

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 29, 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
Kyle Magee	District Counsel
Ryan Stilwell ( <i>via phone</i> )	District Engineer
Matt Biagetti	GMS
Jeff Johnson	Operations Manager
Residents	

*The following is a summary of the actions taken at the May 29, 2025 regular Board of Supervisors meeting of the Heritage Park Community Development District.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 1:05 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment**

A Resident pointed out that the light at the corner of Hidden Wood Lane and Pine Arbor Circle, was out for almost two years. Mr. Oliver would report it to Florida, Power & Light (FPL).

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**THIRD ORDER OF BUSINESS****Approval of the Minutes of the March 27, 2025 Meeting**

Mr. Oliver presented the minutes of the March 27, 2025 meeting, which were included in the agenda package. Mr. Ferry questioned the status of the Ag Center with the University of Florida. Ms. Wharton stated that she spoke with them several times and was still waiting to hear back from Mr. Tim Wilson.

On MOTION by Ms. Wharton seconded by Ms. Kinnecom with all in favor the Minutes of the March 27, 2025 Meeting were approved as presented.

**FOURTH ORDER OF BUSINESS****Consideration of Proposals****A. Revised Proposal for Maintenance of Vacant Parcel**

Mr. Oliver presented a revised proposal from Yellowstone for maintenance of the vacant parcel in the amount of \$495 per month, which was included in the agenda package. Mr. Johnson reported that he went back to Yellowstone and spoke with them about a price reduction and they provided a revised proposal. Ms. Wharton noted that it was much better. Mr. Johnson indicated that they would do straight mowing for \$495, but if the Board wanted insecticides, they could do two applications per year for \$627. Ms. Wharton pointed out that this was strictly for ants and did not think it was necessary. Mr. Curran disagreed, as there were ants along the sidewalk and felt that they needed to address it before it gets out of control. Mr. Ferry asked if there was an estimate from another company. Mr. Johnson could get one at the Board's request, but \$627 was the average. Ms. Wharton believed that the HOA was incurring a large part of the cost and preferred to wait until next year, so it was in the budget. Mr. Ferry requested that Mr. Johnson obtain an additional proposal for insecticide application. Ms. Wharton asked if it included any bush trimming. Mr. Johnson confirmed that all it included was the mowing. Ms. Wharton pointed out that it would be mowed one time per month, versus every five to seven days. Mr. Johnson indicated that it would fluctuate throughout the year, as Yellowstone sets their own schedule. Ms. Wharton requested a price to trim the bushes twice per year, as she did not want the ones by the parking lot to get out of hand. Mr. Ferry suggested having the HOA's landscaper trim the hedges. Ms. Wharton did not want to mix what the HOA was doing and what the CDD was doing. Mr. Pingotti suggested obtaining a price from Vertigo. Mr. Johnson would obtain a price from Vertigo for bush trimming.

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- **Yellowstone for Fiscal Year 2026 (Item 4C)**

Ms. Wharton asked if the proposal included the vacant parcel. Mr. Oliver confirmed that it was for mowing and irrigation. Mr. Ferry felt that for the price of \$44,915, they would cut the hedges. Mr. Johnson asked if the Board wanted him to obtain a bid from Vertigo. Ms. Wharton was happy with Yellowstone, felt that they did a good job and their price was reasonable for what they were doing, but it did not hurt to have another quote, such as from Southern Horticulture, that maintained commercial properties. Ms. Kinnecom did not want another bid as Yellowstone did a great job. Regarding the mowing for the vacant parcel, Ms. Wharton was amenable to approving the price.

Ms. Wharton MOVED to approve the proposal with Yellowstone for mowing of the vacant parcel in the amount of \$495 per month and Ms. Kinnecom seconded the motion.
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Mr. Pingotti preferred to include the bush trimming with the mowing, as it was costly to do it separately. Ms. Wharton pointed out that they would do the entire package next year, as they had not budgeted for it yet, as she wanted to keep the cost down to the minimum for the first year, until they reviewed the budget. Mr. Johnson suggested entering into the contract for the mowing and addressing the bushes the first part of next year. Ms. Wharton felt that the CDD had a responsibility to approve paying Yellowstone for what they were doing right now. In the meantime, Mr. Johnson would obtain a proposal for the bush trimming and re-assess it next year. Mr. Magee pointed out that there could be an amendment to the mowing contract to add the bush trimming.

On VOICE VOTE with all in favor the proposal with Yellowstone for mowing of the vacant parcel in the amount of \$495 per month was approved.
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Mr. Magee would prepare an amendment and Mr. Johnson would obtain proposals from Vertigo and Yellowstone for bush trimming and spraying for bugs and weeds.

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**B. Future Horizons for Fiscal Year 2026**

Mr. Oliver presented a proposal from Future Horizons for pond maintenance for Fiscal Year 2026 in the amount of \$23,340. The budgeted amount was \$24,507. Ms. Wharton questioned the last contracted amount, as they were paying \$1,945 per month and there was no increase. Mr. Oliver confirmed that it was the same amount as last year. Ms. Wharton was happy with their services, but recalled discussion about skipping one treatment in November or December, for a savings of \$1,945. Mr. Johnson was supposed to find out if skipping one was detrimental to the health of the lake. Mr. Johnson confirmed that he spoke with Future Horizons and they did not recommend skipping a treatment and proposed skipping a service during the Winter months and making it up in the Summer months, skipping a treatment could cause problems in the ponds. He did everything that he could do, to get them to come up with an option or plan, but Future Horizons felt that it was not a good idea. Ms. Wharton did not have a chance to meet with the pond specialist at the Ag Center. Mr. Johnson indicated that he did research on his own and spoke with a couple of hydroseeding companies on some of the erosion concerns, but they had no availability. Ms. Wharton would continue to contact the pond specialist, as they needed to have some education and introduce different aquatic species or plants into the ponds, to help with the health. Ms. Wharton approved of the proposal, but was hoping to cut back on the herbicide and having an algicide if needed; however, she did not want to do this at this time, as the ponds were healthy.

On MOTION by Ms. Wharton seconded by Ms. Kinnecom with all in favor the proposal with Future Horizons for pond maintenance in the amount of \$23,340 was approved.

**C. Yellowstone for Fiscal Year 2026**

Mr. Oliver presented a proposal from Yellowstone for Fiscal Year 2026 in the amount of \$44,915.16. Ms. Wharton noted on Page 5, there were no annual flower beds on CDD property anymore. Mr. Oliver indicated that it was not on the price list. Ms. Wharton questioned what the CDD paid last time. Mr. Oliver explained that the annual amount was \$39,732, but it did not include the \$5,940 for the vacant parcel. When they discuss the Proposed Budget, this line item must be increased. Mr. Curran recommended staying with Yellowstone, as they were doing a

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good job. Ms. Wharton agreed that Yellowstone was doing a good job, as they were responsive. Mr. Johnson would inform Yellowstone.

On MOTION by Mr. Pingotti seconded by Ms. Wharton with all in favor the proposal with Yellowstone for mowing and irrigation including the vacant parcel in the amount of \$44,915.16 was approved.

## **FIFTH ORDER OF BUSINESS**

### **Acceptance of Fiscal Year 2024 Draft Audit Report**

Mr. Oliver reported as a unit of government, the CDD was required to have an annual audit conducted each year, by an independent CPA firm, that was selected through the Request for Proposals (RFP) process, in accordance with Chapter 218 of the Florida Statutes. Once this was approved by the Board, it would be provided to the Auditor General within the next week or so, as the deadline was June 30<sup>th</sup>. It was a clean audit, as there were no current or prior year findings or recommendations, the District did not meet the financial emergency conditions described in Section 218.503 of the Florida Statutes and the financial records were in accordance with the standards for the Auditor General of the State of Florida.

On MOTION by Mr. Ferry seconded by Mr. Pingotti with all in favor the Fiscal Year 2024 draft Audit Report was accepted.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of Resolution 2025-09, Approving the Proposed Budget for Fiscal Year 2026 and Setting a Public Hearing Date for Adoption (July 24, 2025) *(budget will be sent under separate cover)***

Mr. Oliver presented Resolution 2025-09, approving the Proposed Budget and setting the public hearing for July 24, 2025, which was included in the agenda package. A draft of the budget was provided to the Board under separate cover. The CDD was required to approve a Proposed Budget by June 15<sup>th</sup> of each year, provide it to St. Johns County and hold a public hearing no sooner than 60 days after it was provided to St. Johns County. The approved budget starts the process and eventually there would be a public hearing, at which time the Board would adopt the budget, which he recommended doing before the end of August. The CDD was also

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required to certify an Assessment Roll and provide it to the Tax Collector to collect on the Tax Bill that goes out on November 1<sup>st</sup>. Since the Board was approving the budget at this meeting and there needed to be 60 days in between, he recommended that the public hearing be held on August 7<sup>th</sup>. There was Board consensus to hold it on August 7<sup>th</sup>. This budget was considered to be the high watermark. There would be an annual increase in assessments of \$64 for the multi-family. For the largest product, the 85 foot, there would be an assessment increase of \$208 on an annual basis. Last year, assessments were lower because of the bonds. There were no operation and maintenance (O&M) increases for quite a few years. Over the years, there was a build-up of *Carry Forward Surplus*, to help subsidize the budget. The increase was due not having any *Carry Forward Surplus* and due to an increase in the *Capital Reserve Transfer*, from \$40,000 to \$80,000, due to pond bank concerns. There was also a \$7,000 increase for *Gap Reserve Contribution*, on a net basis. They were taking a harder look at electrical costs and what they could do to bring that down.

Ms. Wharton proposed the following budget changes:

- Decreasing *Capital Reserve Transfer* from \$80,000 to \$40,000
- Increasing the *Contingency* from \$5,000 to \$10,000

Ms. Wharton wanted to discuss with the pond maintenance company, not overplanting for aesthetic purposes, as she preferred it to be for erosion control. Mr. Johnson would invite the Field Manager, Mr. Andy Hatton to the next meeting. Ms. Wharton requested that he provide pictures of Pond 1800, as she wanted the plants to break up the water flow, with the use of boards. Mr. Oliver suggested combining *Contingency* and *Operating Reserve* to “*Pond Bank Erosion Control*” and increasing it to \$10,000. Ms. Wharton felt that they could save on electricity and streetlight costs renegotiating their rate with FPL or cutting out lights in the neighborhood section, as these were the most expensive items. Mr. Oliver felt that this was a good start, would make these changes and provide the budget to St. Johns County, as well as providing to the Board early next week and posting to the CDD website.

On MOTION by Mr. Ferry seconded by Mr. Pingotti with all in favor Resolution 2025-09 Approving the Proposed Budget for Fiscal Year 2026 as amended and Setting the Public Hearing for August 7, 2025 at 1:00 p.m., at this location was adopted.
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Mr. Oliver reported that mailed notices would be sent to all property owners within the District, no later than 20 days before the public hearing, which was in early July. Ms. Wharton requested that *Landscape Maintenance* be increased from \$39,732 to \$46,000.

## **SEVENTH ORDER OF BUSINESS**

### **Acceptance of Audit Committee's Recommendation; Approval of Audit Criteria and Authorization for Staff to Publish an RFP for Auditing Services**

Mr. Oliver recalled that the Board met as an Audit Committee prior to the meeting and approved the evaluation criteria and requested that the Board accept the Audit Committee's recommendations and direct staff to issue the RFP.

On MOTION by Mr. Pingotti seconded by Ms. Wharton with all in favor the approval and release of the Request for Proposals, Selection Criteria, notice and public announcement were approved.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Magee would be working with GMS to send out the mailed budget notices and prepare the necessary resolutions. He would also look into a process for reducing streetlights. While Mr. Magee was checking on the streetlights, Ms. Wharton requested that Mr. Magee look into incentives and if there were any precedents. Ms. Kinnecom voiced concern about being sued if someone gets hurt after they reduced the streetlights. Ms. Wharton indicated that she was not talking about the streetlights on the main road in the common areas, but lights in the neighborhood. Ms. Kinnecom felt this was a bad idea. Ms. Wharton appreciated the feedback.

#### **B. Engineer**

Mr. Stilwell reported that he reviewed some as-builts and the majority of the ponds were dug to their design depth of 8 feet; however, there were a couple that were dug a foot or two deeper. He also verified that the minimum depth on those ponds by Water Management District standards was 6 feet. The Chair mentioned at the last meeting, if a pond was 25% reduced, they were required to re-dredge them. Most of their ponds were under 8 feet. Therefore, if it were to fill in by 2 feet, they would be getting to that minimum depth. Ms. Wharton recalled that the pond they were the most concerned about was Pond 100 and questioned whether anyone looked

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at it, to see if it affected the depth of their ponds, as 4 or 6 feet of bank disappeared in places. Mr. Stilwell did not think that they were supposed to look at them, but could send someone out quickly. Ms. Wharton requested that they perform a stick test. Mr. Stilwell suggested that Future Horizons place a measuring stick in the pond.

**C. Manager**

**1. Report on the Number of Registered Voters (1,368)**

Mr. Oliver reported 1,368 registered voters according to the St. Johns County Supervisor of Elections as of April 15, 2025. The District was required to put this on the record.

**2. Annual Form 1 Filing & Annual Ethics Training**

Mr. Oliver reminded the Board Members that their Form 1 was due by July 1<sup>st</sup> and the yearly ethics training was due on December 31<sup>st</sup>. When filing Form 1, Board Members were required to report that the ethics training was completed. Ms. Wharton indicated that she filed her Form 1 and recalled that staff was supposed to find a better class that they could take, as the one that was recommended was horrible. Mr. Magee explained that the free links that were provided, were for all government officials.

**D. Operations Manager**

**1. Report**

**2. Fountain Information**

Mr. Johnson presented the Operations Manager Report, which was included in the agenda package. They ended up replacing the fountain in Pond 200 with a new fountain, as the cost to repair it was significant. The fountain in Pond 300, had a factory defect with the seals. Future Horizons sent the paperwork and have the seals. It would be back up and running by Monday. Ms. Wharton recalled that there was a new power box and the fountain was rebuilt. Mr. Johnson indicated that it was covered under the warranty. Mr. Ferry received a message from someone in the Villas that the fountain in their pond was out and assumed they were referring to this one. Mr. Johnson confirmed that it was out for a while. Ms. Wharton contacted Mr. Johnson about the timer on Pond 1000, which someone was tampering with. Mr. Johnson was looking at it. Ms. Wharton suggested sending the responsible party an electric bill.



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**NINTH ORDER OF BUSINESS****Audience Comments**

There being no comments, the next item followed.

**TENTH ORDER OF BUSINESS****Supervisors Requests**

Mr. Ferry reported that fish were dying in a pond in Julington Creek, according to the news. Mr. Johnson confirmed that there was a fish kill, a couple of months ago, when the temperature dropped to 54 degrees. Several communities were affected. The last time this happened, was 10 years ago. This District was not affected. Mr. Pingotti requested that Mr. Johnson check the signage on the pond behind his house, as people were walking around the lake. Mr. Johnson believed that there were two signs on the pond, but would verify.

**ELEVENTH ORDER OF BUSINESS****Financial Reports****A. Balance Sheet and Statement of Revenues & Expenditures**

Mr. Oliver presented the Unaudited Financial Statements through April 30, 2025, which were included in the agenda package. The balance in the Capital Reserve Fund was \$120,000. Another \$40,000 would be added during this fiscal year. It was going to be a tight budget, but there was nothing unusual in the General Fund Budget. The District would break even.

**B. Assessment Receipt Schedule**

Mr. Oliver presented the Assessment Receipt Schedule, which was included in the agenda package. Assessments were at 98.62% collected. The last distribution from the Tax Collector would be in the middle of April. The District should be 100% collected, after the tax certificate sale tomorrow at 9:00 a.m.

**C. Approval of Check Register**

Mr. Oliver presented the Check Register for March 1, 2025 to April 30, 2025 in the amount of \$115,226.65, which was included in the agenda package. Ms. Wharton noted a Capital Reserve Fund check that was on auto payment with FPL for \$9,500 and \$5,500 and questioned why the month of April was so high, versus the March bill. Mr. Oliver would find out.

On MOTION by Mr. Ferry seconded by Mr. Curran with all in favor the Check Register for March 1, 2025 to April 30, 2025 in the amount of \$115,226.65 was approved.

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**TWELFTH ORDER OF BUSINESS**

**Next Scheduled Meeting – July 24, 2025 @  
1:00 p.m.**

Mr. Oliver stated that the next meeting was scheduled for August 7, 2025 at 1:00 p.m.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

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

DocuSigned by:

*Jim Oliver*

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Secretary/Assistant Secretary

Signed by:

*Thomas Ferry*

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Chairman/Vice Chairman