

MINUTES OF MEETING  
RIDGEWOOD TRAILS  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Ridgewood Trails Community Development District was held Wednesday, March 1, 2023 at 6:00 p.m. at the Azalea Ridge Amenity Center, 1667 Azalea Ridge Boulevard, Middleburg, Florida.

Present and constituting a quorum were:

Marty Genska	Chairman
Jacqui Proctor Miller	Vice Chairperson
William Barnhouse	Supervisor
Dennis Schroyer	Supervisor
Michael Weatherbee	Supervisor

Also present were:

Marilee Giles	District Manager
Katie Buchanan	District Counsel by telephone
Tara Lee	RMS
Jay Soriano	GMS

The following is a summary of the actions taken at the March 1, 2023 meeting.

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Giles called the meeting to order at 6:00 p.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Ms. Young stated I'm on the HOA and have nothing to do with the CDD, but I have been getting numerous complaints of dirt bikes riding in the field. I have provided the pictures to Marilee.

Mr. Biggs asked are you going to provide shade of any type for the big pool? We have one table with an umbrella. The electric boxes coming in the main entrance, are eroding on the bottom. Do we have a maintenance person?

Mr. Genska asked what is the plan for shade?

Mr. Soriano stated I mentioned possibly doing shade sails. If the shade sail is too much, I can bring back other ideas. We only had two pergolas and two tables with umbrellas. There are

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five tables with no umbrellas. I recommend starting with the umbrellas on the five tables, but I still think we need to do a shade sail.

Mr. Genska stated let’s see if we can get some of this done before summer. I know we talked about the sails but don’t remember where we left that.

A resident asked are the umbrellas going to tilt?

Mr. Soriano stated yes.

Mr. Schroyer stated let’s get a couple quotes for the shade sails but go ahead and buy the umbrellas and drill the holes now.

On MOTION by Mr. Genska seconded by Ms. Miller with four in favor staff was authorized to purchase a shade sail in an amount not to exceed \$5,000.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

Mr. Edson and Mr. Young, both candidates to fill the vacancy expressed their interest in serving on the board.

**A. Appointment of New Supervisor to Fill Expired Terms of Office**

Ms. Miller moved to appoint Nicole Russ to fill the unexpired term of office and there being no second, the motion died for lack of a second.

Mr. Schroyer moved to appoint Mr. Edson to fill the unexpired term of office and there be no second the motion died for lack of a second.

On MOTION by Mr. Genska seconded by Mr. Schroyer with all in favor Michael Weatherbee was appointed to fill the vacancy in seat 2.

**B. Oath of Office for Newly Elected Supervisors and Appointed Supervisor**

Ms. Giles being a notary public of the State of Florida administered the oath of office to Mr. Weatherbee.

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Ms. Giles gave an overview of the sunshine law, public records law, Chapter 190 F.S., and ethics.

**C. Election of Officers, Resolution 2023-03**

On MOTION by Mr. Genska seconded by Mr. Barnhouse with all in favor Resolution 2023-03 adding Michael Weatherbee as an assistant secretary was approved.

**FOURTH ORDER OF BUSINESS**

**Public Hearing**

Ms. Buchanan stated our firm represents over 300 community development districts and sometimes we learn from our mutual experiences that there are ways we can be operating better. Resolution 2023-04 is an instance like that where we found that some districts have older or less user-friendly suspension and termination policies. We have created a template that we are proposing to all our boards for their review and consideration. The resolution adopts the rules for suspension and termination. It allows the district to suspend or terminate the rights of any user for various reasons, which are listed from A to M. A lot of these were in your old rules, a new one is failure to pay amounts owed to the district in a timely manner such as you rent the facility, failed to leave it in a good place and there were damages and you owe the district money for that damage, the district can suspend your access until the district was made whole for those repairs. Suspension could be found for failing to abide by district policy, treating district staff in a harassing or abusive way, damaging, destroying or rendering inoperable district property, engaging in conduct that is likely to endanger the health, safety or welfare of district staff, committing a crime on the property, engaging in another violation after a verbal warning has been given. We can also hold the resident accountable for the actions of their guests.

On MOTION by Mr. Genska seconded by Mr. Weatherbee with all in favor the public hearing was opened.

Ms. Giles stated I don't have any comment cards for the public hearing. Are there any comments about this resolution?

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A resident stated staff is here Monday through Friday. Are you getting a Saturday/Sunday staff person that was approved in the budget? That way if there is an issue someone is here to deal with it?

Ms. Giles stated if there is an incident it just needs to be reported with the, who, what, when, where and how, whether it is on the weekends or during the week. If you witness an incident, come to the office and fill out a sworn statement and that will start the suspension process.

Mr. Soriano stated we did have that in the budget, but it was one of the things the board cut out. We were asking to have someone on the weekends just for summer. The last two weekends this place was a mess Monday morning. The biggest problem with lifeguards is that is a low amount of pay to get treated the way they did last year. Some of them were your neighbors and the parents said they weren't allowed to work there anymore.

Ms. Miller stated when we have events with the HOA we have staff.

A resident asked are there enough cameras to review what happened over the weekend?

Ms. Giles stated we don't come in on Monday and review them just to review them unless it has been brought to our attention.

Mr. Soriano stated they have been helpful at times but that is not the answer. I have been here and talked to people and they will leave while I'm here and if I'm not here they are going to come back.

A resident stated my understanding is the cameras and security system here is what the community pays for. I'm also aware that these cameras are not being monitored.

Mr. Soriano stated we don't monitor the cameras. You don't pay for monitoring of them.

A resident asked why do we have the cameras then? That is what we paid for.

Mr. Soriano stated it is recorded, it does help after the fact. This is not a monitored security system; it is going to cost more to have it monitored.

A resident stated I'm also told that CCSO cannot arrest/fine anyone without someone from the board here.

Mr. Soriano stated not the board, where staff is designated in CDDs to do the work. A lot of times you will have an officer that doesn't want to do it unless I'm there and that is dependent on the officer.

A resident stated I understand the CCSO has asked for a pool badge to get in here at night because certain people are in here at night.

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Mr. Soriano stated they have not asked us for that. We have no problem giving them full access.

On MOTION by Mr. Genska seconded by Ms. Miller with all in favor the public hearing was closed.

**A. Adopting Revised Suspension and Termination Rules, Resolution 2023-04**

On MOTION by Mr. Schroyer seconded by Mr. Barnhouse with all in favor Resolution 2023-04 was approved.

**B. Adopting Revised Rental Rates, Resolution 2023-05**

Mr. Soriano stated your rental rate was very minimal, I threw out a number to increase revenue and there were a lot of complaints from residents. You still have to pay for things such as maintenance, repairs and replacements. We set it up so there is a spread and we can adjust it over time if we need to and that would alleviate the need for another rate hearing. I suggest a rental fee between \$75 and \$150 for this room and the building with the small pool a rental fee between \$150 to \$250. We set it up for four-hour rentals.

Ms. Miller asked how late can they be in this room?

Mr. Soriano stated 9:00 p.m. and that is a district policy and you can adjust that.

Ms. Miller stated I wrote down some rental times, 9-1, 2-6 and 7-10 and that leaves an hour in between for clean-up. If we wanted to, we could do three rentals in one day. Obviously, 7-10 you couldn't have the pool.

Mr. Genska stated I was always a proponent of the lower fees where it crosses my line is when you want to use this building they are going in the pool and you are taking away assets from all the other residents. I'm looking at the idea of having specific time slots and limiting the evening slot to just the building.

Mr. Schroyer stated I like the time slots, but suggest the two earlier ones the rate be higher and the later one would be not as high. 9-1 and 2-6 would be \$100 and \$200 and the late rental drop it back to \$75.

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Mr. Soriano stated that would help our end because that offsets the cost you are paying for lifeguards. You could use that as a justification. If you have staff involved because they are having a party here it should cost them.

Mr. Barnhouse stated I agree with Marty, if this room gets rented Friday, Saturday and Sunday there are a lot of adults that like the small pool. If it gets rented out we may not get to use it. I'm not sure if we limit how many times such as two early parties a day so adults might want to use it after that timeframe.

Mr. Genska stated that is a good argument for not doing three a day.

Mr. Soriano stated that is one problem when districts privatize an area, you are making revenue but you taking it away from residents.

Mr. Barnhouse stated if it starts to get more rental usage, we can dial it back.

Ms. Miller asked do we want to charge more on the weekends?

Mr. Soriano asked Katie, do we have to approve this spread on Exhibit A or do we have to finalize what the rate is going to be, Friday, Saturday and Sunday versus Monday through Thursday. Can we approve it this the way we have it set up with \$75 - \$150 and make that as part of the policy?

Ms. Buchanan stated you can take the more flexible approach.

Mr. Soriano stated we just have to approve the spread and come back as part of the policy and say this is how we want to set it up on weekends so that there will always be a space and it is not taken up by birthday parties.

Mr. Barnhouse stated we can start out Monday through Thursday the building at \$75 and Friday through Sunday \$150. Same way with the building with the pool Monday through Thursday \$150 and Friday through Sunday \$250 if it becomes a problem or we need to adjust the cost to make it more cost effective for the residents we can do it at that time.

Mr. Soriano stated as long as you work inside the rate that has already been advertised.

On MOTION by Mr. Genska seconded by Mr. Weatherbee with all in favor the public hearing was opened.

A resident stated I think an hour between rentals may not be enough time to break down and set up for the next rental. The 7 – 10 is only 3 hours versus 4 hours. A few meetings ago there was a discussion of non-residents renting.

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Mr. Barnhouse stated as long as they had a membership to have the same privileges you have.

Mr. Soriano stated that was different. There is one way you can get this room as a non-resident, if you have a friend here who rents it for you and we do see that. In some districts we have rules against that, other districts said they live here and want their friends to be able to have a birthday party here at that rate. It is the person who lives here that signs the paperwork. It is their responsibility and the payment has to go through them, but it is not really their party. If you want to address that, it is different than what we are discussing.

A resident stated it is unfair to book this place over the weekend and not have access because someone is renting the pool and this room. Not everybody can come up with the deposit and the rental fee. I ask that as a board keep that in mind. Do the key cards for access shut off after a certain time for the pool?

A resident stated I know you are adjusting the rate. Are you doing anything with the deposits? You just priced us out of there. We are a family that doesn't have exorbitant funds.

Mr. Soriano stated the deposit didn't change.

A resident stated I understand but now we may get the deposit back but if we didn't see something was broken we have lost the money to rent the room and the deposit.

A resident stated the person renting the room should do a walkthrough with staff.

Mr. Soriano stated we don't have staff here at all those times. If you want to do that you have to pay to have staff here which means the rates have to go up more. You haven't gone beyond the deposit, they give the same deposit checks back to the resident. Luckily we haven't had an issue like that.

A resident stated the person renting the room can walk through with the cellphone before and after the rental.

Mr. Genska stated I don't know what the process is of someone making sure it is clean.

Mr. Soriano stated there is none, it is up to the residents to do that. It is in the policy now that the residents have to clean up after themselves.

A resident stated I don't think you should have to pay a high price if you are not going to use the pool.

Mr. Soriano stated you pay \$100 less if you are not going to use the pool.

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A resident stated I don't know if you use our money to buy these glade plug-ins but this room don't stink anymore because there are no animals in the thing and I don't feel like I should get a headache every time I come here because of the glade plug-ins.

A resident stated the HOA uses this room from time to time for HOA events. We had a bingo night that the community wants to see more of. If this room is rented on a Friday night that doesn't allow the HOA use.

Mr. Genska stated you reserve it just like anybody else.

A resident stated then I would have to pay a fee.

Mr. Genska stated no, but you would have to reserve it.

Mr. Soriano stated I recommend a different process because it creates a problem when somebody that wanted to rent it out for that time, they may not care about the HOA. You should have a process in place. One for doing free meetings. A lot of districts will not do any free meetings because that creates an opening for somebody else to complain because their group doesn't get it for free. We want to keep ourselves away from that so there should be a process whenever we do free meetings so if an application comes to the board and asks for that specific date and the board grants them usage for that date and time and waives the price or you can give someone a discount, but only the board would be able to approve that.

Mr. Genska asked what is the process?

Mr. Soriano stated you have the rental application on the website, we could set that up to where they ask for zero dollars, we would bring that to the board and make sure the board agrees.

Mr. Genska stated if it is an HOA function we should not be charging. There has to be a calendar so you don't have three people go online and put something in with the same date.

Mr. Soriano stated they don't go online to put the date in, they go online to fill out the paperwork and bring it to us and we don't reserve it and take it off the calendar until they pay for it. It has to be in your policy as to how far out you can book the room.

Mr. Genska stated the HOA knows within two months they are going to have an event and they can put in for it like anybody else.

On MOTION by Mr. Genska seconded by Mr. Weatherbee with all in favor the public hearing was closed.
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Ms. Giles stated Jay has mentioned that we can get into the details of how that spread will work and the block of time and we will adjust the current policy that we have. That part does not have to be done tonight. We are looking to approve the amended amenity rates that was noticed.

On MOTION by Mr. Genska seconded by Mr. Schroyer with all in favor Resolution 2023-05 was approved.

Mr. Soriano stated I can go through the notes we have made in this meeting and update the spreadsheet and send it to the board.

Ms. Giles stated I can leave it on the agenda as an open item.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of Spending Authority Resolution 2023-06**

Ms. Giles stated this resolution is how you are already doing business, but I asked district counsel to put it in writing for us to protect the district. This resolution validates the process of disbursement of funds and how we do that.

Ms. Giles reviewed in detail the continuing expenses, non-continuing expenses, and emergency expenses that are contained as part of the resolution.

On MOTION by Mr. Genska seconded by Ms. Miller with all in favor Resolution 2023-06 was approved.

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of First Addendum to Agreement with Riverside Management Services**

Ms. Giles stated at your May 4, 2022 meeting the board approved the amenity manager a spending limit of \$1,500. The addendum in the packet codifies just that, it states the amenity manager shall have the authority to make payments directly to vendors or make purchases for emergency or non-recurring services or goods necessary for budgeted items up to \$1,500.

On MOTION by Ms. Miller seconded by Mr. Barnhouse with all in favor the first amendment to the agreement with Riverside Management Services was approved.

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**SEVENTH ORDER OF BUSINESS**

**Ratification of Audit Engagement Letter with Berger, Toombs, Elam, Gaines & Frank for Fiscal Year 2022**

On MOTION by Mr. Weatherbee seconded by Mr. Genska with all in favor the engagement letter with Berger Toombs to perform the fiscal year 2022 audit in an amount not to exceed \$3,190 was ratified.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposals for Storm Drain Cleaning**

This item tabled.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer – Work Authorization No. 17 for 2023 Hourly Billing Rate Escalation**

Ms. Giles stated they have not raised their rates since 2010. Jay and I try to answer questions and facilitate anything for the engineer so as not have him at the meetings or call in and we are able to save some money. We have a budget line of \$3,000 for engineering services. There is a requirement for a public facilities report every seven years and the last one was done December 28, 2017 so we will have one done in 2025. If the money in the line item isn't spent it rolls over into the carry forward funds.

On MOTION by Mr. Genska seconded by Mr. Barnhouse with all in favor work authorization no. 17 was approved.

**C. Manager**

Ms. Giles stated as a reminder we will approve the proposed FY24 budget at our next meeting, which is May 3<sup>rd</sup>. We will adopt the budget at the July 5<sup>th</sup> meeting. Between now and the May meeting Tara, Jay and I will review agreements and seek any board guidance.

**D. Operation Manager's Report**

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Mr. Soriano stated Tara is our new amenity manager, she has been here for a while learning the ropes and a lot of the residents have gotten a chance to meet and work with her.

## **E. Amenity Manager**

### **1. Report**

Ms. Lee reviewed the amenity manager's report, copy of which was included in that agenda package.

### **2. Landscape Inspection Report**

Mr. Soriano stated we talked about putting Crape Myrtles and bushes in those beds when Tree Amigos was here and we only did six of the beds. This proposal is for the other six beds.

On MOTION by Ms. Miller seconded by Mr. Weatherbee with all in favor the proposal from Brightview for Crape Myrtle in an amount not to exceed \$5,000 was approved.

## **TENTH ORDER OF BUSINESS**

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

Mr. Schroyer stated I want to verify field repair on page 143.

Mr. Soriano stated that is your hourly people for maintenance. The reason it varies is because they may be here six hours one week and eight hours one week. You didn't put a lot in your budget for general facility maintenance, last year it was \$10,856 and you went up to \$11,500 this year, that is your hourly and when you break that down that is going to average to about 6 ½ hours a week.

Mr. Schroyer stated since some of this is basic stuff we are being charged for, why can't we do that ourselves, for example painting baseboards.

Mr. Soriano stated you can have volunteers to do that. We are happy to send out an email about volunteers such as painting this room. When we sent the email out for volunteers last time, we only got a couple, but we got a lot of angry emails because we were asking for volunteers.

Ms. Giles stated it needs to come from the board; that is board guidance to staff.

A resident stated we could volunteer for plantings.

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Mr. Soriano stated you could help but my concern is we can't hold Brightview accountable for anything we do, buying plants if they die there is no warranty. We have areas we have to watch out for, but we can certainly do some of that stuff with volunteers.

Ms. Giles stated if there is a project that Jay has presented to the board such as painting this room, then the board can direct staff to send out an eblast to ask for volunteers.

Mr. Soriano stated I still need to feel comfortable that the volunteers are not creating more work for your hourly staff.

Ms. Miller stated on page 106 can you explain the column that says adopted budget. Is that for a month?

Ms. Giles stated the first column is the adopted budget for this fiscal year, the prorated is what we thought we would spend through January 31<sup>st</sup>, the actual column is what we spent. This shows you what you have spent each month and you can walk it back up to those two columns we are talking about.

Ms. Miller asked what is trustee?

Ms. Giles stated that the bank fees for the bonds.

Ms. Buchanan stated even though most of your bonds were exhausted through the foreclosure process, there is still a small amount of bonds that are outstanding, so the district has to pay an annual fee to the bank to monitor that money.

Ms. Miller stated the budget amount for the trustee is \$5,650 and we have spent \$4,436. So how about under the Amenity Center? The Amenity repairs line is over?

Ms. Giles stated yes, we thought we would only spend \$5,000 and we have spent \$14,000. Go to the month to month and see when that was spent and that may refresh our memories as to what that was for.

Ms. Miller ask the question about the security system.

Mr. Soriano stated I think that was the doors. You have two parts to the security system; the access control and we spent extra money to have that installed and cameras. I'm pretty sure the a/c unit was under repairs and replacement and that was not planned or in the capital reserve study.

Ms. Miller stated the weight room machines, I know we have a warranty. Who fixes the machines when they break? Is it the company that sold it?

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Mr. Soriano stated yes, you get a warranty with the company, there is a one-year and depending on the machine some have two years on parts, some have higher. Once you go beyond the warranty parts fall on the manufacturer and you still have to pay somebody to do the work after one year. After that warranty you should look at bringing in a company that does repairs and preventative maintenance for fitness equipment.

Ms. Giles stated I want to point out that your last capital reserve study was done in 2021 and the inflation rate was 2.5% we are now at 9% inflation. We use the capital reserve study to determine how much to put in the next budget and I will work with the accountant to try to get a better number. When I bring the proposed budget to you, I will explain how we got to a higher amount than what is listed in the capital reserve study.

Ms. Russ stated there are some picnic tables in the back of the neighborhood that are in open areas. Some residents would like to know if one or two could be brought from the back area and one be put in Reed Valley Way areas where the walking path is and one or two on either side of the soccer field.

Mr. Genska stated we should be able to do that.

## **ELEVENTH ORDER OF BUSINESS**

### **Approval of Consent Agenda**

- A. Approval of the Minutes of the January 4, 2023 Meeting**
- B. Balance Sheet & Income Statement**
- C. Assessment Receipt Schedule**
- D. Approval of Check Register**
- E. Agreement with Beyond Your Ordinary for Playground Structure**
- F. Agreement with NPC Installation Company for Installation of Playground Equipment**

On MOTION by Mr. Genska seconded by Mr. Barnhouse with all in favor the consent agenda items were approved.

## **TWELFTH ORDER OF BUSINESS**

**Next Meeting Scheduled for Wednesday, May 3, 2023 at 6:00 p.m. at the Azalea Ridge Amenity Center, 1667 Azalea Ridge Boulevard, Middleburg, Florida**

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Ms. Giles stated the next meeting is scheduled for May 3, 3023 at 6:00 p.m. in the same location.

On MOTION by Mr. Schroyer seconded by Mr. Weatherbee with all in favor the meeting adjourned at 8:26 p.m.

DocuSigned by:

*Marilee Giles*

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Secretary/Assistant Secretary

DocuSigned by:

*Marty Genska*

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Chairman/Vice Chairman