

MINUTES OF MEETING
HERITAGE PARK
COMMUNITY DEVELOPMENT DISTRICT

A Special Meeting of the Board of Supervisors of the Heritage Park Community Development District was held on Thursday, February 25, 2021 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 (<i>via phone</i>)	Supervisor
Joanne Wharton	Supervisor
Thomas Ferry	Supervisor

Also present were:

Jim Oliver	District Manager
Carl Eldred	District Counsel (<i>via phone</i>)
Brian Stephens	Riverside Management

The following is a summary of the actions taken at the February 25, 2021 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

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Consideration of Process of Requests for Construction on CDD Easements

Mr. Oliver presented a process used at Beacon Lakes and Aberdeen CDDs for construction on CDD easements. It allows staff to make decisions to approve easement requests after performing a walk-through of the property. The HOA must not improve construction

improvements on CDD easements and held accountable for doing so. Mr. Elred recommended the following:

1. Fencing within CDD easements should not be granted without CDD review and determination.
2. Should a request from a lot on a pond show fencing to be installed within a side yard drainage easement, the HOA should forward the request to the CDD for determination as to whether such easement is needed for pond access. The Operations Manager will inspect the area to ensure the approval does not adversely impact CDD maintenance access.
3. If approved after CDD review, the HOA would receive an email from staff noting approval and shall include the following language in the letter to the property owner: *“Should any fencing encroach into any CDD drainage, access or maintenance easements and should any fencing in the future need to be removed temporarily or permanently to gain access to or facilitate work within said easements, the homeowner shall promptly remove such fencing at homeowner’s sole cost. If such fencing is not removed following the CDD’s request, the CDD may remove the fence and recover the costs of such removal from the homeowner. The CDD shall not be responsible for any costs to reinstall the fencing. The installation of fencing indicates the homeowner’s agreement to such terms.”*

Ms. Wharton questioned why at the last meeting the Board was told easement requests could not be reviewed by the Board and would be forwarded to staff. Mr. Stevens indicated this was a new approach. Ms. Wharton suggested the Architectural Review Board (ARB) provide conditional approval with execution by the CDD so the owner was not delayed a month. Mr. Kinnecom suggested staff expedite the process on behalf of the CDD. Mr. Elred advised it was cleaner to have approval opposed to conditional approval and recommended when the request was received, it should be forwarded immediately to the Operations Manager. Ms. Wharton did not have faith in management (Associa) handling it.

Mr. Oliver stated the HOA should give ultimate approval. Ms. Wharton suggested the ARB Chair provide final approval, contingent upon approval by other members. Mr. Oliver indicated the CDD should not be the approval authority in this process, but if the HOA approved it, the CDD agreed to have the improvements on the CDD’s easement, based on the restrictions.

There should be an addendum signed by the applicant and placed on file with the CDD. Ms. Wharton suggested the application with the final approval or denial be provided to the CDD for recordkeeping. Mr. Oliver would coordinate with District Counsel on the format of the addendum.

On MOTION by Mr. Kinnecom seconded by Mr. Curran with all in favor the approval process of requests for construction on CDD easements as stated above was approved.

In response to a question, it was noted that this process would apply for new applications and owners with existing fences/structures would not have to remove their fence/structure. They would be grandfathered in. However, staff could move the fence/structure for stormwater maintenance purposes.

FOURTH ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

FIFTH ORDER OF BUSINESS

Supervisors Requests

There being none, the next item followed.

SIXTH ORDER OF BUSINESS

Next Scheduled Meeting – March 18, 2021 @ 1:00 p.m.

Mr. Oliver announced the next scheduled meeting was on March 18, 2021 at 1:00 p.m. at this location.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

Secretary/Assistant Secretary

Chairman/Vice Chairman