

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

The Board of Supervisors of the Ryals Creek Community Development District held a Regular Meeting on February 7, 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	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

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Torres called the meeting to order at 9:38 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Update: Memorandum Regarding Retention Requirements for Transitory Messages and Electronic Records Updates**

Ms. Buchanan stated the Memorandum authorizes the District Manager to place the CDD's records in an electronic format and authorizes the CDD to delete transitory messages, such as thank you notes, meeting forms, verifications, etc.

- **Consideration of Resolution 2023-01, Adopting Certain Amendments to the District’s Records Retention Policy; Addressing Conflicts and Severability; and Providing for Severability and an Effective Date**

Mr. Torres presented Resolution 2023-01 and read the title.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Jones, with all in favor, Resolution 2023-01, Adopting Certain Amendments to the District’s Records Retention Policy; Addressing Conflicts and Severability; and Providing for Severability and an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Seven Pines Entry Sign Monuments Estimate/Proposal**

Mr. Chip Skinner stated changing the location and design of the sign and reducing its scope was discussed. The sign package involves three free-standing signs that would be placed at the entrance of Seven Pines. It was agreed that it would be better to approve these items today, rather than to ratify them at a future meeting.

**A. Construction Specialties of North Florida, LLC Builder Estimate #33045**

Mr. Chip Skinner presented the Construction Specialists of North Florida, LLC Builder Estimate #33045, in the amount of \$294,730.02, and asked if it is advisable to approve the invoice as a guaranteed maximum amount and then have the ability to reduce the scope. Ms. Buchanan stated a motion can be made to authorize the invoice in a not-to-exceed amount and delegate authority to the Chair to approve any modification. Asked if that allows the Chair to modify the contract after Board approval, Ms. Buchanan suggested approval of the contract, in substantial form, to facilitate any changes to the terms and conditions.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Eyrick, with all in favor, Construction Specialists of North Florida, LLC Builder Estimate #33045 in a not-to-exceed amount of \$294,730.02, authorizing the Chair to approve any modifications based on consultant recommendations, was approved.**

Mr. Chip Skinner directed Ms. Buchanan to review the construction contract and make any necessary changes to comply with the CDD.

**A. Basham & Lucas Design Group, Inc., Construction Administration Proposal**

This item was addressed following the Sixth Order of Business.

**FIFTH ORDER OF BUSINESS**

**Consideration of Aquagenix Pond Maintenance Proposal**

Mr. Torres presented the Aquagenix Pond Maintenance Proposal.

**On MOTION by Mr. Jones and seconded by Mr. Davis Skinner, with all in favor, the Aquagenix Pond Maintenance Proposal, in the amount of \$450 per month equating to \$5,400 per year, was approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Revised ETM Work Authorization to Include CEI Authorization**

Mr. Torres presented ETM Work Authorization No. 1, Addendum No. 1, to Include CEI Authorization.

Mr. Crews stated this is to extend the existing Construction Inspection Contract six-months, commencing November 2022, at an hourly fee, in a not-to-exceed amount of \$7,500 per month for six months. This is necessary due to delays completing the project.

Mr. Crews responded to questions regarding the contract, reasons for the delay in the project, materials and equipment, the previous ETM contract, the scope of work, weekly inspections and submission of invoices.

**On MOTION by Mr. Jones and seconded by Mr. Riley Skinner, with all in favor, the Revised ETM Work Authorization Work Authorization No. 1, Addendum No. 1, in a not-to-exceed amount of \$7,500 per month for six months, commencing November 2022, was approved.**

**▪ Basham & Lucas Design Group, Inc., Construction Administration Proposal**

This item, previously Item 4B, was presented out of order.

Mr. Chip Skinner stated he requested this proposal as he thinks it is necessary to have construction inspection, given the large pricing differential on the signage; Basham is located near the site. The contract was negotiated such that the contractor will perform on-site inspections and be paid on a time basis. He suggested approval of only Part 2 for hourly construction administration, at a rate of \$125 per hour, and suggested not committing to the balance of the proposal, including not the extra charges for trips to the site; the not-to-exceed amount would remain on the contract. At Ms. Buchanan’s request, Mr. Chip Skinner will have the contractor re-do the proposal to include only the work discussed and to eliminate the extraneous work.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Eyrick, with all in favor, the Basham & Lucas Design Group, Inc., Construction Administration Proposal, Part 2 at the hourly rate of \$125 per hour, not to exceed \$5,000, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Update: Construction Account Activity**

Mr. Torres presented the Construction Account Activity related to the Boggy Branch Interlocal Agreement. The last page shows the CDD’s balance.

Asked if the balance is in the CDD’s account, Mr. Torres stated, per the Unaudited Financials as of December 31, 2023, the balance in the Capital Projects Fund account is \$5,096,491.

Discussion ensued regarding the retainage amount, incoming revenues, TMA trusts and true-ups.

Mr. Chip Skinner voiced his belief that the CDD is still having problems paying bills and that the accounts payable process needs to improve. Mr. Torres stated that he and Mr. Skinner worked together to get the invoices for the off-roll assessments cleared up and there is currently an acceptable balance.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of December 31, 2022**

Mr. Torres presented the Unaudited Financial Statements as of December 31, 2022 and responded to questions regarding wages, payroll, the number of meetings held in the last calendar year, liabilities and fund balances.

**On MOTION by Mr. Chip Skinner and seconded by Mr. Jones, with all in favor, the Unaudited Financial Statements as of December 31, 2022, were accepted.**

**NINTH ORDER OF BUSINESS**

**Approval of October 4, 2022 Regular Meeting Minutes**

Mr. Torres presented the October 4, 2022 Regular Meeting Minutes.

**On MOTION by Mr. Eyrick and seconded by Mr. Jones, with all in favor, the October 4, 2022 Regular Meeting Minutes, as presented, were approved.**

**TENTH ORDER OF BUSINESS**

**Staff Reports**

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

- **Boundary Amendment Notice**

Ms. Buchanan stated the Boundary Amendment Notice is recorded in the official record so, from now on, the title work that would be impacted by the lands for payment to the CDD will include notifications of the CDD’s new boundaries.

Mr. Chip Skinner stated, when Phase 2 of the roadway was planned, the roundabout had a curb cut and a slight off-ramp that jutted out, which was originally deeded as part of the CDD property but the Board has decided not to construct that turnout, which resulted in a small portion of CDD land that is in the legal description for one of the buyers of the Village Center property. He asked how the land can be removed from the CDD and given back to Saw Mill. Ms. Buchanan stated she received an email from Mr. Skinner that there are sufficient funds to take care of the paperwork and approve it at the March meeting. If the Board is amenable, it can authorize the conveyance of the property back to the seller since it is essentially not

necessary for the CDD's improvement plan and designate authority to the Chair to finalize the transaction.

**On MOTION by Mr. Riley Skinner and seconded by Mr. Davis Skinner, with all in favor, authorizing conveyance of the right-of-way parcel back to the seller and for the Chair to finalize the transaction, was approved.**

Asked about the Boundary Amendment, Ms. Buchanan stated it was completed and was updated and recorded.

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

Mr. Crews described the Notice of Boundary Amendment document, including water mains, utilities in the right-of-way (ROW), a 10" or 12" force main that runs under the path and the monuments.

Discussion ensued about placement of the 26' monument signs, DOT ROW, CDD's limited options, use of towers, narrowing the median and the entrance landscaping.

Mr. Chip Skinner will finalize placement of the monuments.

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

**I. Boggy Branch CDD Reimbursement**

Mr. Torres reported the following:

- Staff forwarded invoices in the amount of \$42,947 and, once received, will add it to the budget as incoming revenue.
- For Fiscal Year 2022, the amount invoiced was \$2,943. Once received, the funds will be added into fund balance.

Mr. Torres responded to questions regarding off-roll payments, land sales and on-roll revenue collections.

**II. NEXT MEETING DATE: March 7, 2023 at 9:30 a.m.**

**○ QUORUM CHECK**

Mr. Chip Skinner suggested cancelling the March meeting. Mr. Torres stated, with regard to presenting the proposed Fiscal Year budget, the next meeting should be held in May.

Mr. Torres, the Board Chair and Mr. Crews will start drafting the proposed Fiscal Year 2024 budget. Mr. Crews will monitor the landscape maintenance contract.

The March and April meetings were cancelled. The next meeting will be on May 2, 2023.

**ELEVENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members comments and requests

**TWELFTH ORDER OF BUSINESS**

**Public Comments**

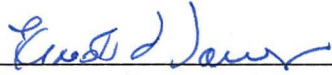
No members of the public spoke.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Eyrick and seconded by Mr. Chip Skinner, with all in favor, the meeting adjourned at 10:32 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair