

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 19, 2022 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
Thomas Ferry	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Jenny Urcan ( <i>via phone</i> )	District Engineer
Jerry Lambert	Riverside Management
Gerri Ferry	HOA President

*The following is a summary of the actions taken at the May 19, 2022 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 with the exception of Ms. Wharton.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Ms. Gerri Ferry, HOA President, noted that the HOA had some big expenses and requested that the CDD provide funding towards the roof and gutters for the Amenity Center and bathhouse. Mr. Haber explained that public funds could not be used to fund improvements to a privately owned facility. Mr. Kinnecom suggested looking at the developer for maintenance

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reserves. Ms. Ferry noted that they were projected reserves and there were no actual reserves. She received a number of calls from residents thanking the CDD for having Yellowstone mow around all of the ponds.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the March 17, 2022 Meeting**

On MOTION by Mr. Kinnecom seconded by Mr. Curran with all in favor the Minutes of the March 17, 2022 Meeting were approved as presented.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03, Approving the Proposed Budget for Fiscal Year 2023 and Setting a Public Hearing Date for Adoption (Adoption July 21, 2022)**

Mr. Oliver presented Resolution 2022-03, approving the proposed budget and setting the public hearing for July 21, 2022. There were no changes to the budget from the prior year and no increase in assessments. As they get deeper into the fiscal year, there would be better data to have some line-item projections. Mr. Kinnecom questioned how many years remained on the Series 2013 bonds. Mr. Oliver confirmed that the bonds matured on May 1, 2035.

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor Resolution 2022-03 Approving the Proposed Budget for Fiscal Year 2023 and Setting the Public Hearing for July 21, 2022 at 1:00 p.m., at this location was adopted.

**FIFTH ORDER OF BUSINESS**

**Update on Encroachment Matters**

Mr. Oliver reported that the fence was relocated at 330 Hefferon Drive and pictures were provided. For the 324 Hefferon Drive encroachment, staff contacted the owner’s daughter who spoke English and District Counsel prepared an agreement. There were two proposals with the cement company who confirmed that they would hold their price. Hardwick Fence would provide a proposal for the fence relocation. For the benefit of Ms. Ferry, Mr. Kinnecom explained that the owner of 330 Hefferon Drive paid their portion to relocate the fence and the CDD paid a portion because of an initial development error by the CDD. The owner of 324 Hefferon Drive encroached about 756 square feet of land area with cement for a basketball court,

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over a major drainage area. This was the biggest CDD encroachment problem that they ever had in Heritage Park and the only one outstanding. He voiced concern that two encroachments remained on HOA property, which the HOA was not concerned about and hoped that those fences would be pushed back onto the owner's property. Ms. Ferry requested that Mr. Kinnecom provide her with the information and she would look into it.

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

Mr. Haber advised that there was a change in the law to allow CDDs to advertise meetings on the county's website instead of in the newspaper. It was hard to determine, at this time, whether there would be savings, because it was possible that the county would set a fee, which may be more costly than advertising in the newspaper. It did not go into effect until January 1<sup>st</sup> and Mr. Haber would work with Mr. Oliver on this matter as well as the encroachment agreement.

**B. Engineer**

Ms. Urcan was finishing up the Stormwater Needs Analysis Report this week and would send it out early next week.

**C. Manager****1. Report on the Number of Registered Voters (1,349)**

Mr. Oliver reported 1,349 registered voters according to the St. Johns County Supervisor of Elections as of April 15, 2022. Mr. Kinnecom reported that someone in the Property Appraiser's office saved the CDD and HOA tens of thousands of dollars fixing and correcting numerous errors made by the developer, such as the Clubhouse being erroneously in the name of the Heritage Park HOA of Delray Beach.

**D. Operations Manager**

Mr. Lambert presented the Operations Manager Report. A report was requested from Yellowstone, but they only provided a checklist. In their opinion, during the dry weather, the Bahia pond banks should not be moved, unless there were complaints. Under special projects, they noted that several valves were not functioning and obtained a proposal for the repair. Yellowstone completed the spring fertilization on March 4<sup>th</sup>, an herbicide application was

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starting tomorrow and an insecticide application was scheduled for early June. Mr. Kinnecom questioned the location of the irrigation work. Mr. Lambert would find out. Mr. Kinnecom believed that it was the HOA property running parallel to Heritage Park Drive where the irrigation has not been working properly. Yellowstone had the maps with areas of responsibility.

**SEVENTH ORDER OF BUSINESS                      Audience Comments**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS                      Supervisors Requests**

Mr. Curran reported a broken no fishing sign on Pond 400 and a dead tree on the pond near 324 Hefferon. Mr. Lambert would handle. Mr. Curran questioned the status of the broken sensor on a light post on Heritage Park Drive. Mr. Oliver noticed that a ticket was filed and would follow up.

**NINTH ORDER OF BUSINESS                      Financial Reports**

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

Mr. Oliver presented the Unaudited Financial Statements through April 30, 2022, which were included in the agenda package. There were no unusual variances.

**B.        Assessment Receipt Schedule**

Mr. Oliver presented the Assessment Receipt Schedule, which was included in the agenda package. The District was 99.42% collected.

**C.        Approval of Check Register**

Mr. Kinnecom recalled that the Board made some decisions about extenuating circumstances with Board Members not being present and asked if Ms. Wharton should be paid for today’s meeting. Mr. Oliver received an email from Ms. Wharton, which he forwarded to the Board, stating that her mother was in failing health. If she was by phone, she could not be paid.

On MOTION by Mr. Kinnecom seconded by Mr. Ferry with all in favor the Check Register from March 8, 2022 through May 12, 2022 in the amount of \$32,435.41 was approved.

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**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – July 22, 2022 @  
1:00 p.m.**

Mr. Oliver stated the next meeting was scheduled for July 22, 2022 at 1:00 p.m., which was the Public Hearing on the budget.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

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

DocuSigned by:

*Jim Oliver*

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Secretary/Assistant Secretary

DocuSigned by:

*Ken Kinnecom*

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Chairman/Vice Chairman