

MINUTES OF MEETING
HERITAGE PARK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Heritage Park Community Development District was held on Thursday, May 17, 2018 at 1:00 p.m. at the Heritage Park Amenities Center, 225 Hefferon Drive, St. Augustine, Florida 32084.

Present and constituting a quorum were:

Ken Kinnecom	Chairman
Mark Masley	Vice Chairman
Joanne Wharton	Supervisor
Rodney Philbrick	Supervisor
Robert Curran	Supervisor

Also present were:

Jim Oliver	District Manager (by phone)
Carl Eldred	District Counsel (by phone)
Jenny Urcan	District Engineer (by phone)
Ernesto Torres	GMS, LLC
Brian Stephens	Riverside Management Services
Cathy Radford-Baxter	HOA on-site administrator

FIRST ORDER OF BUSINESS

Roll Call

Mr. Torres called the meeting to order at 1:00 p.m.

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 15, 2018 Meeting

The Minutes are located in the agenda package behind Tab III.

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor the Minutes of the March 15, 2018 meeting were approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2018-02, Confirming the District's Use of St. Johns County Supervisor of Elections to Conduct the District's Election of Supervisors in Conjunction with the General Elections.

Mr. Torres stated this is a resolution from St Johns County Elections Supervisor. It is announcing that three seats that are up for renewal. This is our agreement with the county. There are three seats up for re-election – Seat #1, Mark Masley; Seat #3, Robert Curran; and Seat #5, Rodney Philbrick. The qualifying period is June 18 – 22.

Mr. Philbrick stated if we have a newsletter prior to period, I will have an article about the election time for the property owners to read.

On MOTION by Mr. Kinnecom seconded by Mr. Philbrick with all in favor Resolution 2018-02 confirming the District's use of St. Johns County Supervisor of Elections to conduct the District's election of supervisors in conjunction with General Elections was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2018-03, Approving the Proposed Budget for Fiscal Year 2019 and Setting a Public Hearing date for Adoption

Mr. Torres turned the meeting over to Mr. Oliver.

Mr. Oliver stated we are required to approve a budget by June 15 of each year and then have a public hearing to consider budget options no sooner than 60 days after approval of the budget. Today we will approve the budget and set a public hearing for July 19, 2018, which would be in conjunction with the regularly scheduled meeting. The budget before you today is essentially the same budget that you have been approving and adopting for the last several years. It anticipates no increase in assessments and essentially the same expenditures for the District. We have the opportunity to move money around as we go through the next 60 days to refine the budget. Once adopted, the board can amend the budget if needed. As we move toward adoption at the July meeting, we will have a few more months of financial information, so it is going to help us with our projections, especially when it comes to things like utilities.

No board members had questions about the budget.

On MOTION by Mr. Kinnecom seconded by Ms. Wharton with all in favor Resolution 2018-03 approving the proposed FY19 budget and setting a Public Hearing for July 19, 2018 at 1:00 p.m. was approved.

SIXTH ORDER OF BUSINESS

Discussion of Fence Encroachments Onto CDD Property

Mr. Torres turned the meeting over to Mr. Eldred.

Mr. Eldred stated I think this is something Ken wanted to discuss. I don't individually have anything I need to raise with the board at this time.

Mr. Kinnecom stated the ARB for the HOA recently approved the fence installation, and the new fence guy with his surveyor and property markings alleges that property adjoining is encroaching onto the CDD property into the bank. There are three properties that could be suspect of encroaching on CDD property, and I would like to engage our engineering firm to take a visual observation and, if need be, a formal survey. In the event those fences do encroach on CDD property, counsel would do the necessary demand upon the owner to remove said fence area encroaching.

Ms. Urcan responded I will look into that and go out there. I can report my findings and what we need to do to further.

Mr. Kinnecom stated I have an email and will make sure you get it. It shows the specific addresses.

Ms. Wharton asked is this going to be our own guy checking with the pins or is this outside?

Mr. Kinnecom responded it is our engineering firm.

Ms. Wharton asked are they going to do the surveying or are they going to just try to locate pins initially.

Mr. Kinnecom responded they will do a visual for us, and if they feel that yes it is in fact encroaching, they will do the formal survey of those markers that adjoin the CDD property on the banks.

Ms. Urcan stated I am going to look into the survey first just to make sure I know where the property line ends and CDD property starts, and then I will go out there and look.

Mr. Curran asked do we know if those addresses went through the Architectural Review Board for approval for those fences?

Mr. Kinnecom responded I don't have the answer to that. One thing on the ARB, we do make it very specific that you keep fence installation on or within your property line and not go outside that jurisdiction. The addresses are 902 and 903 East Red House Branch Road and 1325 Wild Pine Drive.

Ms. Wharton asked wouldn't that be the owner's responsibility to prove that they didn't encroach on the CDD easement? Why are we spending our money if the fencing company went outside of that? It seems like it would be their responsibility to say no, we are not on our property.

Mr. Kinnecom responded we need to make certain that our information from an outside party with a different fence installation is correct – that somebody's else fence is encroaching on CDD property. It is not up to them to say "hey, I am encroaching on your property." It is up to us to say you are encroaching and remove it.

Ms. Urcan stated she will have a report on this at the next meeting.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Eldred stated he has nothing to report this month.

B. Engineer

Ms. Urcan stated she had nothing new to report.

C. Manager

1. Report on the Number of Registered Voters (1,321)

Mr. Torres stated we are required by statute to report how many registered voters the District has each year. The number for Heritage Park is 1,321.

2. General Elections

Mr. Torres stated we have made comments about the General Election already and have filled you in regarding the number of seats that are expiring this year. Those who are interested should qualify during June 18 – 22.

D. Operations Manager

Mr. Stephens stated Yellowstone Landscaping is working on clearing the trees up from around the streetlights. That is beyond their scope, but they have agreed to help us where they can. The ones they can't get, we will get a tree company in to clean those up.

Ms. Wharton stated their clean-up on that is excellent.

Ms. Kinnecom asked could you make sure that house number 804 Oak Arbor Circle is checked? I have had two complaints of people hitting their head on the branches of the tree overhanging the sidewalk.

Mr. Stephens responded that normally would be the homeowner's responsibility, but I will ask them.

Mr. Kinnecom stated it is a rental property, and when you have an absentee landlord, things don't get done.

Mr. Stephens responded we will take care of it. GFI tripping for the light fountains has been minimal over the last several months, however, I did reset the fountain in lake 100 and 700. We are continuing to clean the lake and outfall structures on a bi-weekly basis, and we are continuing to work with FPL on the install of the lights at the speed humps on Heritage Park Drive.

Mr. Kinnecom stated we have gator that appears to be greater than 4' long in the pond, I think it is 1400. It is behind Quail Ridge.

Ms. Wharton stated in Pond 1000 there are three gators in one that are well over 4'.

Mr. Kinnecom asked what can we do to make sure this alligator division can get those guys relocated?

Mr. Stephens responded I have contacted the St. Johns County alligator hotline. They are aware that we have multiple alligators on site. I wasn't specific on ponds because they move so much.

Ms. Wharton stated I haven't seen the big one in Pond 1000 in a couple of days, but I have seen two smaller ones.

Mr. Stephens stated I do know that they are underneath the typical threshold in length for their removal, so I did tell them they don't seem to be afraid of humans. They will typically expedite the removal at that point. Also, the more people that call and complain, the better.

EIGHTH ORDER OF BUSINESS

Audience Comments

An audience stated someone has backed into our transformer and light post. They are right next door, and it has been a couple of weeks. I wanted to get an idea as to when that will be fixed because there are exposed wires. It was a mess, and we did what we could, but the concern is the wires. My issue is not the aesthetics, but the wires where kids play around in that area.

Mr. Kinnecom stated on May 3, we had a resident from Kings Grant area going through Wooded Crossing and drove right into the transformer, bushes, and knocked down one of the utility polls. That is at 266 Wooded Crossing. I have obtained the police report. We have notified the insurance company. FPL has ordered a replacement, and that will be soon I am sure. The wires are not hot, they have been disconnected. It has to stay there until it is ready to be replaced.

Another audience member asked the Mr. Stephens about putting the lights in at the speed bump. What do these lights entail? We have the speed bump right at our back gate. We now FPL lights shining in our house, and now we are going to be having flickering lights?

Mr. Stephens responded no, these will be additional street lights, but they will be focused towards the road, specifically not impede people who live on the back side of that light. They will be where the sidewalk is and will not be shining into your house.

Another audience member commented about the gator situation and stated I believe the FWC has to issue permits to determine if you have a nuisance gator before removal can take place.

Mr. Stephens responded my understanding is with the gator hotline, those people already have that in place, so it speeds up the system.

That audience member stated in glancing over your budget, you have under Lake Contingency, grass carp stocking, I think again FWC has to approve that.

Mr. Stephens stated they do, and there are already guidelines in place, and we already have the permits for it.

Another audience member who is new to community asked what do her CDD fees to for?

Mr. Torres responded the CDD is responsibility for its property within the community. There are two types of assessments that go along with that responsibility. One is for Operation and Maintenance. This fund covers the administration costs of the CDD, contract management and maintenance of district owned lakes, common areas and other assets. The other assessment

pays for the debt service on bonds the District incurred when it was formed. Those two are combined when we talk about assessments. The budget shows the actual line items that the CDD pays for.

Mr. Kinnecom stated we are responsible for 18 ponds, 22 fountains, and we have to maintain the banks of the ponds. You are welcome to look at a map of all CDD properties within Heritage Park. The budget breakdown has one for the debt service, which created the infrastructure for Heritage Park. The HOA has more of the fun things like the clubhouse, pool, trails, tennis, baseball diamond, and the doggie park. Financially, we are doing so much better than other CDDs in the State of Florida.

Mr. Torres stated your financials are very healthy.

NINTH ORDER OF BUSINESS

Supervisors Requests

Mr. Kinnecom stated diagonally across from 375 Hefferon is an area without a home. It is vacant land with a very deep, wide drainage area. It has been a problem site for 13 years. We have had many trespassers that cut through into Hefferon and occasionally there has been a congregation of young people under the bridge on Hefferon. One day I was present, and those kids were there sharing marijuana out of a Coke bottle. That area on the other side of Hefferon is not the best neighborhood. The kids cut through this vacant field. There have been a lot of complaints, and two weeks ago the county came in and with a few loads of dirt, they piled it where the existing fence on this vacant parcel but left room for them to go around the end of the fence. Even after all the rain, this morning we saw fresh tire tracks. What they do is climb over all these piles of dirt, and they are determined that they are going to continue to cut through here. The HOA has also experienced some people who don't belong here and are causing damage especially at the kids' playground around Kings Grant. We have to stop this once and for all. Brian and I met with an engineer from the county this morning at the site, and they suggested different options. One is to extend the fence that they put in when we addressed this issue some years ago. Now it is a matter of who owns what. The property appraiser's records at the County indicate that it is owned by the County, however, our Engineer's plat map says it is part Heritage Park CDD with the conservation area and the like. So the Engineer from the County first will do the internal work at the county with their maps people, all the recorded documents, and historical information because he feels it is owned by the CDD with easement granted to the County for

access to that big drainage ditch. Here is what the Engineer is going to do. Not much is going to happen today or tomorrow, but next week he will get back with me as to what they can do. They have to ascertain ownership. Once that's done, if they own it, he can proceed with other action. It looks like it is part of the Heritage Park CDD taxing authority. I have a hunch it is going to be up to us. I would like to authority from the board to work with staff and the county to coordinate fencing proposals. My idea is an 8' chain link fence on the backside to make it more difficult to access. I would like to set a dollar amount to work with. I would like to have it go into the vegetation on both sides. There would be chain link and vinyl fencing.

Mr. Stephens stated he just priced out 50' of 6' vinyl installed was \$3,900, vinyl that is 8' is going to be more expensive.

Mr. Masley stated we can do a NTE amount. I was thinking possibly \$10,000. It is not that he is going to spend all that, but at least he will have leverage to negotiate a better price.

On MOTION by Ms. Wharton seconded by Mr. Masley with all in favor to have Supervisor Kinnecom work with staff to coordinate fencing proposals and contract fencing in open area NTE \$10,000 was approved.

Ms. Wharton asked Mr. Stephens if he could look into some more efficient less expensive fountains. They are getting old. They seem to be running pretty well, but could we start investigating other options. They seem to be a big consumer of electricity, which is a big part of our budget. I would like to see if it can be replaced with a more efficient model that would give the same aesthetic effect.

Ms. Wharton also asked that an agenda package be dropped off in this location in advance so she can view and make notes. Mr. Curran would also like to receive a paper copy. They do not want the District to incur added expense.

TENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

Mr. Torres stated the unaudited financials in the agenda package are through April 30, 2018. In Capital Reserves, you have a balance of \$120,840, which is healthy for this District.

B. Assessment Receipts Schedule

Mr. Torres stated through the end of December you are 99.51% collected.

C. Approval of Check Register

Mr. Torres stated included in your agenda package is a check register in the amount of \$28,131.20.

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor the Check Register in the amount of \$28,131.20 was approved.

ELEVENTH ORDER OF BUSINESS

Next Scheduled Meeting

Mr. Torres stated the next scheduled meeting is July 19, 2018 at 1:00 p.m. This will also be the Public Hearing.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Philbrick seconded by Ms. Wharton with all in favor the meeting was adjourned.


Secretary Assistant Secretary


Chairman/Vice Chairman