

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 23, 2025 at 1:00 p.m. at the Heritage Park Amenity Center, 225 Hefferon Drive, St. Augustine, Florida 32084.

Present and constituting a quorum were:

Thomas Ferry	Chairman
Robert Curran	Vice Chairman
Joanne Wharton	Supervisor
Judith Kinnecom	Supervisor
Louis Pingotti	Supervisor

Also present were:

Jim Oliver	District Manager
Ryan Stilwell <i>by phone</i>	District Engineer
Kyle Magee <i>by phone</i>	Kutak Rock
Jeff Johnson	Operations Manager
Geri Ferry	HOA
Residents	

The following is a summary of the actions taken at the January 23, 2025 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

Resident Ann Germain thanked the Board for all of their hard work over the past year and the fact that the purchase came to fruition but was sorry for the negatively that was presented at the meeting that was held two weeks ago, as in her opinion, it was uncalled for. Mr. Pingotti appreciated the input.

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THIRD ORDER OF BUSINESS**Approval of the Minutes of the November 21, 2024 Meeting**

Mr. Oliver presented the minutes of the November 21, 2024 meeting, which was included in the agenda package. Ms. Wharton noted on Page 2, when she took over as Chair, she informed the Board that she would serve only one year and Mr. Ferry would serve one year. Since Ms. Geri Ferry, was President of the HOA, she was concerned about separation. On Page 10, she preferred to discuss the fountains, at first, as she did not want to push off erosion. On the top of Page 11, she was not looking for a pond bank, where the entire top of the bank was eroding. Mr. Johnson provided two proposals from Yellowstone for Pond 500, but they were not discussed. In the sentence, *“they could obtain better costs, as they did not need to do the maximum amount of,”* the word, *“work”* should be *“plantings.”* The sentence, *“The Resident pointed out that when it pours, rainwater falls onto the streets and goes into the gutters, but the ponds did not fill up. Ms. Wharton explained when the ponds were very low, they did not fill up high with water and when it gets to a certain level, it goes up to the pond bank,”* needed to be reworded. It takes a while to show on the pond bank, because the body of the water was being absorbed. Mr. Ferry questioned whether the Board Members were Assistant Secretaries as well as Supervisors. Mr. Oliver confirmed this was the case, to provide the authority to sign certain documents, as officers of the District.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor the Minutes of the November 21, 2024 Meeting were approved as amended.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2025-07, Ratifying the Sale of the Bonds and Levy of Assessments for Series 2025 Bonds**

Mr. Oliver presented Resolution 2025-07, Ratifying the Sale of the Bonds and Levy of Assessments for Series 2025 Bonds, which was included in the agenda package. It covered all of the actions of the Board and staff to issue the bonds.

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On MOTION by Ms. Wharton seconded by Ms. Kinnecom with all in favor Resolution 2025-07 Ratifying, Confirming and Approving the Sale of the Special Assessment Refunding and Revenue Bonds, Series 2025; Ratifying, Confirming and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries and all District Staff Regarding the Sale and Closing of the Bonds, Determining Such Actions as Being in Accordance with the Authorization Granted by the Board, Providing a Severability Clause and Providing an Effective Date was adopted.

FIFTH ORDER OF BUSINESS

Update Regarding Real Property Purchase

Mr. Oliver presented Resolution 2025-08, which was included in the agenda package and provided authority to the Chairman, Vice Chairman and District Manager the authority to execute the closing documents to close on the land deal. It had not yet occurred, but this was to get the authority into place. However, the fence was down, everything was coming together and it should be completed at the end of this month. As part of the closing, there would be a wire transfer of the funds to the seller.

On MOTION by Mr. Pingotti seconded by Ms. Kinnecom with all in favor Resolution 2025-08, Granting the Chairman, Vice Chairman and District Manager the Authority to Execute Closing Documents, Approving the Scope and Terms of such Authorization; Providing a Severability Clause and Providing an Effective Date was adopted.

SIXTH ORDER OF BUSINESS

Update on O&M Matters

There were no further items to discuss.

SEVENTH ORDER OF BUSINESS

Consideration of Water Fountain Replacement Proposals

Mr. Johnson presented proposals from Future Horizons Environmental Corp for fountain replacements, which were included in the agenda package. One was for five fountains in the amount of \$12,868.75, another was for seven in the amount of \$18,016.25 and the last one was for ten in the amount of \$25,737.50. Six fountains remained from the original 2011 installation and he recommended either five or seven replacement fountains, but seven would be plenty. Ms. Wharton asked if there was a discount in freight or between the five and ten fountains. Mr.

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Johnson confirmed that there was no discount. The fountain on Pond 600, next to the playground, was off for a while, due to a floating jug. The fountain could not be repaired and would be replaced with a fountain from the current ones in stock. Ms. Wharton recalled that the fountain on Pond 600 was installed in 2022. Mr. Johnson confirmed that it was a rebuild. The warranty was only for one year. They were now out of fountains and this purchase would replenish their supply. Ms. Wharton pointed out that the six remaining fountains would probably be used in the next year. Mr. Johnson noted with the purchase of seven fountains, there would be an additional two at this year's price, as the price would increase to \$250 per fountain. Ms. Wharton preferred to order seven fountains.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor the proposal for the purchase of seven water fountains in the amount of \$18,016.25 was approved.

Ms. Wharton pointed out that this purchase would cause this line item to go over budget. Mr. Ferry believed that they would be under budget for other line items.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Magee had no specific report, as their office was working on the bond issuance and bond financing for the purchase of the parcel. The closing was scheduled for January 31st. Ms. Wharton asked if they would hold the rate until that date. Mr. Oliver confirmed that the rate was locked in and appreciated everyone's hard work at Kutak Rock.

B. Engineer

Ms. Wharton asked if an engineer had a chance to look at the pond banks. Mr. Johnson indicated that the District Engineer looked at Pond 500, which he had proposals for. Two sections of Pond 500 could be addressed, but he did not know what the purchase of the fountains would have on it. Ms. Wharton pointed out that they must look at the entire picture. Mr. Johnson would assess all pond banks, to determine if there was erosion. Ms. Wharton requested a walk-through and questioned the status of Pond 500. Mr. Johnson explained that one proposal was for the backside next to the roadway, but the pond wrapped all the way round into a nook, which was the second proposal. There were options to either do one section at a time or both sections.

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Ms. Wharton asked if there was a necessity to do it before the hurricane season, for the health of the pond. Mr. Johnson believed that there was an urgency when it comes to erosion and offered to do a walk-through of all the ponds, to see what needed to be done and would obtain proposals. Ms. Wharton felt that they needed three to four walk-throughs. Mr. Ferry offered to handle two of the walk-throughs, if Ms. Wharton could handle the other two. Ms. Wharton did not mind if others wanted to attend the walk-through, but scheduling four walk-throughs in a day, was not unreasonable. Mr. Johnson would speak to Ms. Wharton after the meeting to schedule a date and time. Ms. Wharton requested that it be scheduled through Mr. Ferry, as he was now the Chairman, but she would like to be present at a walk-through. Mr. Stilwell asked if anyone from his office needed to attend. Mr. Ferry did not think that they needed to attend, unless there was a question. Mr. Stilwell offered to look at any pictures that were taken.

C. Manager

Mr. Oliver reported that the budget process for Fiscal Year 2026 started at the March meeting, for the Board to discuss items that the Board needed to focus on, as they prepared the budget. A Proposed Budget would then be presented to the Board at the May meeting for approval, at which time the Board would set the public hearing for adoption at the July meeting. Ms. Wharton requested that pond bank and lot maintenance, be discussion items for the March meeting. Mr. Ferry requested that someone inform Yellowstone, that they needed to mow the new field. Mr. Oliver would inform Yellowstone once the closing occurred, which was early next week.

D. Operations Manager - Report

Mr. Jeff Johnson presented the Operations Manager Report, which was included in the agenda package. Ms. Wharton questioned how the Pond 1800 bank was doing. Mr. Johnson indicated it was holding up well, with all of the plants rooting nicely. Yellowstone was keeping it weed free, but as far as he could see, it looked great. Ms. Wharton pointed out that she walked it twice and thought it was doing well. However, she requested that the mowers stay out of the sinkhole, especially when it was wet and that they hand weed whack that area. As part of their pond bank proposal, Ms. Wharton wanted to include some grasses and asked if a bid was obtained for Pond 500. Mr. Johnson indicated that he had two proposals. In one section of Pond 500, they would spray an herbicide to kill the Muhly Grass, install some erosion mats and mulch

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the backside of Pond 500, for \$6,500. For this pond, the outfall drain was away from the ground. The wind carrying across the water, caused erosion of the pond bank, so much so, that it created a gap between the top of the concrete and the actual bank. Ms. Wharton recommended putting in cattails, instead of putting things at the top of the bank. Mr. Johnson pointed out that riprap would be placed at the bottom around the drain to fill it, come up the bank and plants would be installed, the same as Pond 1800. Ms. Wharton questioned the amount of area that the proposal entailed. Mr. Johnson believed that it was 100 feet.

Ms. Wharton did not think that the riprap was a problem visually and needed to be replaced periodically. They would have to watch the cattails to see how far they spread, but liked the idea of Fakahatchee and having one pond as an experimental pond, with some experimental plants. Mr. Johnson liked Fakahatchee, as it had a great root system. Ms. Wharton asked if they were going to put anything over the riprap, to prevent further erosion or at the base. Mr. Johnson recommended putting the riprap at the waterline. Ms. Wharton preferred it above the waterline, as the bank could be 1 foot high with hurricanes. Mr. Johnson explained that the riprap was designed to keep the water from coming up the bank. Ms. Wharton pointed out that it would still come up the bank if the water level was too high, but it would stop the water from splashing on the bank and provide a buffer. Mr. Johnson would find out where the highest level was on the pond bank and if they needed to add riprap in the future to get it higher, they would, but they would start with a certain point and address it as needed. Ms. Wharton requested that the riprap be at least 6 inches above the bank, so there was a small buffer and the water could splash above it. Mr. Johnson would work with Yellowstone and other vendors, to provide more options on the height of the plantings. Ms. Wharton requested that Mr. Johnson provide a proposal for Pond 500 and schedule a walk-through.

NINTH ORDER OF BUSINESS

Audience Comments

Resident Ann Germain questioned the definition of riprap. Mr. Johnson explained that it was a rock base designed to trap the water from overflowing and coming up on the bank and stopping the water level. Ms. Germain understood that the bank was the grass portion, not the sandy shore. Ms. Wharton pointed out that it was the brown cliff. Mr. Johnson clarified that it was the slope from the top to the water level and the riprap goes to the water level and up. When Ms. Germain picked up garbage in the pond, she noticed that the grass portion was soft, but it

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should be solid ground, especially if the water was near it. It was not noticed visually when looking at the pond from her door, but walking close to the water, where the grass ended, the grass was soft and appeared to be eroding from underneath and asked if the riprap would help to stop the erosion. Mr. Johnson indicated that it may not completely stop it, but would deter the erosion. Ms. Wharton pointed out that this was the purpose of the walk-throughs and why they were being proactive, as the cost for a major bank repair was expensive. Ms. Germain questioned why this Board did not invite concerned and interested people of the community to attend these walk-throughs. Mr. Oliver recalled that the last walk-through was advertised, as required by Florida Statute, but residents were not invited to attend, due to liability issues.

TENTH ORDER OF BUSINESS

Supervisors Requests

Mr. Ferry asked if the new plants were doing well on Pond 1800 with the cold. Mr. Johnson confirmed that they were doing well and they were seeing good results. Mr. Ferry noted that a light at the end of South Heritage Creek Way by the cul-de-sac, next to the green electrical box, always stayed on. Mr. Johnson would call it in. Mr. Curran noted two lights on Heritage Park Drive that do not come on at night and before he sent a ticket to Florida, Power & Light (FPL), he wanted to know who was responsible for trimming the trees back. He took a picture of the numbers and would forward them to Mr. Johnson. Mr. Johnson would wait for FPL to say that they were not trimming the trees, before the CDD spent the money to trim them. If FPL declined, Mr. Johnson would have Yellowstone come out. Ms. Wharton asked if everyone had a chance to look at the budget from last year, in order to prepare for the switching around of funds in certain areas. Ms. Kinnecom pointed out that her neighbor placed three huge rocks in their yard on Pond 100 and they were almost in the pond, to show how much the bank deteriorated. Mr. Oliver would have it looked at during the walk-through. Mr. Johnson would have their vendor for the project attend.

ELEVENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

Mr. Oliver presented the Unaudited Financial Statements through December 31, 2024, which were included in the agenda package. They were one quarter into the new fiscal year and the capital reserve balance was \$138,000 and \$40,000 would be added this fiscal year.

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B. Assessment Receipt Schedule

Mr. Oliver presented the Assessment Receipt Schedule, which was included in the agenda package. Assessments were at 84% collected.

C. Approval of Check Register

Mr. Oliver presented the Check Register for November 1, 2024 to December 31, 2024 in the amount of \$31,639.73, which was included in the agenda package.

On MOTION by Ms. Wharton seconded by Mr. Ferry with all in favor the Check Register for November 1, 2024 to December 31, 2024 in the amount of \$31,639.73 was approved.

TWELFTH ORDER OF BUSINESS

**Next Scheduled Meeting – March 27, 2025 @
1:00 p.m.**

Mr. Oliver reported that the next meeting was scheduled for March 27, 2025 at 1:00 p.m. The budget would be on the agenda for discussion purposes.

THIRTEENTH ORDER OF BUSINESS**Adjournment**

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

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Secretary/Assistant Secretary

Signed by:



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Chairman/Vice Chairman