

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, November 13, 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
Barbara Little	Vice Chairperson
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
Dan Fagen	Vesta/Amenity Services Group
Jennifer Meadows	Vesta/Amenity Services Group

The following is a summary of the discussions and actions taken at the November 13, 2024 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

Mr. Payne was informed by Mr. Oliver, that a resident was supposed to attend this meeting to request use of their tennis facilities for tennis practice. However, they were not present.

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THIRD ORDER OF BUSINESS

Approval of the Minutes of the September 11, 2024 Meeting

Mr. Payne stated on Page 2, “*Mr. Eckertvoiced*” should be “*Mr. Eckert voiced*” and on Page 3, the Board was supposed to receive a letter from the Joint Legislative Auditing Committee (JLAC), due to the lateness of the audit report. Mr. Oliver reported that the letter would be received in late Spring of 2025.

On MOTION by Mr. Payne seconded by Mr. Blalock with all in favor the Minutes of the September 11, 2024 Meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Traffic/ Safety Matters

Mr. Payne recalled that this item was included on the agenda, due to a representative from the county being onsite, but there were no follow-ups. Staff will invite them to attend the next meeting, to discuss the changes, as there were still concerns about the traffic exiting on Nature Walk Parkway and from John’s Creek Parkway onto CR 2209. This item would be included on the next agenda.

FIFTH ORDER OF BUSINESS

Ratification of Agreements

A. Fifth Amendment to Agreement with Vesta Property Services, Inc.

Mr. Oliver presented the Fifth Amendment to Agreement with Vesta Property Services, Inc., which was included in the agenda package. Mr. Fagen confirmed that all fees were budgeted appropriately and there was no change in the scope. Mr. Payne pointed out that Vesta continued to provide services and there were no issues. Mr. Eckert indicated that his office prepared this agreement, based on the budget numbers. If the maintenance component was over \$195,000, it must be bid out, but it did not need to go out for bids, as it was only \$30,000.

On MOTION by Mr. Payne seconded by Ms. Little with all in favor approval of the Fifth Amendment to Agreement with Vesta Property Services, Inc. was ratified.

B. Hardwick Fence, LLC for Fence Installation Services

Mr. Payne recalled that the Board approved Hardwick Fence installing a fence at Phase 1 around the tennis court and in Phase 2, around the basketball court. He met with Mr. Masters to

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discuss these items and they were within the parameters of what the Board approved but questioned the dollar amounts. Mr. Eckert confirmed that the Phase 1 fence was \$8,362.47 and Phase 2 fence was \$19,753.53. Mr. Payne pointed out that this was a two-part process and after the installation of the fence, the access card reader would be installed.

On MOTION by Mr. Payne seconded by Mr. Metych with all in favor approval of the Agreement with Hardwick Fence, LLC for Fence Installation Services was ratified.

C. C Buss Enterprises, Inc. for Pool Refinishing Services

Mr. Payne presented the agreement with C Buss Enterprises for the resurfacing of the pool, in the amount of \$48,154, which was included in the agenda package on Page 38 and was consistent with what was agreed upon by the Board.

On MOTION by Mr. Payne seconded by Ms. Little with all in favor approval of the Agreement with C Buss Enterprises, Inc. for Pool Refinishing Services was ratified.

D. Com Pac Filtration, Inc. for Water Feature Refurbishment

Mr. Payne presented the agreement with Com Pac Filtration for a complete refurbishment of the splash pad, in the amount of \$125,000, which was included in the agenda package on Page 51. Mr. Masters negotiated this price from the vendor, which was under budget.

On MOTION by Mr. Payne seconded by Mr. Jolly with all in favor approval of the Agreement with Com Pac Filtration, Inc. for Water Feature Refurbishment was ratified.

Mr. Payne reported that Mr. Masters hired a contractor to repair the bulkhead for \$8,000 and the work was completed. As they excavated the area, they discovered a drain pipe that was inside of the soil, going into the bulkhead, which most likely contributed to the eroding of the soil. The contractor was able to bore a hole, in order for the water to run out into the pond, as opposed to behind the bulkhead. Mr. Eckert indicated that the access control contract for the fencing was being implemented, because the Board already authorized and approved it. Mr.

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Payne discussed this with Mr. Masters and the work was completed under the price that the Board approved.

SIXTH ORDER OF BUSINESS**Update Regarding Capital Projects**

Mr. Payne requested that this item be placed on the agenda, when Mr. Masters returned, as Mr. Masters had a report regarding some items that were underway. Mr. Masters was celebrating his son's marriage, but Mr. Payne met with him prior to this meeting.

SEVENTH ORDER OF BUSINESS**Consideration of Contract Renewals**

This item was discussed.

EIGHTH ORDER OF BUSINESS**Consideration of Annual Incentive Award**

Mr. Payne recalled that annually they discussed bonuses for on-site staff. Mr. Eckert stated that the maximum was 8% of the annual compensation of the General Manager and Events Coordinator, based on the performance, as rated by the Board. Mr. Payne had no concerns about providing the 8% to Mr. Masters and Ms. Meadows and wished it could be adjusted further, but they must follow the Statutes. Mr. Jolly questioned what this equated to in dollars. Mr. Fagen provided the numbers. Mr. Payne pointed out if all five criteria were met, it would reach 25 points. According to Mr. Masters, he did not care about himself but wanted Ms. Meadows to receive a bonus. Mr. Payne requested that all Board Members fill out their ranking sheets. Mr. Fagen appreciated the Board working with staff. Based on the rankings, both individuals would receive the maximum bonus. The Board thanked Ms. Meadows for her efforts.

NINTH ORDER OF BUSINESS**Other Business**

There being no comments, the next item followed.

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

Mr. Eckert reminded the Board Members that the deadline to complete their four hours of ethics training, was on December 31st. It could be completed online for free. Once completed, Board Members should send an email to him or Mr. Oliver, reflecting the completion date and in 2025, it would be recorded on their financial form. Mr. Metych questioned the free ones, as most

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were \$50 to \$75. Mr. Eckert would forward a memorandum that he prepared, which listed all of the free videos. Mr. Jolly questioned a letter in the mail, stating that he needed to send a check for \$10. Mr. Oliver confirmed that it was legit and was sent by the State. Board Members that were re-elected to the Board, would not be sworn until the 19th or 20th of November. Ms. Little pointed out that she took the ethics training, but did not receive a confirmation or certificate. Mr. Eckert explained that some classes did not provide certificates and it was based on the honor system and suggested Board Members send him or Mr. Oliver an email, confirming that they took the class, and no further action needed to be taken. Mr. Eckert reported that the Legislature was not in session, but after the holidays, there would be committee meetings.

B. Engineer

Mr. Payne requested that Mr. Schaefer work with Mr. Masters in engaging the county regarding the traffic concerns and making Johns Creek safer. Mr. Schaefer was happy to oblige, as he found Mr. Masters easy to work with and liked how much he cared about the community. Mr. Metych noticed equipment on their road and questioned whether the county was doing traffic counts. Mr. Payne stated according to Mr. Masters, the county was taking a count on the number of cars going in and out of the community.

C. Manager

Mr. Oliver reported that two Supervisors were re-elected to the Board in the last election cycle and congratulated them. At the next meeting, they would be sworn in to the Board.

D Operations Manager

- 1. Report**
- 2. Yellowstone Report**
- 3. Lake Doctors Report**

Mr. Fagen presented the report that Mr. Masters prepared, which was included in the agenda package, along with the Yellowstone and Lake Doctors Reports. The splash pad refurbishment work would commence 20 days after receipt of the check, with the expectation of completing the work in early February. Then it would be re-marcited, which was anticipated to take four to six weeks. The hope was to open the pool in the middle to end of March, in time for Spring Break. The pump system had been checked out. Typically, the filtration system would run a full five to seven days, to ensure that everything was working under the warranty and to be

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monitored by the contractor. Mr. Payne was informed by Mr. Masters, that by the time that the splash pad was refurbished, the equipment would be changed out with more durable products and would look like new when completed. Mr. Masters preferred to complete the refurbishment first, before completing the marciting, to prevent damage to the surface and informed him that the entire community was refreshed with mulch for the holidays, last week or early this week. Mr. Jolly questioned whether the erosion on the pond was repaired. Mr. Payne confirmed that it was not yet completed, as Mr. Masters was still talking with the contractor on how to execute the work, but it would be within the dollar amount that the Board approved. Photos were provided by Mr. Masters, regarding the bulkhead work. Mr. Payne felt that the community looked good. Mr. Fagen indicated that Mr. Masters provided the Pond Inspection Report, which was on Page 69 of the agenda package. Ms. Little noted an alligator on Pond 3, which had been there for some time, was over 4 feet long and sunbathing on the pond bank. Ms. Meadows would contact a trapper.

E. Amenity Manager

1. Report

2. Sheriff's Office Report

Ms. Meadows presented the Amenity Manager's Report, which was included in the agenda package, as well as the Sheriff's Office Report. The Sheriff came out twice in October, to perform speed checks, but that was the only time, as they were struggling to get people to volunteer. At this time, the November report had not been received. Ms. Little was happy to see that citations were issued. Ms. Meadows reported that the Annual Halloween Spooktacular Event was held on October 26th, which was fun, but was hard to set up, due to the hurricanes and thanked staff for putting up and removing decorations. It was a beautiful night, with it not being too hot or cold. Children were greeted when they first walked in, with a bag and candy. In the breezeway, Sally and Jack Skellington from A Nightmare Before Christmas, were available for children to take pictures, play games and receive prizes. Members of the Garden Club passed out candy and there were food trucks onsite. There was supposed to be a band, but due to miscommunication with the Band Manager, they never showed.

Mr. Payne questioned whether the band would return in November or December. Ms. Meadows stated that staff was trying to get them to return, as well as other bands, to the December event. Ms. Little reported that she attended the Halloween even and was amazed at

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how Ms. Meadows and Mr. Masters coordinated it, which she appreciated. Ms. Meadows was now preparing for the Santa event, which she was excited about, as they were working with a company that was like Build A Bear, having a bounce house shaped as a gingerbread house and a food truck. There was discussion about re-designing the website, to include more features, as the current one was outdated and not user friendly. There could be a page for just the amenities and another page for CDD information or it could be combined together. Mr. Oliver voiced concern about it being compliant with State Statutes. Mr. Fagen pointed out that they focused on the website providing information on lifestyle activities and would check on the pricing, but did not see a sizeable increase in cost. All he wanted was a website that would represent the community and be more cutting edge. Mr. Payne felt that it was something that they could look into. Mr. Fagen would come back to the Board with a proposal. Ms. Little requested details on the Turkey Trot. Ms. Meadows stated that it was scheduled for 8:00 a.m. on Black Friday and a link was included in the newsletter, for residents to register, but would resend it through an e-blast on Friday. There was a 5k portion and a walking portion. There was a fee of \$35, which was for charity. Participants would receive water and snacks from staff. Mr. Payne requested that Gatorade be provided.

ELEVENTH ORDER OF BUSINESS**Supervisor's Requests and Audience Comments**

Mr. Jolly asked if there were any updates on the dog park. Mr. Payne reported that Ms. Tracee Bowles of 898 W. American Eagle Drive, who made this request at the last meeting, was supposed to meet with Mr. Masters, but she was traveling. A meeting was scheduled next week for he and Mr. Masters to meet with her. Space was limited, but they would explore what opportunities were available. Mr. Masters was looking at an area behind the pond next to the care facility, which could be used for a dog park, but some people had concerns about the size, as a large space was needed for dogs to run. Mr. Eckert voiced concern about safety if the park were located on a sloped pond bank, but other Districts had dogs park and posted signage. Mr. Payne reported that the Garden Club was flourishing. It was a productive Summer. However, it was a learning experience, as some members were overzealous and planted cucumbers, zucchinis, okras and tomatoes in one slot. The Garden Club plans to meet the first Saturday of every month.

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TWELFTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet & Income Statement as of September 30, 2024

Mr. Oliver presented the September 30, 2024 Balance Sheet and Income Statement. These were unaudited and the balance of the Capital Reserve Fund was \$476,000 and another \$70,000 in contributions, would be added. There were new revenues of \$41,000, including \$4,000 in swim lessons and Interest Income of \$21,000, which was due to low interest rates.

B. Assessment Receipt Schedule

Mr. Oliver presented the Assessment Receipt Schedule, showing that the District was 101.73% collected. The process would start again, with Tax Bills going out on November 1st.

C. Approval of Check Registers

Mr. Oliver presented the Check Register from August 1, 2024 to September 30, 2024 in the amount of \$183,899.25. Mr. Payne felt that Brandy Creek managed funds well, based on Board decisions and Mr. Masters prudent spending, as this was the second year in a row, that assessments had not increased, compared to Julington Creek, which increased their fees by \$400. These were standard expenses.

On MOTION by Mr. Payne seconded by Ms. Little with all in favor the August 1, 2024 to September 30, 2024 Check Register in the amount of \$183,899.25 was approved.

Mr. Oliver confirmed that there was no increase in assessments in Fiscal Years 2023 and 2024.

THIRTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – January 8, 2025 at 6:30 p.m. at Phase 2 Amenity Center

Mr. Payne announced that the next meeting was scheduled for January 8, 2025 at 6:30 p.m. at the Phase 2 Amenity Center.

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FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Payne seconded by Mr. Jolly with all in favor the meeting was adjourned at 7:18 p.m.

DocuSigned by:

Jim Oliver

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Secretary/Assistant Secretary

Signed by:

Meredith Payne

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Chairman/Vice Chairman