

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, January 17, 2019 at 1:00 p.m. at the Heritage Park Amenity Center, 225 Hefferon Drive, St. Augustine, Florida 32084.

Present and constituting a quorum were:

Ken Kinnecom	Chairman
Robert Curran	Vice Chairman
Joanne Wharton	Supervisor
Mark Masley	Supervisor (via phone)
Thomas Ferry	Supervisor

Also present were:

Jim Oliver	District Manager
Carl Eldred	District Counsel (via phone)
Jenny Urcan	District Engineer
Brian Stephens	Riverside Management
Jerry Lambert	Riverside Management
Candy Radford-Baxter	HOA-Onsite Administrator
Rodney Philbrick	Resident

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 1:00 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Mr. Kinnecom presented a plaque to Rodney Philbrick in appreciation for serving on the CDD Board from 2012 to 2018.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Oath of Office for Newly Elected Supervisors**

Mr. Oliver, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Curran and Mr. Ferry. Mr. Mosley was sworn in via telephone prior to the meeting.

**B. General Information for New Supervisors**

Mr. Oliver reviewed the Sunshine Law, Public Records Law and Code of Ethics.

**C. Election of Officers, Resolution 2019-01**

Mr. Oliver stated the current officer structure was Ken Kinnecom as Chair, Mark Mosely as Vice Chair, the remaining board members as Assistant Secretaries and various GMS employees as Secretary, Treasurer, Assistant Treasurer and Assistant Secretary to conduct business on behalf of the district in between meetings.

Mr. Kinnecom nominated himself to serve as Chair for the ensuing term. Ms. Wharton nominated Mr. Curran as Vice Chair. Mr. Curran accepted.

On MOTION by Ms. Wharton seconded by Mr. Ferry with all in favor electing the Chair and Vice Chair as stated above, the remaining Supervisors and GMS Staff as Assistant Secretaries, Secretary, Treasurer and Assistant Treasurer as evidenced by Resolution 2019-01 was adopted.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the November 15, 2018 Meeting**

On MOTION by Mr. Curran seconded by Mr. Kinnecom with all in favor the Minutes of the November 15, 2018 meeting as presented were approved.

**FIFTH ORDER OF BUSINESS**

**Acceptance of Fiscal Year 2018 Draft Audit Report**

Mr. Oliver reviewed the draft audit for Fiscal Year 2018, which was included in the agenda. The CDD was required by law to have an annual independent performed. The board selected Grau & Associates to perform the audit through the Request for Proposals (RFP) process, under Chapter 218 of the Florida Statutes. This was a clean audit with no current or prior year findings and recommendations or material weaknesses in internal controls.

Ms. Wharton requested clarification on Item 5 on Page 25 of the Report to Management. Mr. Oliver confirmed the district was not in a state of financial emergency. Once the board accepted the audit, Mr. Oliver would have it finalized and transmitted to the Auditor General.

On MOTION by Mr. Kinnecom seconded by Ms. Wharton with all in favor acceptance of the Fiscal Year 2018 Audit Report and authorization for staff to transmit it to the State of Florida was approved.

Mr. Kinnecom thanked Teresa Viscarra, the District Accountant, and the auditors for the quick turnaround and accuracy of the audit. Mr. Oliver acknowledged Mr. Kinnecom was involved in the review process and out of all of the districts GMS manages, the audit for this District was always completed first, due to the diligence of Ms. Viscarra. The statutory deadline was June 30<sup>th</sup>.

**SIXTH ORDER OF BUSINESS**

**Review of Updated Maintenance Map**

Mr. Oliver distributed updated maintenance maps, which were prepared by the District Engineer in conjunction with the Chair. Ms. Urcan noted three maps; a CDD property map, which was updated, an HOA and a map that was a combination of the HOA and CDD maps. The trail was only on the HOA map.

Ms. Wharton appreciated Ms. Urcan's hard work. It provided for better reference of the CDD and HOA areas. Mr. Kinnecom agreed, as it provided clear cut definition of ownership.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Eldred had nothing to report.

**B. Engineer**

Ms. Urcan had no further report.

**C. Manager**

Mr. Oliver apologized for not dropping off the agenda packages on time.

**D. Operations Manager - Report**

Mr. Stephens presented the Operations Manager Report, which was in the agenda package. Yellowstone removed limbs at 932 Oak Arbor Circle to allow for better lighting of the sidewalk, but Mr. Stephens felt more limbs should be removed and contacted Yellowstone this morning. A light on the fountain on Pond 1400 was out. He placed a service call to Future Horizons to come out to repair it.

**EIGHTH ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisors Requests**

Mr. Kinnecom provided an update on the Florida, Power & Light (FPL) light pole replacement. All documents were provided to Scot Thrapp of FPL who promised to relocate the poles by the end of 2018 due to safety concerns, but failed to do so. Mr. Kinnecom will follow up with FPL to get their attention or asked for the assistance of a resident who had contacts at Channels 12 and 25, which has a segment called "On Your Side" to handle problems that were not resolved. There was board consensus for Mr. Kinnecom to handle this matter at his discretion. Mr. Kinnecom heard that Muscovy ducks were creating a nuisance. Ms. Radford-Baxter reported that Fish and Wildlife and Animal Control were contacted about Muscovy ducks on a homeowner's patio creating a nuisance, but they do not relocate ducks. Someone must be paid to relocate them to another location.

Ms. Wharton asked why the CDD would be involved. Mr. Kinnecom explained that the Muscovy ducks were on Pond 100 and Pond 700 in The Villas. It was a growing problem that must eventually be addressed. They must pay for a private contractor to remove the ducks in a humane way. Ms. Wharton disagreed about excessive fowl in the ponds and unless there was a fish kill, the CDD should not be responsible. Her concern was that even though a paid contractor would humanely collect the ducks, they may not humanely dispose of them. A lengthy discussion ensued and Mr. Kinnecom would inform the board when the problem worsened. Mr. Stephens had similar issues in other CDDs but the problem was resolved once the food source disappeared. The ducks typically eat vegetation and seeds, but in one community a resident was feeding them cracked corn.

Mr. Curran spoke to the HOA board yesterday about unauthorized parking at the pump on Wild Cedar Court, specifically on weekends and suggested posting signage. Mr. Kinnecom noted a parcel outside of the fenced area at the pump station was owned by the City of St. Augustine, but the land around it to the back was owned by the CDD. Ms. Radford-Baxter noticed parking between Wild Cedar Court and Wild Palm Court more frequently during the day when there were inspections. Mr. Kinnecom suggested posting, "No Parking or You Will be

Towed” signs. Ms. Wharton wanted to limit the amount of signage. Mr. Kinnecom felt two signs would be sufficient and directed Mr. Stephens to obtain them.

Ms. Wharton questioned the longevity of the ponds. Mr. Oliver stated the ponds in other districts did not have bad erosion problems, but some had sandy soil. Mr. Stephens concurred. Ms. Wharton voiced concern that the ponds were halfway through its life expectancy and if funds should be budgeted for pond repair and maintenance. Ms. Urcan advised the longevity of the ponds were based on the condition of the ponds, how well they were maintained and the number of hurricanes. There was little damage from past hurricanes, which was a good sign the ponds would outlive their life expectancy, but it was hard to predict what must be replaced. Where there was a lot of erosion, dewatering was necessary. Mr. Oliver recalled Marabella CDD spent \$600,000 to repair their pond banks. Ms. Wharton stated Pond 600 was re-sodded several years ago and it looked better. Mr. Kinnecom recalled spending \$60,000 on Ponds 1700 and 1800 because they were sandy, but in his opinion, Heritage Park had the best maintained ponds of any district. Future Horizons was inspecting the ponds constantly. Ms. Urcan was not aware of any issues. Mr. Curran understood Ms. Urcan had to file an annual report with the St. Johns River Water Management District (SJRWMD). Mr. Oliver stated it was required under the Bond Indenture and GMS filed this report so bondholders would know the assets were being maintained.

Ms. Wharton suggested scaring the ducks off with loud noise such as firecrackers. Mr. Kinnecom noted a YouTube video on driving off the Muscovy ducks by using sound. Ms. Wharton suggested contacting a zoo or bird specialist for recommendations.

## **TENTH ORDER OF BUSINESS**

### **Financial Reports**

- A. Balance Sheet and Statement of Revenues & Expenditures**
- B. Assessment Receipt Schedule**
- C. Approval of Check Register**

Mr. Oliver presented the Unaudited Financial Statements through December 31, 2018. There were no unusual variances. The balance of the Capital Reserve Fund was \$120,000. Assessments were at 28% collected and the District would be fully collected like each year. Ms. Wharton appreciated GMS providing the percentages and their accuracy. The Check Register was from November 1, 2018 to January 7, 2019 in the amount of \$29,271.78

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

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – March 21, 2019 at 1:00 p.m.**

Mr. Oliver stated the next scheduled meeting was on March 21, 2019 at 1:00 p.m. at this location.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Curran seconded by Mr. Ferry with all in favor the meeting was adjourned.

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman