

MINUTES OF MEETING
BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Brandy Creek Community Development District was held on Tuesday, January 11, 2023 at 6:30 p.m. at the Johns Creek Phase 2 Amenity Center, 251 Huffner Hill Circle, St. Augustine, FL 32092.

Present and constituting a quorum were:

Meredith Payne	Chairman
Barbara Little	Vice Chairperson
Clarence Blalock	Supervisor
Shawn Jolly	Supervisor
Alton Chamberlain <i>by phone</i>	Supervisor

Also present were:

Jim Oliver	District Manager
Mike Eckert	District Counsel
Jim Masters	Vesta/Amenity Services Group
Jennifer Meadows	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group

The following is a summary of the discussions and actions taken at the January 11, 2023 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Payne called the meeting to order at 6:30 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed.

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THIRD ORDER OF BUSINESS

Approval of the Minutes of the December 6, 2022 Meeting

Mr. Payne questioned the statement on Page 8, “*Mr. Masters asked the developer to remove their trees before the storm.*” Mr. Masters clarified that they removed CDD trees. This correction would be incorporated.

On MOTION by Mr. Blalock seconded by Ms. Little with all in favor the Minutes of the December 6, 2022 Meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Update Regarding FPL Request for Easement Rights

Mr. Masters spoke with Mr. Robert Yerkes of Foerster, Isaac & Yerkes, the eminent domain attorney, yesterday. They did not receive anything from Florida, Power & Light (FPL), due to the holidays and no decision was made on the pole between the monument and the sidewalk. They should have information by the end of this month. Mr. Payne requested that this item continue to be on future agendas.

FIFTH ORDER OF BUSINESS

Resolutions to Set Public Hearings to Consider

A. Resolution 2023-05, Resetting Public Hearing Date on Non-Resident User Fees and Rates

Mr. Eckert recalled that this public hearing was previously scheduled for the meeting that was cancelled and the Board decided at the last Board meeting to combine this public hearing with the suspension rule hearing in order to run one notice. Mr. Masters noted that the next meeting was on March 1, 2023.

On MOTION by Mr. Payne seconded by Ms. Little with all in favor Resolution 2023-05 Resetting the Public Hearing Date on the Non-Resident User Fees and Rates for March 1, 2023 at 6:30 p.m. at this location was adopted.

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B. Resolution 2023-06, Setting Hearing on Revised Amenity Suspension and Termination Rates

On MOTION by Mr. Payne seconded by Ms. Little with all in favor Resolution 2023-06 Setting the Hearing on the Revised Amenity Suspension and Termination Rates for March 1, 2023 at 6:30 p.m. at this location was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Proposals

A. Yellowstone

Mr. Masters recalled at the December 6th meeting, there was discussion about Yellowstone and Poolsure. At that point, he was negotiating with both companies for better prices. Yellowstone originally requested a 4% increase for 2023, but Mr. Masters was able to decrease it to 3%, but no lower. Starting this month, their monthly cost would increase from \$10,536 to \$10,854. Mr. Masters was happy with Yellowstone as they did a good job and were responsive. Mr. Payne recalled discussion regarding the increases and felt that decreasing from 4% to 3% was reasonable. Mr. Oliver pointed out that with the increase, the District was under budget as the total contract amount was \$130,248 and the budget was \$132,700.

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor the proposal with Yellowstone Landscape with a 3% increase effective January 1, 2023 in the amount of \$10,854 per month or \$130,248 per year was approved.

B. Poolsure

Mr. Masters stated that Poolsure, the District's pool chemical supplier, proposed a 25% increase for this year. In speaking with other Vesta employees, this increase was similar to other pool chemical suppliers. Along with the chemicals, Poolsure provided troubleshooting with skimmer pump and controller issues. Next year, Mr. Masters suggested looking at ways to save the District money on chemicals. There would be a monthly increase from \$1,113.75 to \$1,392.14. Mr. Payne asked if Poolsure had a stronghold on this service and whether there were other companies that they could consider. Mr. Masters stated there were other companies that billed for what was ordered. Mr. Payne liked Mr. Masters suggestion to evaluate for savings and questioned whether this item was in budget. Mr. Oliver confirmed that it was over budget.

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On MOTION by Mr. Payne seconded by Ms. Little with all in favor the proposal with Poolsure for pool chemical services with a 25% increase in the amount of \$1,392.14 per month or \$16,714.80 per year was approved.

C. Chaise Loungers

Mr. Masters recalled that the pool furniture was discussed several times and last year, straps on many chairs were replaced in-house. He suggested outsourcing the re-strapping of 30 chaise lounges for Phase 1 and Phase 2 and provided a proposal from Southern Breeze in the amount of \$3,750. They would replace all 36 straps. Mr. Masters would re-strap 25 to 30 pool chairs in-house. Mr. Payne questioned whether the proposal included material and labor. Mr. Masters replied affirmatively. Mr. Payne felt that Mr. Masters was conscientious in managing District funds and wondered whether the pool chairs should be outsourced with Southern Breeze. Mr. Masters felt that he could handle the chairs, save the District money and residents would be happy with the finished product. In two to three years, the Board should consider purchasing new pool equipment. Ms. Little asked if the frames needed to be painted. Mr. Masters confirmed that the frames were in good shape. Mr. Blalock felt that it was economical as new chairs would cost between \$250 and \$400 and would last awhile. Mr. Payne thanked Mr. Masters for doing the research.

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor the proposal with Southern Breeze to re-strap 30 chaise loungers in the amount of \$3,750 was approved.

SEVENTH ORDER OF BUSINESS

Discussion of Holiday Lighting

Mr. Masters stated that holiday lighting cost \$1,500 to \$5,200, which was not excessive compared to other facilities and questioned whether the Board was happy with the current lights, wanted to revisit other companies or consider doing it in-house. If the Board was happy with what they currently had, it would cost \$5,000 to \$6,000 for the next three to four years. Mr. Payne recalled removing items to get the cost reduced from \$6,000 to \$5,000. Mr. Masters confirmed that the cost was reduced from \$6,000 to \$5,200 by having the contractor cut back a few areas and doing them in-house. Mr. Payne felt that having lights on top of buildings was aesthetically pleasing and that staff could string lights in the breezeway and fences to reduce the

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cost. Mr. Blalock agreed with keeping costs down as much as they could by eliminating the lifts and suggested installing Christmas colored flood lights in the Palm trees. Mr. Payne felt that during the holidays, Mr. Masters and his team were creative in making the Amenity Center aesthetically pleasing and preferred that staff consider different innovations versus outsourcing. Ms. Little agreed. Mr. Jolly suggested using ground mounted lasers. Mr. Masters offered to look into it. They would only charge the District in addition what they were already doing, which was estimated to be in the \$1,200 to \$1,500 range. Mr. Payne felt that this was reasonable.

EIGHTH ORDER OF BUSINESS**Other Business**

Mr. Blalock questioned the date of the next yard sale. Ms. Meadows believed that it was on March 25th. Mr. Blalock pointed out that residents were asking about it on Facebook. Mr. Jolly received requests from residents to paint pickleball lines on the tennis courts. Mr. Masters pointed out that resurfacing the tennis courts was necessary and they were obtaining bids, but he was waiting until the FPL matter was resolved.

Mr. Payne asked Mr. Chamberlain if he wished to continue serving in Seat 1, due to his travel constraints out of State. While Mr. Chamberlain wanted to remain a part of the community and the Board, he felt it was best to resign as he was currently a part-time resident. Mr. Blalock recommended advertising for the vacancy. Mr. Payne, Ms. Little and Mr. Jolly agreed. Mr. Payne respected Mr. Chamberlain's decision but was disappointed to see him go and thanked him for his service. Mr. Chamberlain appreciated everyone's time and effort for the community. Mr. Eckert pointed out that Mr. Chamberlain had the option for formally announce his resignation during the meeting or submit a written resignation to Mr. Oliver after the meeting. Mr. Chamberlain announced his resignation for Seat 1 effective immediately and left the meeting. Mr. Oliver would send an e-blast to residents and post on the website announcing the vacancy and requesting interested qualified residents to provide resumes and letters of interest. Mr. Payne asked if they had three months after the election to fill the seat. Mr. Eckert confirmed that the election was on November 8th and there was 90 days to fill the date. If they met in February, they would be in compliance with the Statute, but meeting in March, they may not be in compliance. Mr. Payne encouraged residents to apply for the position and attend the March meeting to introduce themselves to the Board.

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NINTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Mr. Eckert was reviewing a proposed easement for Comcast at another District. There was no formal proposal at this point in time for Brandy Creek and the Comcast representative that was working with that District left right before Christmas and their replacement was not being responsive to the District's request. Therefore, he did not know what financial compensation they would provide and had no model to go by to show what they did in prior cases and whether it was worth it or not. Mr. Payne stated in the future, if Comcast wanted to come into Brandy Creek, they would see how it played out in the best interest of the CDD.

B. Engineer

There being none, the next item followed.

C. Manager

There being none, the next item followed.

D. Operations Manager**1. Report****2. Lake Doctors Report****3. Yellowstone Report**

Mr. Masters presented the Operations Manager Report, which was included in the agenda package. Yellowstone provided a Service Report, which was attached and would be attached to future reports. There was also a Service Report from Lake Doctors; however, their service slowed down with the cooler weather. They were always responsive with any issues with the ponds. The leak in the Phase 1 Splash Pool was an ongoing process, but it was isolated to the pump area. Someone was coming this Friday to provide recommendations on how to figure out exactly where the issue was. Staff was removing rocks and soil to expose the pipe, which was labor intensive, but would save the District money to expose the problem. They had to turn the water on for one hour every day to get it back to where it needed to be. Mr. Payne noted that it was not leaking profusely. Mr. Masters confirmed that it was not leaking significantly, but it was costing the District money for the water and throwing off the chemistry, causing a high pH. They must dump the acid to get it down to a lower number before they could turn on the chlorine pumps. Mr. Payne asked if they needed to hire someone. Mr. Masters felt that staff did all that

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they could do in-house and recommended that the Board approve a not-to-exceed amount of \$5,000, if they needed to replace the pump coffin. Mr. Masters suggested that the Board approve \$10,000 so Mr. Masters did not have to come back to the Board.

On MOTION by Mr. Blalock seconded by Ms. Little with all in favor emergency pool repairs in a not-to-exceed amount of \$10,000 was approved.

Mr. Masters reported that staff was cleaning and getting the pool ready for the season and requested that the Supervisors report issues to him, such as replacing the benches in the middle playground. He was happy to drive anyone around on their golf cart and show them everything. Yellowstone was not cutting the grass right now, but they would start cutting it next week. In the meantime, they would be trimming back trees and cutting back Palmettos. Mr. Payne appreciated all of Mr. Masters hard work.

E. Amenity Manager - Report

Ms. Meadows presented the Amenity Manager's Report, which was included in the agenda package. Their blood drive in December was a success as they were able to potentially save 51 lives. They were originally scheduled from 9:00 a.m. to 2:00 p.m. but added an additional two hours as they were booked solid. Their Cookies with Santa event was fun. The weather was cool and they were able to light the fireplace. The kids loved meeting Santa, drinking hot cocoa and eating delicious cookies. They had snow and played music. Kids were throwing snowballs at the Grinch. The next event was planned for February, which was the King and Princess Dance and then Easter type events. Mr. Fagen felt that Ms. Meadows did a great job on the Santa event as there were happy parents and kids. He was apprehensive at first about the Grinch, but it was a joy to see kids chasing and throwing snowballs at the Grinch around the tennis court. Mr. Payne agreed, thanking staff for the quality of the events; although, he would like to see some diversity with a Queen and King Dance. Ms. Meadow noted there was not much interest, but she would try to have one in March and April. Mr. Fagen recalled that they were doing something similar in a neighboring community, but it was always a challenge. Mr. Payne appreciated all of their engagement, organization and planning. Ms. Little agreed that everything this year was dynamic.

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TENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet & Income Statement as of November 30, 2022

Mr. Oliver presented the November 30, 2022 Balance Sheet and Income Statement, which were included in the agenda package. They were two months into the new fiscal year and there were no unusual variances. There was \$264,000 in the Capital Reserve. Another \$105,000 would be added during the fiscal year, bringing the total to \$369,000.

B. Assessment Receipt Schedule

Mr. Oliver reported a 27% collection in assessments, including the most recent distribution of December 15th. There would be a lot of distributions not only in early in January, but in February as well. According to the distribution presented at the March meeting last year, the District was 98% collected.

C. Approval of Check Registers

Mr. Payne reviewed the Check Register and noted no anomalies.

On MOTION by Mr. Payne seconded by Ms. Little with all in favor the October 1, 2022 through November 30, 2022 Check Register in the amount of \$171,535,01 was approved.
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TWELFTH ORDER OF BUSINESS

**Next Scheduled Meeting – March 1, 2023
at 6:30 p.m. at Phase 2 Amenity Center**

Mr. Payne stated that the next meeting was scheduled for March 1, 2023 at 6:30 p.m. at the Phase 2 Amenity Center.

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THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor the meeting was adjourned.

DocuSigned by:

Jim Oliver

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Secretary/Assistant Secretary

DocuSigned by:

Meredith Payne

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Chairman/Vice Chairman