

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, November 17, 2016 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
Ralph Pennington	Supervisor
Rodney Philbrick	Supervisor

Also present were:

Jim Oliver	District Manager
Carl Eldred	District Counsel (by phone)
Ryan Stilwell	District Engineer (by phone)
Louis Cowling	GMS, LLC
Christine Lamoureux	Heritage Park HOA

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comment**

There were no members of the public attending.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the September 15, 2016 Meeting**

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor the Minutes of the September 15, 2016 Meeting were approved.
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**FOURTH ORDER OF BUSINESS**

**Appointment of Audit Committee**

Mr. Oliver stated the Audit Committee is appointed for the purpose of going through the audit RFP process to select an auditor for the FY17 audit as required by Florida statutes. Typically we recommend that the Board of Supervisors serve as the audit selection committee because you need a quorum for that committee. It is easier to handle if you do it in conjunction with the CDD meeting.

On MOTION by Mr. Kinnecom seconded by Mr. Pennington with all in favor to appoint the Board of Supervisors to serve as the Audit RFP Committee was approved.

**FIFTH ORDER OF BUSINESS**

**Update on Trespass Litigation**

Mr. Eldred stated you will recall there was a Motion to Dismiss that had been filed by Plaintiff. That hearing was held earlier this month, and the judge denied the motion and directed the Plaintiff to answer the complaint. We received the answer yesterday, which essentially established and set forth his denials and admissions to the allegations contained in the complaint. We will be preparing a response soon. The litigation is proceeding, and we will endeavor to bring you as speedy a resolution as possible.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney –**

Mr. Eldred stated I have nothing else to report.

**B. Engineer**

Ryan Stilwell stated he had no report.

**C. Manager - Consideration of Proposal with GMS for Dissemination Services**

Mr. Oliver stated you approved that in substantial form at the September 15, 2016 meeting. An agreement has been prepared, which the Chairman will sign. In the agenda package, it shows a list of fees. The fee is actually \$1,000 per year, and that is what you adopted in your budget.

**D. Operations Manager**

Mr. Cowling stated the property went through the hurricane pretty well. We did have about 11 pine trees that fell on certain pond areas and drainage easements. Yellowstone took care of those for a little less than \$800. We did have one homeowner on New Park Court where seven or eight pine trees were leaning towards their property. We took those down. Overall we are in good shape. The hardest hit area was down Hefferon, our drainage easement by Pond 1500. Those are all sand pines there with no taproots, so some of those are leaning. Nothing looks like it is going to fall on our property right now, but there are some questionable ones. I will keep an eye on those, and if they lean any further, we might take some action on those. We had a fountain in Pond 1400 that was not operating after the storm. There was a seal replacement, and it is back operating. All the fountains are in good shape. There have been very few calls from residents.

Ms. Wharton asked after the storm, is anything ever done with the storm drains that are in the street for cleaning out.

Mr. Cowling responded if we see some stuff on top, we will pull it from the top. If there is trash inside of it, we report that to St. John's County, and they will come out. I didn't see a whole lot of buildup on the drains when I came through after the storm. We do check all the outfall structures to make sure they are clean and free of debris.

Mr. Masley stated to Mr. Cowling I have several trees surrounding my house that are dead. They are pine trees. If they fall, they will hit the house. Do I have to put a request in?

Mr. Cowling responded yes, definitely. Put a request in, I will come look at them. If they are close enough to damage any property, we can have those downed.

Mr. Oliver stated that is an important question. When you notify the District before they fall, the District is responsible for taking action. If you wait until after they fall, your property insurance will pay for it.

**SEVENTH ORDER OF BUSINESS****Audience Comments**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS****Supervisors Requests**

Ms. Wharton stated the utility lights and street lights get rather expensive. Is there anything on the books to go to LED or more efficient kind of bulb or system?

Mr. Cowling responded I have looked into it. There would be an up charge for removal of existing and replacing with LEDs. I don't know if they are going to give us any kind of break on the rate. I have asked them that before, and they couldn't give me the answer. The energy charge and upkeep of the lights are all included in our rate.

Ms. Wharton stated sometimes they have thing where if you turn in incandescent or whatever they replace it for free with the LED. I was wondering if there are any kind of programs we can get attached to lower our bills I think substantially.

Mr. Cowling stated the last the District put in, we put in four at the entrance, and they are all LED. We pay for those directly. The FPL lights the area lights. That is an agreement between the District and FPL. I can research a little more and ask them if there is a cost savings for operation and maintenance of those. I know it is a significant amount of money to change them.

Mr. Oliver asked is that a fixed fee per light bulb?

Mr. Cowling responded correct. It is a per-unit light bulb, and they separate them out for different kind of streetlights. These are just traditional lights.

Mr. Oliver stated let's send an email to Scott Sankey so we have the question in writing.

Mr. Kinnecom stated on October 4, the matter for Heritage Park Drive for the elevated roadway and the crosswalk going to a median, the acting Chief of Engineering for the County made an offer to us that would provide some recommendations about appropriate lighting. I did not immediately do an acceptance. Do you feel that to be a good move to ask for the ideas as to location and what kind of lighting?

Mr. Cowling stated yes, that is going to be at Heritage Park Drive?

Mr. Kinnecom stated the exiting crosswalks would be relocated 50 or 60 feet maybe away from the actual intersection. It has to be away from the storm drain so there is no adverse effect on drainage. This Department of Engineering put it on the consent agenda for the commissioners, and the commissioners had approved the plan to put the project out for bidding.

Mr. Cowling stated there is no requirement in St. John's County for area street lighting. That is up to you to put that in at your expense.

Mr. Oliver stated I think if you have a professional engineer that is going to offer some free recommendations, you can then consider what those recommendations are.

Ms. Wharton asked it doesn't increase any liability if the future if we decided to ignore the recommendations?

Mr. Kinnecom stated right, yes. I will go ahead and ask for his ideas.

Ms. Wharton asked with all the roadway construction and FPL moving everything, I noticed that as are coming around all the sidewalks, there are new drainage ditches or collection areas that have a lot of standing water. I understood that they were not going to be affecting any of our water flow increasing, decreasing our water table in our community. This is a difference in topography and where we have water collecting. Does that affect us? Who is going to maintain that as far as mosquito control? There is quite a bit of standing water in places, and I just want to ask. This is on Woodlawn where they are changing the road, and they are moving lights and have hacked down all the trees. They have put lots of asphalt in, but they have also created ditches. Where is that water going? Is that affecting our pond system?

Mr. Cowling stated the county has the obligation to have the drawings and have the contractor submit those. Ryan can probably answer better than I can as far as the drainage flows.

Mr. Stilwell stated the water should be taken care of outside. Any ditches that were done would have been permitted with the water management district.

Ms. Wharton asked so is the County responsible for maintaining those areas and mosquito control, etc.?

Mr. Stilwell responded yes, I think they are responsible for mosquito control.

Mr. Oliver stated Matthews Design Group is the engineer for this project, and we have worked with them in other Districts. I will ask them directly.

## **NINTH ORDER OF BUSINESS**

### **Financial Reports**

#### **A. Balance Sheet and Statement of Revenues & Expenditures**

Mr. Oliver stated the unaudited financials in the agenda package are through October 31, 2016. No unusual variances in the financials.

#### **B. Assessment Receipts Schedule**

Mr. Oliver stated the tax bill just went out the first week of November. We have received one collection so far.

**C. Approval of Check Register**

Mr. Oliver stated included in your agenda package is a check register.

On MOTION by Mr. Kinnecom seconded by Mr. Pennington with all in favor the Check Register was approved.

**TENTH ORDER OF BUSINESS**

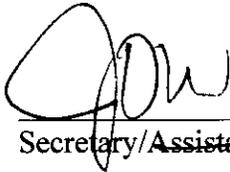
**Next Scheduled Meeting**

Mr. Oliver stated the next scheduled meeting is January 19, 2017 at 1:00 p.m.

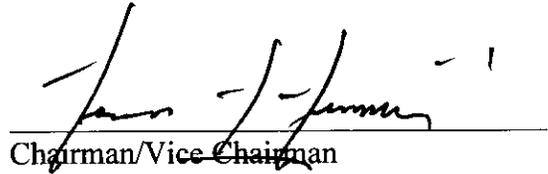
**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

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



Secretary/~~Assistant Secretary~~



Chairman/~~Vice Chairman~~