

**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 August 2, 2022 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
Clayton (Riley) Skinner	Assistant Secretary
Chris Eyrick	Assistant Secretary

**Also present, were:**

Ernesto Torres	District Manager
Katie Buchanan (via telephone)	District Counsel
Jason Crews	Project Engineer
Jason Hall	District Engineer
Jason Ellins	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Torres called the meeting to order at 9:34 a.m. Supervisors Chip Skinner, Riley Skinner and Chris Eyrick were present. Supervisors Jones and Davis Skinner were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Ratification of C.S.S. Landscaping, Inc.,  
Service Proposal for Seven Pines Phase 1A  
and 1B Maintenance**

Mr. Torres presented the executed C.S.S. Landscaping, Inc., (CSS) Service Proposal and Landscape Maintenance Agreement for Seven Pines Phases 1A and 1B. It was noted that, due

to supply chain delays, the project will not be completed until the end of August, not by August 1, 2022, as expected.

Discussion ensued regarding rescheduling the walkthrough scheduled for tomorrow to August 31, 2022, approving the proposal and allowing time to complete punch list items before choosing a new effective date for the Maintenance Agreement.

Mr. Crews was asked to send a letter to CSS listing tentative walkthrough and service dates. The Maintenance Service Agreement reflecting the new September 1, 2022 effective date will be presented at the next meeting.

**On MOTION by Mr. Eyrick and seconded by Mr. Riley Skinner, with all in favor, the C.S.S. Landscaping, Inc., Service Proposal for Seven Pines Phases 1A and 1B Maintenance, in a non-to-exceed amount of \$54,000, was ratified.**

**FOURTH ORDER OF BUSINESS**

**Ratification of Skinner Bros. Realty Company Field Operations Management Agreement [Phase 1A & 1B of Stillwood Pines Blvd.]**

Ms. Buchanan referred to the language in Section 5.01 regarding Indemnification of the Property Manager and pointed out the CDD’s insurance company will not cover this clause so, as a result, the CDD would pay for legal expenses for any claims connected to this Agreement out of the Operations and Maintenance (O&M) budget.

Discussion ensued regarding the CDD’s sovereign immunity status, risks, retaining the language and potential lawsuits scenarios.

When asked if she would leave the language in the Agreement, Ms. Buchanan stated, as District Counsel, no because there is no advantage to the CDD in having it in the Agreement. Given the minimal cost for services, if this is the cost for doing business, then that is something the Board could evaluate. Ms. Buchanan provided additional language to consider that would address some of the issues. The Board agreed with District Counsel drafting language to include in the Agreement.

**On MOTION by Mr. Eyrick and seconded by Mr. Chip Skinner, with all in favor, the Field Operations Management Agreement between Ryals Creek CDD and Skinner Bros. Realty Company to serve a Property Manager of Phases 1A & 1B of Stillwood Pines Blvd., in substantial form and subject to incorporating the changes discussed and final approval by the Chair, was ratified.**

**FIFTH ORDER OF BUSINESS**

**Ratification of Notice of Request for Proposals for Construction Services TMA Road Phase 2A, 2B and 2C**

Mr. Hall noted that all parties were notified of extending the bid submittal due date to August 29, 2022. The bid results will be presented at the next meeting.

Ms. Buchanan asked and Mr. Torres and Mr. Hall confirmed that the same evaluation criteria was used for this Request for Proposals (RFP) as was used in other RFPs and that the RFP included the minimum qualifications for the project.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Eyrick, with all in favor, the Notice of Request for Proposals for Construction Services for TMA Road Phase 2A, 2B and 2C, was ratified.**

**SIXTH ORDER OF BUSINESS**

**Ratification of Basham & Lucas Design Group, Inc., Proposal for Seven Pines Sign Monuments Design & Construction Documents**

Mr. Torres presented the Basham & Lucas Design Group, Inc., proposal.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Eyrick, with all in favor, the Basham & Lucas Design Group, Inc., Proposal for Seven Pines Sign Monuments Design & Construction Documents, was ratified.**

**SEVENTH ORDER OF BUSINESS**

**Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021, Prepared by Berger, Toombs, Elam, Gaines & Frank**

Mr. Torres presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021 and noted the pertinent information. There were no recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-10, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021**

Mr. Torres presented Resolution 2022-10.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Eyrick, with all in favor, Resolution 2022-10, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.**

**NINTH ORDER OF BUSINESS**

**Ratification of Rogers Towers, P.A. Lobbyist Agreement**

Mr. Chip Skinner stated that T.R. Hainline, Jr., of Rogers Towers, P.A., was engaged as the local representative to assist Ms. Buchanan with the CDD boundary amendment lobbying process. Ms. Buchanan stated that, due to the process involved, engaging Mr. Hainline is more efficient for this case. It was noted that the Village Center and Parcel 1 were excluded from the original CDD boundary and the parcels for Boggy Branch CDD (BBCDD) and Ryals Creek CDD (RCCDD) were defined.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Eyrick, with all in favor, the Rogers Towers, P.A. Lobbyist Agreement to assist with lobbying on the CDD boundary amendment, was ratified.**

**TENTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2022/2023 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-11, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

**On MOTION by Mr. Eyrick and seconded by Mr. Chip Skinner, with all in favor, the Public Hearing was opened.**

The Board reviewed the proposed Fiscal Year 2023 O&M assessment levels, a recent change to the proposed Fiscal Year 2023 budget and the Mailed Notice process. Ms. Buchanan stated that the Mailed Notice is only sent if assessment levels increase; they will need to be mailed once the land uses for Phases 5 through 8 changes.

Mr. Chip Skinner stated that the budget should be revised as the "Landscape-Pond mowing" line item of \$78,300 was included in the CSS proposal that was ratified earlier. He was concerned about a published budget, as the Developers want to know the amount for the CDD assessments. Ms. Buchanan stated that, once finalized, the Fiscal Year 2023 budget will be an exhibit to the Resolution. She discussed the Assessment Resolution, closing documents and the ability to pro-rate O&M costs.

No members of the public spoke.

Mr. Torres responded to questions and reviewed the changes incorporated into the proposed Fiscal Year 2023 budget. Ms. Buchanan discussed the need to build three months working capital, as this is the CDD's first year implementing on-roll assessments. Mr. Hall stated he will prepare an itemized capital reserves list.

Mr. Torres stated that he will email the revised final Fiscal Year 2023 budget to the Board and Staff.

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

Mr. Riley Skinner referred to Nocatee CDD’s O&M assessments and voiced his opinion that, rather than reducing revenues, they should instead establish funds for capital reserves. In response to a question about the ability to reimburse the Landowner, in the event of expending costs for a catastrophic incident due to deficient funding, Ms. Buchanan stated that it is possible via entering into a Funding Agreement with the Landowner but it might necessitate noticing the activity.

A Board Member noted that the Methodology was on a per acre basis and asked about the process for changing the Methodology and determining allocation. Ms. Buchanan gave an overview of the process, which is similar to when the original Methodology was created.

Discussion ensued regarding possibly readdressing the Methodology as certain areas come online; however, it is not necessary because the bulk of the budget is tied to density and usage.

Mr. Torres was directed to add a new “repair and maintenance” budget line item and funds, along with the other changes discussed.

**Mr. Riley Skinner left the meeting at 10:32 a.m. and returned at 10:34 a.m.**

Mr. Torres presented Resolution 2022-11.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Eyrick, with all in favor, Resolution 2022-11, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**ELEVENTH 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 2022/2023, 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 2022-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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**

Ms. Buchanan asked the Board to review the off-roll Collection Schedule highlighted in Section 3B of the Resolution.

Mr. Torres presented Resolution 2022-12.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Eyrick, with all in favor, Resolution 2022-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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.**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-13, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District and Providing for an Effective Date**

Mr. Torres presented Resolution 2022-13.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Eyrick, with all in favor, Resolution 2022-13, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District and Providing for an Effective Date, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Ratification of Sun State Nursery & Landscaping, Inc., Revised Change Order #7**

Mr. Torres presented Sun State Nursery & Landscaping Inc., revised Change Order #7.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Chip Skinner, with all in favor, Sun State Nursery & Landscaping, Inc., Revised Change Order #7, to change Bermuda sod to Zoysia, at Stillwood Pines, in a not-to-exceed amount of \$51,841.46, was ratified.**

**FOURTEENTH ORDER OF BUSINESS**

**Ratification of Stormwater Management Needs Analysis**

Mr. Torres stated that the Stormwater Management Needs Analysis Report was submitted to the County by the June 30, 2022 due date.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Eyrick, with all in favor, the 20-Year Stormwater Management Needs Analysis Report, was ratified.**

**FIFTEENTH ORDER OF BUSINESS**

**Update: Construction Account Activity**

The sod change order and Pond #2 changes and current condition, were discussed.

**SIXTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2022**

Mr. Torres presented the Unaudited Financial Statements as of June 30, 2022.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Riley Skinner, with all in favor, the Unaudited Financial Statements as of June 30, 2022, were accepted.**

**SEVENTEENTH ORDER OF BUSINESS**

**Approval of May 3, 2022 Regular Meeting Minutes**

Mr. Torres presented the May 3, 2022 Regular Meeting Minutes.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Eyrick, with all in favor, the May 3, 2022 Regular Meeting Minutes, as presented, were approved.**



**EIGHTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

Ms. Buchanan reminded everyone to make sure the BBCDD received notice of the required contribution for the Fiscal Year 2023 budget. She is responding to the City’s comments on the updated Boundary Amendment to be sent this week.

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

There was no report

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

**I. 0 Registered Voters in District as of April 15, 2022**

**II. NEXT MEETING DATE: September 6, 2022 at 9:30 a.m.**

- **QUORUM CHECK**

The next meeting would be held on September 6, 2022.

**NINETEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

Mr. Chip Skinner asked about the Phase 1B project. It was noted some items will be completed after the September date; it will not be 100% completed until the transformer for the lift station is completed, likely in November. Updates related to other sewer, utilities and lighting projects were provided.

Regarding signage, Mr. Crews was asked to ensure there is no major conflict before releasing the materials.

**TWENTIETH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**TWENTY-FIRST ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Eyrick and seconded by Mr. Riley Skinner, with all in favor, the meeting adjourned at 10:52 a.m.**



Secretary/Assistant Secretary



Chair/Vice Chair