

**THE OAKS AT SHADY CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

August 21, 2020 Minutes of Public Hearing & Regular Meeting

**Minutes of the Public Hearing & Regular Meeting**

The Public Hearing & Regular Meeting of The Oaks at Shady Creek Community Development District was held on **Friday, August 21, 2020 at 10:00 a.m.** via conference call at 1-866-906-9330 with access code 4863181.

**1. CALL TO ORDER/ROLL CALL**

Gene Roberts called the Public Hearing & Regular Meeting of The Oaks at Shady Creek Community Development District to order on **Friday, August 21, 2020 at 10:00 a.m.**

**Board Members Present and Constituting a Quorum at the onset of the meeting:**

- Danny Schoonover                      Chair
- Gill Hammond                         Vice Chair
- Michelle LeBeau-Elrod             Supervisor
- Robin Lush                              Supervisor
- Timothy Wersinger                 Supervisor

**Staff Members Present:**

- Gene Roberts                         District Manager, Meritus
- John Vericker                         District Counsel, Straley Robin Vericker

There were no residents in attendance on the conference call.

**2. PUBLIC COMMENT ON AGENDA ITEMS**

There were no audience comments on agenda items.

**3. RECESS TO PUBLIC HEARINGS**

Mr. Roberts directed the Board to recess to the Public Hearings.

40 **4. PUBLIC HEARING ON ADOPTING PROPOSED FISCAL YEAR 2021 BUDGET**

41 **A. Open the Public Hearing on Adopting Proposed Fiscal Year 2021 Budget**

42  
43 MOTION TO: Open the public hearing.  
44 MADE BY: Supervisor Hammond  
45 SECONDED BY: Supervisor Lush  
46 DISCUSSION: None further  
47 RESULT: Called to Vote: Motion PASSED  
48 5/0 – Motion passed unanimously

49  
50 **B. Staff Presentations**

51  
52 Mr. Roberts went over the budget and line items with the Board. The total for the general fund was  
53 \$253,110.32, and the total for the debt service was \$420,431.00, with the total budget being  
54 \$673,541.33.  
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56 **C. Public Comments**

57  
58 There were no public comments.  
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60 **D. Consideration of Resolution 2020-07; Adopting Fiscal Year 2021 Budget**

61  
62 The Board reviewed the resolution.  
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64 MOTION TO: Approve Resolution 2020-07.  
65 MADE BY: Supervisor Schoonover  
66 SECONDED BY: Supervisor Hammond  
67 DISCUSSION: None further  
68 RESULT: Called to Vote: Motion PASSED  
69 5/0 – Motion passed unanimously

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71 **E. Close the Public Hearing on Adopting Proposed Fiscal Year 2021 Budget**

72  
73 MOTION TO: Close the public hearing.  
74 MADE BY: Supervisor Schoonover  
75 SECONDED BY: Supervisor Hammond  
76 DISCUSSION: None further  
77 RESULT: Called to Vote: Motion PASSED  
78 5/0 – Motion passed unanimously  
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**5. PUBLIC HEARING ON LEVYING O&M ASSESSMENTS**  
**A. Open the Public Hearing on Levying O&M Assessments**

MOTION TO:	Open the public hearing.
MADE BY:	Supervisor Schoonover
SECONDED BY:	Supervisor Wersinger
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion passed unanimously

**B. Staff Presentations**

Mr. Roberts went over the resolution with the Board and explained that the assessments for fiscal year 2021 will remain the same.

**C. Public Comments**

There were no public comments.

**D. Consideration of Resolution 2020-08; Levying O&M Assessments**

The Board reviewed the resolution.

MOTION TO:	Approve Resolution 2020-08.
MADE BY:	Supervisor Hammond
SECONDED BY:	Supervisor LeBeau-Elrod
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion passed unanimously

**E. Close the Public Hearing on Levying O&M Assessments**

MOTION TO:	Close the public hearing.
MADE BY:	Supervisor Schoonover
SECONDED BY:	Supervisor Hammond
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion passed unanimously

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**6. RETURN TO REGULAR MEETING**

Mr. Roberts directed the Board to return to the regular meeting.

**7. BUSINESS ITEMS**

**A. Discussion on HOA Reimbursement for Amenity Center Irrigation Electric Bill**

Mr. Roberts explained to the Board that it was recently realized that the HOA has been paying the electric bill for the irrigation pumps. The HOA is asking to be reimbursed 80% of the cost, which would be \$6,672.72 and moving forward, for the bill changed to the CDD and to bill the HOA monthly for 20% of the cost. The Board discussed.

MOTION TO:	Have the CDD reimburse the HOA for electric use for the irrigation pumps in the amount of \$6,672.22 and going forward agree to have an 80/20 split with the HOA, with the CDD assuming responsibility of the billing and then billing the HOA for 20% of the cost.
MADE BY:	Supervisor Hammond
SECONDED BY:	Supervisor Schoonover
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

**B. Discussion on RFP for Engineering Services**

Mr. Roberts went over that only one proposal was submitted, and it was from Landis Evans. The Board asked staff to reject the bid and resubmit an RFP for Engineering Services to try and get additional proposals, but Landis Evans will be considered.

MOTION TO:	Reject all bids and go out for RFP again and include Landis Evans's original bid in the new group.
MADE BY:	Supervisor Schoonover
SECONDED BY:	Supervisor Lush
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

**C. Consideration of Resolution 2020-09; Setting Fiscal Year 2021 Meeting Schedule**

The Board discussed the resolution and meeting schedule. They asked to add a caveat to the meeting schedule about meetings via teleconference.

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MOTION TO:	Approve Resolution 2020-09 with the meeting dates as printed, but with the additional caveat to allow for teleconference meetings in the event that it is still needed during this time of COVID-19.
MADE BY:	Supervisor Schoonover
SECONDED BY:	Supervisor Wersinger
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

**D. General Matters of the District**

**8. CONSENT AGENDA**

**A. Consideration of Board of Supervisors Meeting Minutes July 17, 2020**

The Board reviewed the meeting minutes.

MOTION TO:	Approve the July 17, 2020 minutes.
MADE BY:	Supervisor Schoonover
SECONDED BY:	Supervisor Wersinger
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously

**B. Consideration of Operations and Maintenance Expenditures July 2020**

The Board reviewed the July 2020 O&Ms.

MOTION TO:	Approve the July 2020 O&Ms.
MADE BY:	Supervisor Hammond
SECONDED BY:	Supervisor Lush
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously

**C. Review of Financial Statements Month Ending July 31, 2020**

The financials were reviewed and accepted.

208 **9. STAFF REPORTS**

209 **A. District Counsel**

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211 Mr. Vericker told the Board that the state has extended the statute to hold CDD meetings via  
212 teleconference through the end of September.

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214 **B. District Engineer**

215 **C. District Manager**

216 **i. Community Inspection Report**

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218 Mr. Roberts went over the management reports with the Board. Supervisor Schoonover asked the  
219 status of the sidewalks holding water and the cubing at the lift station. Supervisor Hammond  
220 explained the curbing contractor is backed up due to the weather and he will follow up with them  
221 next week. He asked the Board to consider moving the proposed curb to join next to the sidewalk to  
222 simplify maintenance. Mr. Vericker recommended staff check with District Engineer. The Board  
223 had no issues with this as long as the Engineer approves. Supervisor Schoonover asked about hog  
224 damage. Mr. Roberts will monitor and if justified, get the trapper back out. Supervisor Schoonover  
225 also asked about condition of pond 1. The Board asked for staff to get proposal for adding a  
226 fountain/aerator. Supervisor Hammond also asked for staff to get proposals for removing the soil  
227 from the end of pond 2.

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230 **10. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**

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232 There were no additional supervisor requests or audience comments.

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235 **11. ADJOURNMENT**

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MOTION TO:	Adjourn.
MADE BY:	Supervisor Schoonover
SECONDED BY:	Supervisor Hammond
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED
	5/0 – Motion Passed Unanimously

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245 *\*Please note the entire meeting is available on disc.*

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247 *\*These minutes were done in a summary format.*

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249 *\*Each person who decides to appeal any decision made by the Board with respect to any matter considered*  
250 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*  
251 *including the testimony and evidence upon which such appeal is to be based.*

252 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed  
253 meeting held on 10-16-2020.

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256 Signature

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259 Printed Name

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261 Title:

262  Chair

263  Vice Chair

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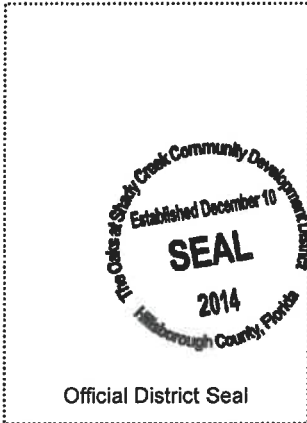
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Signature

Brian Lamb

Printed Name

Title:

Secretary

Assistant Secretary

Recorded by Records Administrator

Signature

Date  
10/20/2020