

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 28, 2020 at 1:00 p.m. via Zoom video conferencing, due to the COVID-19 virus.

Present and constituting a quorum were:

|                |               |
|----------------|---------------|
| Ken Kinnecom   | Chairman      |
| Robert Curran  | Vice Chairman |
| Mark Masley    | Supervisor    |
| Joanne Wharton | Supervisor    |
| Thomas Ferry   | Supervisor    |

Also present were:

|                   |   |
|-------------------|---|
| Jim Oliver        | District Manager                                |
| Carl Eldred       | District Counsel                                |
| Jenny Urcan       | District Engineer                               |
| Brian Stephens    | Operations Manager, RMS                         |
| Dr. Erick Aguilar | Candidate Florida Fourth Congressional District |
| Residents         |   |

*The following is a summary of the actions taken at the May 28, 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, thanked all essential workers and congratulated the class of 2020.

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**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the November 21, 2019 Meeting and January 16, 2020 Meeting**

On MOTION by Ms. Wharton seconded by Mr. Masley with all in favor the Minutes of the November 21, 2019 Meeting and January 16, 2020 Meeting as presented were approved.

**FOURTH ORDER OF BUSINESS**

**Appointment of Audit Services RFP Committee**

Mr. Oliver stated the District was required to engage an independent CPA firm to perform a financial audit under Chapter 218 of the Florida Statutes through the Request for Proposals (RFP) process. He recommended the Board appoint itself as the Audit Services Committee.

On MOTION by Mr. Kinnecom seconded by Mr. Ferry with all in favor appointing the Board as the Audit Committee was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-03, 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. Oliver noted terms of office for Seats 2 and 4 are expiring. Mr. Kinnecom serves in Seat 2 and Ms. Wharton in Seat 4. Mr. Kinnecom has filed his paperwork. Ms. Wharton will file her paperwork next week.

On MOTION by Mr. Masley seconded by Ms. Ferry with all in favor Resolution 2020-03 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 was adopted.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-04, Adopting an Internal Controls Policy**

Mr. Eldred presented the resolution, which adopted an Internal Controls Policy that was consistent with a recent legislative change. District Counsel in consultation with the District

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Manager and the auditor, prepared a policy to ensure the prevention and detection of fraud, waste and abuse. This was an accounting exercise.

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor Resolution 2020-04 Adopting an Internal Controls Policy was adopted.

## **SEVENTH ORDER OF BUSINESS**

### **Consideration of Resolution 2020-05, Approving the Proposed Budget for Fiscal Year 2021 and Setting a Public Hearing Date for Adoption**

Mr. Oliver presented Resolution 2020-05 approving the Proposed Budget, which must be approved by June 15, according to the Florida Statutes and setting a public hearing 60 days later on July 30, 2019. It was the same budget as prior years, with no change in assessments from the prior year's budget. \$30,000 in surplus funds would be transferred to the Capital Reserve Fund.

Ms. Wharton questioned the following:

- What is the bond amount and are trustee fees in regard to the bonds? Mr. Oliver explained US Bank is trustee and they charge a flat fee plus incidentals to manage the bonds; \$4,000 per bond issue, as negotiated at the time of issuance.
- Did the District receive a savings for streetlights, due to switching to LEDs? Mr. Kinnecom believed there was a 10% reduction. Ms. Wharton thanked Mr. Kinnecom for instigating the switch.
- What are the differences in the carry forward surplus? Mr. Oliver explained there was one for the Debt Service Fund and another for the General Fund.
- Why is there a discrepancy between the adopted budget of \$44,000 and actual of \$23,000? Mr. Oliver explained during the budgeting process, it was anticipated that \$44,000 was necessary to balance the budget, but it was not needed, due to revenues exceeding expenditures by \$32,000.

Mr. Ferry questioned why the Landscape Contingency increased from \$2,500 to \$6,000. Mr. Oliver showed the Landscape Contingency remained budgeted at \$6,000 for FY21. For FY20, the accountant projects only \$2,500 will be spent. This may change as needed to address additional landscape matters that arise. If during FY21 the Board needs to fund additional landscape projects exceeding \$6,000, there are funds in capital reserves.

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On MOTION by Mr. Ferry seconded by Mr. Masley with all in favor Resolution 2020-05 Approving the Proposed Budget for Fiscal Year 2021 and Setting the Public Hearing for July 30, 2020 at 1:00 p.m., at this location was adopted.

**EIGHTH ORDER OF BUSINESS****Update Regarding Drainage Improvements**

Mr. Kinnecom commended Mr. Stephens and his staff for their hard work and effort on the drainage project behind 641 E. Red House Branch Road. Mr. Stephens explained there were three drains; one was a non-issue. Five additional drains were found that were not on the original map. Concrete ribbons or skirts were poured around each drain to prevent grass from growing over it, which worked because there was no standing water yesterday. Mr. Oliver noted Prosser prepared a drainage map of the easement at the Chairman's direction, which was emailed to the Board.

**NINTH ORDER OF BUSINESS****Staff Reports****A. Attorney**

Mr. Eldred reported his office was monitoring the Executive Orders from the Governor's Office for meetings during the COVID-19 pandemic. The current order was an exemption from the requirement to have a quorum of the Board in person.

**B. Engineer**

Mr. Oliver welcomed Ms. Urcan back to their meetings. Ms. Urcan explained the drainage map was intended for an intended location of the stormwater system and not inlets connected to stormwater flow areas. Six inlets were found by Francis Dobleo.

**C. Manager****1. Report on the Number of Registered Voters (1,350)**

Mr. Oliver reported that the number of registered voters according to the St. Johns County Supervisor of Elections was 1,350 as of April 15, 2020.

**2. General Elections**

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This item was discussed under the Fifth Order of Business.

**D. Operations Manager - Report**

Mr. Stephens presented the Operations Manager Report, which was in the agenda package. A fountain timer was replaced in Pond 1400. Multiple GFCI outlets were reset for the ponds. Yesterday, Yellowstone submitted a proposal to remove eight dead trees from the lake bank, grind the stumps and install sod on Pond 700 in The Villas in the amount of \$1,950.

On MOTION by Mr. Kinnecom seconded by Ms. Wharton with all in favor the proposal from Yellowstone to remove eight dead trees from the lake bank, grind the stumps and install sod on Pond 700 in The Villas in the amount of \$1,950 was approved.

Mr. Kinnecom questioned the number of bags of Sakrete mixed by hand. Mr. Stevens stated there were about 200 bags; 40 bags per concrete basin.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Supervisors Requests**

Ms. Wharton suggested additional lighting at the playground on E. Red House Branch Road to deter crime and vandalism. Mr. Kinnecom pointed out it was not CDD property and CDD funds could not be used for light poles on HOA property. Mr. Stephens was not aware of any existing poles. Ms. Wharton requested the white fence in back of the Villas on E. Red House Branch Road be power washed. Mr. Stephens would schedule it. Ms. Wharton asked if the low lake levels affected the fish and health of the pond. Mr. Stephens did not see any negative impact, due to the fountains oxygenating the water.

**TWELFTH ORDER OF BUSINESS**

**Financial Reports**

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

Mr. Oliver presented the Unaudited Financial Statements through April 30, 2020. There was \$122,000 in capital reserves and a \$27,000 positive variance in the General Fund.

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**B. Assessment Receipt Schedule**

Mr. Oliver emailed an updated schedule to the Board. The District was in great shape, as 99.57% of assessments were received for the fiscal year. Mr. Kinnecom reported no unpaid real estate taxes for the second year in a row.

**C. Approval of Check Register**

On MOTION by Mr. Masley seconded by Mr. Curran with all in favor the Check Register from March 12, 2020 to May 15, 2020 in the amount of \$34,003.10 was approved.

**THIRTEENTH ORDER OF BUSINESS      Next Scheduled Meeting – To Be Determined**

Mr. Oliver stated the next scheduled meeting will be July 30, 2020 at 1:00 p.m. at this location. The meeting will include a public hearing to adopt the FY21 budget. It may be an onsite meeting, but if there was a spike in COVID-19 cases, the meeting would be held by Zoom.

**FOURTEENTH ORDER OF BUSINESS      Adjournment**

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

DocuSigned by:

*James Oliver*

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Secretary/Assistant Secretary

DocuSigned by:

*Ken Kinnecom*

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Chairman/Vice Chairman