion ensued regarding potential sleeving issues, potential benefit of selecting a landscaper in advance of sleeve installation and timing issues. It was suggested that a locate ball be installed on each end of the sleeve so it can be found with a wand. Vallencourt will be asked when the sleeves will be installed to determine when the landscaper can be approved.

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

- **NEXT MEETING DATE: February 11, 2025 at 9:30 AM**
 - **QUORUM CHECK**

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

It was noted that the City confirmed that no pervious parking is required for the project. The confirmation email will be sent to Mr. Chip Skinner and submitted with every PUD review.

TWELFTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Chip Skinner and seconded by Mr. Jones, with all in favor, the meeting adjourned at 10:41 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair