

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 Wednesday, May 8, 2024 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
Shawn Jolly	Supervisor
Thomas Metych	Supervisor
Clarence Blalock	Supervisor

Also present were:

Jim Oliver	District Manager
Mike Eckert	District Counsel
Bill Schaefer <i>via phone</i>	District Engineer
Jim Masters	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Duane Kent	St. Johns County – Road & Bridge
Deputy Lauren Guggisberg	St. Johns Sheriff's Office
Pam Villa	Champion Swim School
Jessica Rice	Champion Swim School
Residents	

*The following is a summary of the actions taken at the May 8, 2024 regular meeting of the Board of Supervisors of the Brandy Creek Community Development District.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Payne called the meeting to order at 6:30 p.m. All Supervisors were present with the exception of Ms. Little.

- **Presentation from Champion Swim School (ADDED)**

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Mr. Masters introduced Johns Creek residents who worked for Vesta as Pool Monitors, who would be supervising the pools on the weekends for five hours, as well as Ms. Pam Villa and Ms. Jessica Rice of Champion Swim School, who started providing swim lessons at the pool last week. Ms. Villa, co-owner of Champion Swim School, indicated that they were teaching classes in one area of the Phase 1 pool, which was working out well. Starting on May 1<sup>st</sup> through May 30<sup>th</sup>, they would offer classes every Tuesday and Thursday from 9:00 a.m. to 1:00 p.m. and from 3:00 p.m. to 7:00 p.m., with one class in the pool every half an hour and on Saturday and Sunday mornings, from 9:00 a.m. to 1:00 p.m. Ms. Villa had 25 years of experience, giving swimming lessons and running swim schools. They were offering an outreach program to parents, which was working out well. Mr. Jolly asked if lessons were 9:00 a.m. to 1:00 p.m. on weekends in other communities. Ms. Villa stated they worked with management in other communities, nine months prior to the start of the lessons, on the days and times that they could utilize the pool. Mr. Blalock asked if the lessons were only for residents. Ms. Villa confirmed that 20% of their roster was non-residents. Mr. Payne asked Mr. Masters to comment on their arrangement with Champion Swim School, including the finances and Vesta's involvement. Mr. Masters explained that there was 80% residents and 20% non-residents, with non-residents arriving to take their lesson and then leaving. They were not permitted to bring family members or swim after their lesson. Mr. Masters confirmed that Vesta was not involved, but spoke with Mr. Oliver and the Chairman about it, because they thought it was a good move, but did not want to upset any residents. Vesta received no funds from this activity. Mr. Payne asked if the arrangement was for Champion Swim School to pay 10% to the District. Mr. Masters confirmed that the District would receive 10% of the profits.

Mr. Metych recalled that there were minor issues and complaints from residents about seating at the pool and questioned whether they were limiting non-residents, by not allowing them to bring the entire family when their child was training. Ms. Villa explained that their classes only had four students and parents were required to sit on the side of the pool while their instructors were working with their child. There was room for 104 students and they had 97, 14 of which were non-residents. They did not inform the families that they were limited to bringing one parent but sent multiple emails to residents in RiverTown and Johns Creek, explaining that other family members needed to wait over the fence and were not allowed to use the pool for anything other than swim lessons. Since they started on May 1<sup>st</sup>, two families wandered over and

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they were asked to leave. Ms. Rice stated when she provided instruction on Sunday mornings, a set of grandparents came to watch their grandchild swim, but they were residents. Mr. Payne did not have an issue with Champion Swim School providing these services to the District, as less than one-fourth of the pool was being utilized. Many of the comments on social media was about cordoning off the area, but Mr. Payne felt that sufficient space was available. Ms. Rice read the same comments and noted that they did not rope anything off. Mr. Jolly voiced concern about Champion Swim School giving lessons until 1:00 p.m. A Resident who lived in Phase 2, felt that it was the lifeguard or monitors job to ensure that they were monitoring the pool. Ms. Villa pointed out that it was their job to ensure that non-residents leave. Mr. Payne recommended that Champion Swim School start earlier, at 8:00 a.m. and end at Noon, if the pool was busy and requested that Mr. Masters monitor it, but as long as the swim lessons were not inhibiting any of the residents of Johns Creek from enjoying the amenities, he had no issues with it and thanked Ms. Villa and Ms. Rice for attending.

- **Discussion of Traffic and Road Issues** (*Item 4*)

Mr. Duane Kent, a County Engineer for St. Johns County Road and Bridge Department introduced himself, noting that he had a staff of 35, a third of which were Project Managers, managing worth of \$350 million of projects this year, equating to over 100 projects, which should reach \$500 million within the next couple of months, with some new parks and fire stations. As far as transportation projects, the following were occurring in St. Johns County:

- The northwest sector had grown substantially, but the traffic needs were great, which they were working to address.
- The four-laning of Longleaf Pine Parkway would be completed this year, as well as the ongoing construction on County Road (CR) 210 from Cimarrone to Veterans Parkway, which would take another year-and-a-half to complete and would provide four lanes to Veterans Parkway.
- A temporary eastbound lane was being planned on CR 210, in the Twin Creeks area, resulting in two lanes going to the east, half of which would be paid for by the developer of Twin Creeks. It should be completed within the next several months.

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- CR 2209 from State Road (SR) 16 to Silverleaf, would have open fields. It would take two years to two-and-a-half years to complete.
- Closer to Brandy Creek, they were preparing the scope and entering into negotiations with a consultant to redesign the CR 2209 and CR 210 intersection. They were going to look at installing traffic lights at several entrances into Brandy Creek, to make it safer, and improve traffic flow. However, the two closest exits out of the community, would not have traffic signals, due to a Signal Warrant Study that was performed last year. However, with a new consultant working on this, it would probably warrant it.

Mr. Blalock voiced concern as there was not turn lane halfway between the entrance and Publix, for people to make a U turn, causing people to stop in the road. Mr. Kent reported that staff managed all traffic signs and maintained all traffic signals, every day, to ensure that they were working. They also managed right-of-ways (ROWs) that needed permits and would ask his Traffic Group to look at it something in the short-term. Mr. Payne noted two fatalities and numerous accidents since CR 2209 opened at the exit by ACE Hardware, where most residents turned left to go onto CR 210. Mr. Kent confirmed that there were two fatalities in the general area, one from someone coming out of Publix, but the other was not related to any of the intersections, but they were looking at the number of crashes, which increased in 2023, due to everyone being out on the road after COVID. Mr. Payne felt that the design of the intersection did not work, due to the clearance. Mr. Kent agreed as their office was off of SR 16, and it was difficult to make a U-turn. They were looking at having a more protected U-turn, with a single signal, stopping traffic on the other side, to give the driver a chance to make the U-turn. Mr. Payne asked if there would be directional signage. Mr. Kent believed that the Traffic Engineer would recommend directionalizing those intersections. Mr. Blalock preferred to have a U-turn lane. Mr. Kent stated they must look at medians and turn lanes towards CR 210.

Hearing no other comments from the Supervisors, Mr. Payne opened the floor to audience comments. A Resident felt that having a traffic light at this intersection did not make sense and the best solution was to extend the merge lane, as it would slow people down. Mr. Kent believed that a merge lane would be a tremendous help, as well as a No U-Turn sign, as there were accidents every week at Nature Walk Parkway and CR 210, from people going west on CR 210, making a U-turn and colliding with people coming out of Nature Walk Parkway. Mr.

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Payne was glad to see that Mr. Kent and his department were looking at these areas, as most of their resident complaints were exiting out of Publix and Nature Walk Parkway. Mr. Kent pointed out that it was not unique to this neighborhood, as St. Johns County doubled in population in the past 10 years, which was why their Board of County Commissioners were funding these transportation projects. There were no other questions and Mr. Payne thanked Mr. Kent for attending the meeting and requested that he work with Mr. Masters.

**SECOND ORDER OF BUSINESS****Public Comment**

A Resident noted this was her first meeting and was trying to educate herself. She worked with RiverTown for six years and the Regional Director, Mr. Ross Rubin, provided her with some recommendations on what Brandy Creek could do with athletics. Her daughter played soccer for five seasons on Tuesday nights with the same team and soccer coach and recommended that Johns Creek have soccer. She was told that the light poles would be relocated, so there could be some lights. Regarding the Gym, rather than the Board spending \$20,000 on an Architect, the Resident recommended using a Civil Engineer familiar with county and state codes. She was more interested in lifestyle and bringing more activities to Johns Creek such as a vendor fair, with food trucks, bounce house and a DJ. They had the space and could use a third-party for food trucks. Mr. Payne asked if she was willing to help facilitate programs to the community. The Resident was willing to help if Mr. Rubin was involved. Mr. Fagen stated that an employee at Vesta (Sarah) worked with RiverTown and Mr. Rubin was Vesta's Regional Lifestyle Manager. Mr. Masters did an outstanding job of stretching the budget for special events, which he could continue to do, but at the Board's request, they could include funding and have their employee work with Mr. Masters on this matter and bring recommendations to the Board. Mr. Masters offered to work with the Resident on her ideas and suggestions.

Regarding the Gym, Mr. Masters pointed out that Brandy Creek was a small community, with 583 homes, that had two Amenity Centers and three pools and the Board was frugal with their funds, having to maintain existing infrastructure, before investing in something else. Mr. Payne recalled at the last meeting, the discussion was about the engineering time to expand the Gym and ultimately, the Board decided not to expand the Gym, as it was not worth spending \$500,00, to get additional square feet out of space. Instead, they would equip the Gym with sufficient equipment and spread it out. Regarding a Lifestyle Program, Mr. Payne proposed that

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the Resident work with Mr. Masters on a proposal and bring it back to the Board for consideration, which could be funded in coordination with the POA. Mr. Blalock supported enhancing some of their existing events, but not having something reoccurring quarterly, as they would not get enough participation to make it worthwhile. Mr. Payne felt that Mr. Blalock's point was well taken, in terms of how to structure it and preferred that the Resident work with Mr. Masters and Mr. Fagen on a proposal to present to the Board. A Resident suggested selling food and drinks at the pool on Saturdays and Sundays. Mr. Fagen pointed out that the Vesta did not have a Food and Beverage License and the only way to sell food and beer at the pool would be to have food trucks. Mr. Payne preferred to have Mr. Masters discuss how to enhance their adult and kid's activities.

**THIRD ORDER OF BUSINESS****Approval of the Minutes of the March 6, 2024 Meeting**

Mr. Payne stated on Page 2, under the Fifth Order of Business, "*Mr. Payne was informed by Mr. Oliver,*" should be, "*Mr. Payne was informed by Mr. Masters.*" On Page 3, "*Resident (Jackie Salter)*" should be "*Resident (Jacqui Salter).*" On Page 10, "*Silverton*" should be "*Silverleaf.*"

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor the Minutes of the March 6, 2024 Meeting were approved as amended.

**FOURTH ORDER OF BUSINESS****Discussion of Traffic and Road Issues**

This item was discussed.

**FIFTH ORDER OF BUSINESS****Community Garden Update**

Mr. Payne reported since the March meeting, the Garden Club ordered eight planters in the back and two small brown planters. The initial issue was that the land was sloped and the planters needed to be leveled off, but this was completed by Vesta and the planters were set, which had a base, weed protection and a few shrubs. Mr. Masters was also able to establish a water line, installed a hose and Mr. Payne installed a hose roller. A resident who was a landscaper, volunteered to provide topsoil, which was placed in the parking lot, because when

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they attempted to drive across the pond area to get to the garden, the truck got stuck. The next step was for the Garden Group to move the topsoil to the garden area. In addition, Mr. Masters purchased some additional soil in bags, which would be delivered tomorrow to the garden area, in order for the gardeners to install in the planters. They were looking for volunteers to assist on Saturday morning. The leader of this endeavor, Ms. Jacqui Salter, was going through some personal issues at this time and was unable to coordinate this. Mr. Masters recalled that \$12,000 was approved for the community garden. They were holding off on the installation of the fence, because they wanted the soil to be delivered first. The cost was \$8,250, for a 6-foot fence with two gates, which was recommended by an engineer, as the entire area was expanded from 151 feet to 173 feet. At this time, \$10,500 was spent in total and the remaining amount would be spent on miscellaneous items that they needed. Once the planters were filled, they would be watered. Mr. Payne indicated that he and Mr. Masters having limited engagement, but they would support the operations, to get things up and running.

**SIXTH ORDER OF BUSINESS****Fiscal Year 2025 Budget****A. Review of Proposed Budget** *(will be sent under separate cover)*

Mr. Oliver reported that the District was required by Chapter 190 of the Florida Statutes, to approve a Proposed Budget by June 15<sup>th</sup> of each year, provide to St. Johns County and set a public hearing within 60 days. Typically, the Board approved the Proposed Budget in May and adopted it in July, but it could be adopted in August, in order to provide the certified Assessment Roll to the St. Johns County Tax Collector to place assessments on the Tax Roll by November 1<sup>st</sup>. The version of the Fiscal Year (FY) 2025 budget that the Board received, was a worst-case scenario, with three large increases, causing net assessments to increase by 8.1% to \$119.78 per year, but there were some opportunities within the budget, to decrease it to a low percentage or even no increase at all, by decreasing the *Capital Reserve Transfer Out* and using some *Carry Forward Surplus*. There was \$30,000 in the current fiscal year. Mr. Payne recommended reducing *Community Garden* from \$10,000 to \$4,000, he wanted to purchase a shed that was aesthetically pleasing for \$4,000. Mr. Masters believed that \$2,000 was sufficient to purchase a large shed. Regarding *Security*, questioned whether they were getting value from the Deputy's presence, because when they were onsite, nothing was occurring and preferred that the Deputy issue speeding tickets or reallocate the money. Mr. Masters explained that Deputy Lauren Guggisberg of the St. Johns Sheriff's Office, was onsite for 15 hours per month for \$55 per hour,

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which was spread over the entire month, but they could redirect those hours on holidays or on Fridays. It was a good value to have, because of constant issues, such as parties. Last night, a party in Phase 2 caused a mess, with chairs and pool equipment in the pool and broken tiles. A Resident asked if it was the deputy's job to monitor the pool. Mr. Masters explained that no one had any idea that there was a party at the pool, until someone complained. Deputy Guggisberg did write trespass warnings for the large number of non-residents that used their facilities, with the majority in Silverleaf.

Mr. Payne asked if staff dictated Deputy Guggisberg's hours. Mr. Masters stated that Deputy Guggisberg's time was spent on the most crucial times, when school was ending, when there was more activity in the amenity areas, but 15 hours per month was hard to cover much. Mr. Payne felt that security was important, but wanted to orchestrate the timing to where it was needed. Mr. Jolly felt that Deputy Guggisberg was doing a good job and they were getting good value. Residents appreciated having law enforcement presence and provided recommendations such as having Deputy Guggisberg at random times, between 9:00 a.m. and 5:00 p.m., as most burglaries occurred when people were at work. Mr. Eckert cautioned the Board about revealing the locations of the License Plate Readers (LPRs) and cameras, video footage and how the security system works at a public meeting. Mr. Payne asked if there was an ongoing contract for the LPRs. Mr. Eckert did not know but would find out. Mr. Payne questioned the budget for *Landscape Contingency* and *Irrigation Maintenance*, as the actuals were low. Mr. Oliver explained that \$10,000 was budgeted for *Irrigation Maintenance*, but even though expenses were coming in under \$10,000, the *Landscape Contingency* was not the same amount every month and it was good to have those budgeted funds. However, it was not a use it or lose it situation. If it did not get used, it remained in that fund. Mr. Payne suggested that any excess funds be moved to the *Capital Reserve Transfer Out* and increasing the *Landscape Contingency* from \$1,500 to \$3,000, when funds were received from the POA. Mr. Oliver requested that the Board make a decision on the budget at this meeting, in order to notice the public hearing and send out letters to residents, regarding the increase in assessments and recommended utilizing *Carry Forward Surplus* of \$29,829, *Capital Reserve Transfer Out* of \$70,000 and the \$5,000 from the *Community Garden*, to decrease assessments. *There was Board consensus to utilize Carry Forward Surplus of \$29,829, Capital Reserve Transfer Out of \$70,000 and the \$5,000 from the Community Garden.*



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**B. Consideration of Resolution 2024-03, Approving the Proposed Budget for Fiscal Year 2025 and Setting a Public Hearing Date for Adoption (July 10, 2024)**

Mr. Masters presented Resolution 2024-03 approving the Proposed Budget for FY 2025 and setting the public hearing for July 10, 2024 at 6:30 p.m. at this location. Mr. Payne read the following resolution into the record:

*“A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT APPROVING PROPOSED BUDGET(S) FOR FISCAL YEAR 2024/2025 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS, ADDRESSING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.”*

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor Resolution 2024-03 Approving the Proposed Budget for Fiscal Year 2025, utilizing Carry Forward Surplus and reduced Capital Reserve Contribution to keep assessments level and Setting the Public Hearing for July 10, 2024 at 6:30 p.m. at this location was adopted.

**SEVENTH ORDER OF BUSINESS**

**Other Business**

There being no comments, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Eckert reported that the agreement with Flock Safety (Flock) for the LPRs, was entered into on June 18, 2021. It was a 24-month agreement, which renews on an annual basis, unless it was terminated. Secondly, the Governor passed new legislation in this past Legislature, requiring all Community Development Districts (CDDs) to identify goals and objectives, develop performance measures on whether the goals and objectives were met, analyze them and provide a report at the end of the year. A report must be provided once a year and Mr. Eckert would work with the District Manager in either July or August, as the first goals and objectives were due on October 1<sup>st</sup>. Mr. Payne reminded the Board that all Supervisors must complete their four hours of ethics training, which was due at the end of the year.

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**B. Engineer**

Mr. Oliver reported that Mr. Schaefer was no longer attending by phone. Mr. Masters reported that he inspected every body of water throughout the community with Mr. Schaefer and recommendations would be provided at the next meeting. There were some updates with the erosion area, but Mr. Masters did not want to discuss it without the District Engineer being present. Mr. Payne requested that Mr. Schaefer attend the next meeting in person to provide an update, as there was nothing urgent that needed to be addressed from an engineering perspective. Mr. Masters confirmed that there was no urgency.

**C. Manager****1. General Elections**

Mr. Oliver recalled that the Board adopted a resolution at the last meeting, directing the St. Johns County Supervisor of Elections to conduct the 2024 General Election for Seats 2 and 4. The qualifying period was Noon on June 10, 2024 through Noon on June 14, 2024. At this time, no one qualified, according to the Supervisor of Elections website.

**2. Report on the Number of Registered Voters (1,242)**

Mr. Oliver reported that each year, the District was required to place into the record, the number of registered voters. According to the St. Johns County Supervisor of Elections, there were 1,242 registered voters in the District as of April 15, 2024.

*The meeting was recessed at 7:57 p.m.*

*The meeting was reconvened at 8:02 p.m.*

**D Operations Manager****• Yellowstone Report (Item 7D2)**

Mr. Masters presented the Operations Manager and Yellowstone Reports. He was still very happy with Yellowstone, but there were always areas that they needed to work on and Yellowstone was responsive in taking care of those areas. Detailed Service Reports were provided by the Account Manager every week or every other week, identifying areas that needed to be addressed. There were some areas where they needed to replace some plant material, but like everything, the price for the plant material increased significantly, so some areas would be completed in-house. Vesta would purchase the plants and install them, but some material would

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need to be purchased from Yellowstone. Mr. Masters would contact the resident that had a landscaping company and obtain some prices for some of these areas. Yellowstone completed their fertilizer, chemical applications and insecticide treatments and over the past week and things were improving, as granular was applied 10 to 12 days ago. The problem was the lack of rain, but the irrigation was turned up as high as it would go, as there were some struggling turf areas.

- **Lake Doctors Report** (*Item 7D3*)

Mr. Masters presented the Lake Doctors Report. They do a good job, but there were two issues with the ponds in Phase 2, one of which was as Pond 10, which was inherited and behind the Amenity Center. There were also Ponds 8 and 9, behind Huffner Hill Circle. Pond 9 was experiencing phytoplankton algae, which needed to be carefully treated, as it could deplete oxygen and cause a fish kill. The lack of rainfall helped to contribute to this problem. Pond 8, which was directly south of the Amenity Center, had Eel Grass, which was typically seen closer to the coast and marshy areas, but not in freshwater ponds. It was difficult to kill and was not treated by Lake Doctors, but they ordered additional chemicals to treat it in sections, because if they kill it all at one time, it would make a mess. However, this lake currently looked untidy, because some chemicals were used to try to kill the Eel Grass. Lake Doctors planned to be back in the neighborhood tomorrow to treat and Mr. Masters would meet with them to look at Pond 9 again. Mr. Masters reported that Mr. Oliver received an email earlier today, from a resident that lived on Pond 8, regarding the pond's condition and trash around the pond. Staff typically picked up trash around the pond, the 15<sup>th</sup> and 16<sup>th</sup> of each month, but they did not go behind residence homes. Mr. Masters replied to the resident, who was surprised, that trash was not picked up from behind his house and invited them to this meeting to state his case, as the Board could make a decision to pick up trash behind residents' homes. Mr. Eckert advised that Board could ability remove trash out of a pond, if they wanted to expend the funds. Mr. Jolly preferred that residents to pick up trash behind their homes. Mr. Blalock pointed out the HOA covenants state that it was the homeowner's responsibility to maintain their property to the waterline and preferred that residents be responsible. Mr. Metych voiced concern that other residents would want their trash picked up, if the Board requested that Mr. Masters pick up trash behind this resident's house. Mr. Payne agreed. *There was Board consensus for residents to pick up trash behind their homes and*

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*Mr. Masters would provide this response to the resident who emailed Mr. Oliver.* Mr. Payne noted that his pond was full of lilies and asked if it was addressed. Mr. Masters confirmed that the pond was being sprayed.

- **Report (Item 7D1)**

Regarding the Phase 1 splash pool leak, which they were dealing with for several months, Mr. Masters reported that there was a leak in the pool coffin that held the feature pump. The motor was replaced today, but there was still a leak. There was water returning from the pool and water that was sucked in through the pump motor to shoot out the feature sprayers. The worst leak was on the intake where water was being sucked into the motor, but it was 6 feet down, which exposed more area. They would have to replace a 6-to-8-inch pipe and pieces of PVC cost \$300. The hope was this was the only leak. Mr. Payne asked if the leak was caused by separation of the pipe from the coffin, as PVC should be durable. Mr. Masters believed that when the first leak that was fixed, there was some friction that created a crack in the PVC pipe. It was repaired, but Mr. Masters believed that the same thing occurred in the other area. The contractor would be back out next week to repair it. Mr. Payne asked if any special adjustments needed to be made. Mr. Masters did not like how these areas were designed and there was nothing that they could do to ensure that they did not have issues but believed that they were good for the next 25 to 30 years. The other area that needed to be repaired, they could not run the feature, because the water needed to be contained or it constantly leaked into the coffin. This weekend they would probably run it, to ensure that the new motor was not damaged and hopefully, it would be repaired by next week. The total cost for the repairs was \$15,000. A Resident offered to have her husband, who was a director of a pump company in Jacksonville, provide a second opinion. Mr. Masters appreciated the offer, but several vendors looked at it and provided the same conclusions, that it was an older system that was prone to problems. They looked into possibly re-designing the area and raising it above the ground, but it would have to be completely re-engineered.

Mr. Masters reported an area that was damaged on the bulkhead at the Phase 1 Amenity Center on the pond. The District Engineer provided the name of several different engineering and marine bulkhead engineering companies, which he called. They all offered to come out and evaluate it, but was not sure when they could come out, as they were incredibly busy. However, there was one company, that Mr. Masters was looking at, that could possibly do this work for

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less than a marine company. It was not a safety issue, but it needed to be repaired. Mr. Payne asked if it could be repaired from the land or if they must go into the water. Mr. Masters assumed that they would have to go into the water, but the majority of the work was to remove soil on the side of the bulkhead. When they bent the wood to make a corner, it was not secured, so they must remove all of the soil and pull everything back in place, in order to secure the boards. Mr. Payne pointed out that this was indicative of a 20-year-old community that had wear and tear, which was why they had capital reserves. Mr. Masters reported that the Phase 1 air conditioner for the office was replaced for \$6,200. The unit was 21 years old. So, they did not receive complaints, Mr. Masters, decided to clean the pools, since it was their biggest feature during the Summer and felt that they were doing a good job. Other companies could do it, but because the pools, especially in Phase 1, were surrounded by trees and forests, they needed to be cleaned on Monday, Wednesday and Friday. The following projects were completed:

- Wood was replaced and columns were painted, in-house, at the Phase 2 pool entrance.
- The Phase 2 playground equipment was repaired in-house.
- Replacement springer riders were replaced at the playgrounds in Phase 1 and the Phase 2 middle playground.
- The Phase 1 playground shade cover replacement was completed.
- The cleaning and painting of community street poles were in progress.
- Mulching of the community would begin the week of May 6<sup>th</sup>. They were trying to find a vendor to do it.

Mr. Masters decided not to have Yellowstone mulch, because they contracted it out and made money on it. They would save 25% by not going through Yellowstone. However, he was not sure if the money would come from the *Landscaping Contingency* or if a line item should be added in the budget, as the cost to mulch the entire community was \$9,600. Mr. Oliver confirmed that it would be paid out of the *Landscaping Contingency*. The mulch was delivered today to the Phase 1 parking lot and the job would start tomorrow. Then they would proceed to Phase 2 and finish up the neighborhood. A combination of mulch and 100 bales of pine straw would be used in certain areas. Mr. Payne questioned when the mulch would be delivered for Phase 2. Mr. Masters anticipated Phase 1 being completed by Thursday or Friday and the mulch for Phase 2 being delivered on Monday or Tuesday to the Amenity Center parking lot. The

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mulching for Phase 2 was anticipated to take two days, depending on the weather. It was later than normal, so the beds would look good. Mr. Payne voiced concern that two parking lots were already occupied with mulch bags and hoped they would be removed by the time more bags were delivered. Mr. Masters pointed out that the timing was unforeseen, but they would be moved shortly.

- Dead or dying plants in various areas of the community, would be replaced in-house, to reduce costs.

Mr. Payne asked if the plants needed to be replaced or if the area could be repurposed with other vegetation or mulch. Mr. Masters stated a few of areas could be mulched, but in other areas, there was existing plant material and they just needed to add to it to make it look right or cut all of the vegetation down. They did not want to leave dead plant material in a bed and he would look at these areas with Mr. Payne and decide what to do, as it made sense to replace some on a case-by-case basis. Many services were provided to the District on a regular basis and Mr. Masters hoped that they provided them satisfactorily, as they take pride in what they do and wanted the community to look good. There was a huge trash problem in the community, but this was not noticeable, because they pick up trash Monday through Friday. They also picked up trash on CR 2209, from behind Publix to the Phase 2 entrance. Mr. Payne thanked Mr. Masters for doing a good job.

## **E. Amenity Manager**

### **1. Report**

Mr. Masters presented the Amenity Manager's Report, as Ms. Meadows was on vacation. They spoke to the POA President and the CDD Chairman about events, as they wanted to bring more events to the community, but they had to stay within budget. However, there was an opportunity to add more events. The food trucks continue to be a success and were onsite twice a month. Regarding resident rentals for March and April, there were three for the Phase 1 breezeway, nine Phase 2 room rentals and no Phase 2 pergola rentals. The recent events were successful. There was a Summer Spectacular on May 18<sup>th</sup> and adult only cornhole tournament on June 15<sup>th</sup>. Ice cream social, root beer float days and a concert with North of 40 were planned for Phase 1 in June and July. Before school starts, there would be an event in August. The Halloween, Christmas and Easter events were their cornerstone, but they were open to receiving suggestions. Mr. Masters was hoping that they could have cornhole at the carnival event, they

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could have cornhole tournaments and it could be advertised. Since it did not come out of their budget, they could do other events as well. Mr. Payne pointed out that they were continuing to partner with the POA for additional recommendations.

## **2. Sheriff's Office Report**

Deputy Guggisberg reported that she typically worked five days for this community and for the past month, trespassed 13 people. She worked at events and after school lets out. On food truck nights, people come from other neighborhoods, because they wanted to hang out with the food trucks, use the playground and all of the amenities that they can gain access to. At these events, she would check IDs and if they were non-residents, asked them to gather their belongings and leave. Most were Silverleaf residents who assumed that it was a Silverleaf property and suggested that someone work with Silverleaf to announce to their residents that Brandy Creek was separate from them. She stopped people with golf carts to educate them. As far as the traffic, Deputy Guggisberg was unable to find someone to access cameras, because that person retired. Mr. Masters spoke to a detective, who informed him how they responded to the community and how the cameras were working and questioned how Deputy Guggisberg handled cars parked the wrong way, against traffic and speeding in the community. Deputy Guggisberg indicated that most of the time, she issued a citation, as it was a county roadway and the Sheriff's Department maintained county roads. The law was to park in the direction of the flow of traffic, not within 25 yards of a stop sign or intersection or block intersections. If a car was parked incorrectly for an hour, Deputy Guggisberg would go to the house and talk to the owner. Once she explained the process, the majority of owners moved their car. The other ones, she would have to issue citations. Mr. Masters pointed out that Deputy Guggisberg did not have radar for speeding, but they could hire the Traffic Division to provide radar. Deputy Guggisberg noted a three-hour minimum to hire the traffic unit for certain hours, but this would get people to slow down, as soon as word gets out that people were being stopped for speeding. People go through the Phase 2 stop sign constantly and when CR 210 backs up, people cut through the community. Mr. Blalock asked if she issue tickets for running stop signs. Deputy Guggisberg confirmed that tickets were issued for running stop signs. Mr. Payne asked if the Board wanted to pursue the speeding for a period of time, to remind residents that speeding was not allowed. Mr. Blalock supported it but questioned the cost. Deputy Guggisberg confirmed it was \$165 per deputy but

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felt that it would be beneficial to the community. Mr. Jolly supported having it one time. Mr. Metych greatly supported it. *There was Board consensus for Deputy Guggisberg to provide a traffic unit with radar coverage.* Mr. Payne thanked Deputy Guggisberg for attending.

## **NINTH ORDER OF BUSINESS**

### **Supervisor's Requests and Audience Comments**

Mr. Payne addressed how the Board operated, in response to the post on social media. The Board had good communication with residents about the CDD but felt that they needed to be cautious in they communicate to residents about CDD matters and posting on social media. For example, if the Board was going to make a decision regarding signage for the county, they must consult with the county. Mr. Payne also voiced concern about residents assuming that decisions had already been made and discussing a matter on social media without the Board discussing or voting on it. He preferred posting the agenda, informing residents about a Board meeting and coming to the meeting if they had an issue, versus posting on social media. Mr. Eckert pointed out that using social meeting to announce a meeting, was a great practice, but the problem was using social media to advocate for something that the Board was going to consider, because once one Board Member discussed it, no other Board Member could respond or it would be a Sunshine Law violation. In addition, there should not be competing social media posts about a matter that may come before the Board for discussion and preferred that Board Members stay off of social media, unless it was to announce the meeting.

Mr. Jolly asked if there was an update on the JEA boxes being painted. Mr. Masters did not have any update, as he had not heard anything. Mr. Jolly received complaints from residents that when the room was rented, people were parking on both sides of the street, preventing emergency vehicles from getting through and asked if they could have overflow parking. Mr. Masters pointed out that the overflow parking was over irrigation and the car could damage it. Deputy Guggisberg did not recommend it and suggested advising the person who rented the room that their guests needed to park on the opposite side of the road. However, it was common for residents that lived near the facility to use the parking lot on a weekend for extra parking at night, which was the purpose of it, but they were parking on both sides of the road. Mr. Masters noted that there were 14 parking spaces and everyone drove a car and suggested building a parking lot in the field. Another issue was when someone rented the room, their guests were not from the neighborhood and did not know where to park. It was usually on the weekend, when



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Mr. Masters was not onsite. Deputy Guggisberg stated if there were parking issues, she would find out who was in charge of the party and request that they move their cars to the same side of the road. Mr. Blalock suggested having the host direct their guests to park on one side of the road. Mr. Payne agreed and recommended placing a reminder in the newsletter. Mr. Masters would include something in the newsletter and post a reminder on social media.

**TENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet & Income Statement as of March 31, 2024**

Mr. Oliver presented the March 31, 2024 Balance Sheet and Income Statement. The District was six months into the fiscal year. The Capital Reserve Fund balance was \$489,000. The District was in good shape with a positive variance of \$20,000 on the expense side.

**B. Assessment Receipt Schedule**

Mr. Oliver presented the Assessment Receipt Schedule, showing that the District was 98% collected.

**C. Approval of Check Registers**

Mr. Oliver presented the Check Register from February 1, 2024 to March 31, 2024 in the amount of \$584,069.68.

On MOTION by Mr. Payne seconded by Mr. Metych with all in favor the February 1, 2024 to March 31, 2024 Check Register in the amount of \$584,069.68 was approved as presented.

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – July 10, 2024  
at 6:30 p.m. at Phase 2 Amenity Center**

Mr. Payne stated the next meeting was scheduled for July 10, 2024 at 6:30 p.m. at the Phase 2 Amenity Center.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor the meeting was adjourned at 8:55 p.m.

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Brandy Creek CDD

DocuSigned by:  
*Jim Oliver*  
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Secretary/Assistant Secretary

Signed by:  
*Meredith Payne*  
F90EE6B0C57E452...  
Chairman/Vice Chairman