

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 16, 2020 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
Mark Masley	Supervisor (<i>by phone</i>)
Joanne Wharton	Supervisor
Thomas Ferry	Supervisor

Also present were:

Jim Oliver	District Manager
Carl Eldred	District Counsel (<i>by phone</i>)
Francis Dobleo	District Engineer
Brian Stephens	Operations Manager
Dr. Erick Aguilar	Candidate Florida Fourth Congressional District

The following is a summary of the actions taken at the January 16, 2020 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

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

Dr. Erick Aguilar, Republican candidate for the Florida Fourth Congressional District, introduced himself.

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THIRD ORDER OF BUSINESS

Approval of the Minutes of the November 21, 2019 Meeting

Ms. Wharton MOVED to approve the Minutes of the November 21, 2019 meeting as presented and Mr. Kinnecom seconded the motion.

Ms. Wharton noted Page 3 of the minutes was missing from her agenda package. Mr. Oliver stated it was missing from all agenda packages; therefore, the minutes of the November 21, 2019 meeting were tabled.

FOURTH ORDER OF BUSINESS

Public Hearing Adopting the Revised Rules of Procedure, Resolution 2020

Mr. Eldred presented a memorandum and redlined document highlighting all of the proposed changes to the Rules of Procedure. The main changes to the rules were:

- Rule 1.2 (4): Costs associated with responding to public records requests.
- Rule 1.2 (7): Designated the District Manager and Secretary as Financial Disclosure Coordinator.
- Rule 1.3(3): Revisions to the agenda could be changed after it was available for distribution.
- Rule 1.3(14): Portions of a meeting addressing security and fire safety issues would be discussed off the record and outside of the Sunshine Law as provided by Florida Law.
- Rule 1.4: Required CDDs to establish and maintain internal controls to prevent fraud, waste and abuse.
 - Mr. Eldred would work with the District Manager and auditor to develop controls.
- Rule 3.1(3), 3.2(2)(c): Clarified when the District provides notice of solicitations for bids.
- Rule 3.2(2): Procedure regarding auditor selection.
- Rule 3.11 Protests with Respect to Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9(c): Amended to require the amount of the protest bond during the CCNA process.

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Mr. Eldred stated that the District has been complying with the requirements through normal policy and operational steps. Making multiple revisions to the Rules of Procedure versus at one time was more efficient and cost effective for the District. There were no additional changes.

On MOTION by Mr. Kinnecom seconded by Mr. Ferry with all in favor the Public Hearing to adopt the Revised Rules of Procedure was opened.

There were no public comments.

On MOTION by Ms. Wharton seconded by Mr. Kinnecom with all in favor the Public Hearing to adopt the Revised Rules of Procedure was closed.

Mr. Oliver presented Resolution 2020-02, adopting the revised Rules of Procedure.

On MOTION by Mr. Kinnecom seconded by Mr. Curran with all in favor Resolution 2020-02 Adopting Revised Rules of Procedure was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Board of Supervisors Code of Conduct

Mr. Curran stated, "Rolling Hills" on the last page should be changed to "Heritage Park."

On MOTION by Mr. Kinnecom seconded by Mr. Curran with all in favor the Board of Supervisors Code of Conduct was approved as amended.

SIXTH ORDER OF BUSINESS

Acceptance of the Fiscal Year 2019 Audit Report

Mr. Oliver presented the Fiscal Year 2019 audit, which was a clean audit. Mr. Ferry questioned why on Page 5, from 2018 to 2019, "General Government" increased, while "Maintenance and Operations" decreased. Mr. Oliver explained there are always fluctuations in Operation & Maintenance (O&M) costs and you are correct that total O&M expenses declined as compared to FY18. The audit points out that the total cost of operations and depreciation exceeded program revenues. This was forecast when the budget was adopted, with the intent to use surplus funds to balance the budget and keep assessments level.

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On MOTION by Mr. Ferry seconded by Ms. Wharton with all in favor the Fiscal Year 2019 Audit Report was accepted.

SEVENTH ORDER OF BUSINESS**Discussion of Drainage Issue Between Kings Grant and the Villas**

Mr. Kinnecom recalled months ago, there were flooding issues at 641 E. Red House Branch Road. Upon investigation, the drains were filled with debris; however a drainage pipe was installed, which resolved the issue. Now, two weeks ago, the drainage issues resurfaced, and it was now a larger problem. He suggested placing a camera into the pipes to determine if they were broken or clogged, but in the meantime, rock could be placed around drain openings to prevent grass growth; however, Mr. Kinnecom preferred pavers around the drains. Ms. Wharton suggested having an open drainage ditch instead of a pipe as an alternative, which was easier to maintain, but unsightly and attracted mosquitos. Mr. Dobleo noted the inlets were part of a ditch system that collected water in back of homes, to be discharged directly to the pond through a pipe system and provided the following solutions:

1. Straighten out the slopes to make the water flow directly into inlets
2. Flush out the pipes
3. Light up the pipes. If the pipe was lit, the pipe was good
4. TV pipe inspection

Mr. Dobleo reported Atlantic Pipe Services quoted \$5,500 for a TV pipe inspection versus \$1,600 for four hours from Florida Pipe Tech. Ms. Wharton questioned what happens if there was a blockage when installing the camera. Mr. Dobleo stated the contractor would stop and report back to staff. Ms. Wharton felt \$5,500 was exorbitant. Mr. Dobleo suggested lamping the pipes. Mr. Kinnecom questioned the approximate cost to surround the drains around five inlets with pavers. Mr. Stephens was expecting a quote from Yellowstone. Ms. Wharton suggested purchasing four bags of concrete for staff to install. Discussion ensued.

On MOTION by Ms. Wharton seconded by Mr. Ferry with all in favor authorizing the Chair to spend a not-to-exceed amount of \$5,000 to address the drainage issues between and Kings Grant and The Villas was approved.

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Mr. Dobleo stated a more permanent solution was to lower the ditches to expose about 6 to 8 inches of the inlet and cut a hole on each side. Currently, the inlets were flush with the soil, causing grass to get trapped on the grates. Mr. Kinnecom suggested an amendment to Yellowstone's contract with the CDD for maintenance of the five drains. Ms. Wharton did not want staff to spend a lot of time on the camera because the swale needed to be redone, and appreciated Mr. Kinnecom's time, energy and expertise.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Eldred reported the legislative session commenced and staff would monitor any activity impacting the CDD. A weekly summary would be distributed to the Board.

B. Engineer

Mr. Oliver announced Mr. Dobleo was now the permanent District Engineer.

C. Manager

Mr. Oliver will present the Proposed FY21 Budget at the May meeting. Assessments are projected to remain at current levels.

D. Operations Manager - Report

Mr. Stephens presented the Operations Manager Report, which was in the agenda package. Ms. Wharton asked why the GFCI outlets were being triggered. Mr. Stephens did not believe there were any electrical issues because once reset, the outlets were not re-triggering.

NINTH ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests

Two weeks ago, Mr. Curran noticed kids behind his property fishing. He asked them to leave because fishing was prohibited according to the Recreational Policy, and they did, but they moved to a different pond. After they were asked to leave again, they fished in back of Mr.

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Kinnecom's house. Mr. Kinnecom contacted the Sheriff's Office and they were given a warning. Next time, the kids would be arrested for trespassing and stealing carp from the ponds. The kids were fishing in the rain, next to no fishing signs and lied about where they lived.

Mr. Curran witnessed someone speeding over speed bumps on Heritage Park Drive. He contacted the Sheriff's Department and they offered to monitor speeding occasionally. According to Mr. Kinnecom, the HOA was increasing resident assessments by 14% for security.

ELEVENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

Mr. Oliver presented the Unaudited Financial Statements through December 31, 2019. There were no unusual variances.

B. Assessment Receipt Schedule

Mr. Oliver emailed an updated schedule to the Board. The District was in great shape, as 75% of assessments were received for the fiscal year.

C. Approval of Check Register

On MOTION by Mr. Kinnecom seconded by Mr. Ferry with all in favor the Check Register from November 14, 2019 to December 31, 2019 in the amount of \$19,147.14 was approved.

TWELFTH ORDER OF BUSINESS

Next Scheduled Meeting – March 19, 2020 at 1:00 p.m.

Mr. Oliver stated the next scheduled meeting was on March 19, 2020 at 1:00 p.m. at this location.

THIRTEENTH ORDER OF BUSINESS

Adjournment

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

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Heritage Park CDD

DocuSigned by:

James Oliver

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Secretary/Assistant Secretary

DocuSigned by:

Ken Kinnecom

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Chairman/Vice Chairman