

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, September 15, 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 (by phone)
Joanne Wharton	Supervisor
Ralph Pennington	Supervisor
Rodney Philbrick	Supervisor

Also present were:

Jim Oliver	District Manager
Carl Eldred	District Counsel
Ryan Stilwell	District Engineer
Louis Cowling	GMS Operations
Christine	Heritage Park Riverside

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 public comments.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the July 21, 2016 Meeting

On MOTION by Mr. Pennington seconded by Ms. Wharton with all in favor the Minutes of the July 21, 2016 Meeting were approved.

FOURTH ORDER OF BUSINESS

Ratification of the Audit Engagement Letter with Grau & Associates to Perform the Audit for Fiscal Year 2016

Mr. Oliver stated we will end the fiscal year at the end of September. You selected this audit firm through the RFP process. This is the engagement letter, which I executed so that the audit could be started as soon as possible. The fee is \$3,800, and that is within budget. It is also what they agreed to in the proposal they submitted.

On MOTION by Mr. Kinnecom seconded by Mr. Pennington with all in favor to ratify the FY16 audit engagement letter with Grau and Associates was approved.

FIFTH ORDER OF BUSINESS

Consideration of Prompt Payment Policies, Resolution 2016-07

Mr. Eldred stated the the proposed prompt payment policies and procedures policies clarify exiting staturoy requirements and procedures for prompt payment of various invoices, etc., that may be received by local governments including the CDD. Mr. Eldred summarized the policies for the Board.

Ms. Wharton stated I think it is too long. I think nine pages on how you submit and invoice and how you pay is getting out of hand. I don't think this is any reflection on you, this is just one of my objections with government. Simplifying and being more friendly to the common man and not so much legalese. I don't find there to be a lot of legalese, and I thought it was pretty straightforward, however, I thought it was so extremely detailed that parts of it were redundant. I just have a problem with being such a small entity with not a lot of contractors going into such lengthy things. Starting at the smallest government possible, which we are, we used to be simple, and as simple and straightforward as we can, but I also don't live in the same world that you do with litigation and everything. My comment is not on this so much but future endeavors. If we could make them shorter and simpler, that is sure the way I would want to see us go. That's my biggest complaint.

Mr. Eldred responded that is a valid point. We are somewhat limited by what is existing within the statute. It was really an opportunity to provide more District-friendly language to fill in those gaps that we have seen within the application of the statute. I agree it is long. I am not sure to how much we would be able to cut it down while still complying with statutory requirement. The other option would be to put how we supplemented it, but then you end up

with two documents, which makes it more complicated while trying to navigate what is going on. I can certainly go back and take a look if you want me to.

Ms. Wharton stated no, I don't think that would be cost effective in the slightest at this point. I was talking about future things.

Mr. Eldred stated I agree.

On MOTION by Mr. Kinnecom seconded by Ms. Wharton with all in favor to adopt Resolution 2016-07, prompt payment policies, was approved.

SIXTH ORDER OF BUSINESS

Update on Trespass Litigation

Mr. Eldred stated the hearing on the Motion to Dismiss was to be held on October 3, but unfortunately the judge developed a conflict. We have some dates proposed for October and November. We are trying to identify a mutually appropriate date to have that motion hearing. As soon as I get that date fixed, I will circulate the information to the board. It will probably be a hearing in chambers. I wouldn't anticipate there being too much excitement going on that date, but if anyone wants to attend, they can do so.

Mr. Kinnecom asked would it be appropriate for the supervisors to be there or just leave it with the attorneys?

Mr. Eldred responded it wouldn't be inappropriate. I don't think it is necessary. I will be the first person to tell you when I think we need representatives there, but it would be kind of a pro forma motion hearing. It would probably be a 5 to 10 minute hearing on the actual motion that is before the court. If you want to attend, that's great, but it is certainly not necessary to attend.

SEVENTH 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**1. Resignation of Dissemination Agent**

Mr. Oliver stated in your agenda package is a termination of the dissemination agreement with Prager & Co. They no longer provide those services. What is happened at most of these Districts is that the district management company has taken that over. We have worked closely with the dissemination agent, and we are providing them all the information to disseminate.

On MOTION by Mr. Pennington seconded by Mr. Philbrick with all in favor to accept the resignation of the dissemination agent was approved.

2. Consideration of Agreement with GMS for Dissemination Services

Mr. Oliver stated in your agenda package is a proposed agreement with Governmental Management Services to provide those services at the same fee you are paying Prager. The fee is listed under Item #2 on Page 3. Counsel has reviewed this, and there will be some revisions to this agreement. To the extent the board wants to do this, we are looking for approval in substantial form. What the dissemination agent does is provide certain information that is required by the bond indenture. They provide that on a regular basis, and also if there is any special information that needs to be put out. We simply don't have many of these issues with this District that we may have with other Districts, particularly during the construction phase.

Mr. Eldred summarized the edits to the document that will be implemented.

On MOTION by Mr. Kinnecom seconded by Mr. Pennington with all in favor the proposal from GMS for dissemination services was approved in substantial form.

D. Operations Manager

Mr. Cowling stated Ponds 500 and 600 are all operational. I did replace a timer and capacitors and seals on 500, and the timer was replaced right after the last meeting for 600. Water levels are still low in some ponds. There are no major concerns, but I wanted to let you know they are still low. Algae are staying pretty good. We have had probably one or two callbacks all summer long. The mowing schedule has been pretty good. I have given them some leeway with the rain, but it looks like everything will be done on schedule. Another thing is we

have renewals coming up, and there is no cost increase for either vendor – Future Horizons or Yellowstone. One is up in November and one in October. It will be a letter stating there is no increase.

Mr. Oliver stated we will then bring it to the board for ratification.

EIGHTH ORDER OF BUSINESS Audience Comments

There being none, the next item followed.

NINTH ORDER OF BUSINESS Supervisors Requests

There being none, the next item followed.

TENTH 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 August 31, 2016. No unusual variances in the financials.

B. Assessment Receipts Schedule

Mr. Oliver stated assessment collections are strong; you are at 100% collected. We will be starting again when the tax bills go out November 1.

C. Approval of Check Register

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

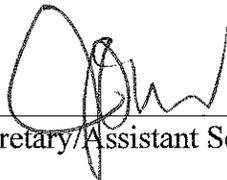
On MOTION by Mr. Kinnecom seconded by Mr. Pennington with all in favor the Check Register was approved.

ELEVENTH ORDER OF BUSINESS Next Scheduled Meeting

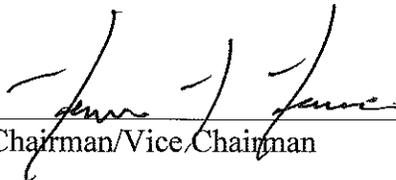
Mr. Oliver stated the next scheduled meeting is November 17, 2016 at 1:00 p.m.

TWELFTH 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