

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, September 25, 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:

Matt Biagetti	District Manager
Kyle Magee ( <i>via phone</i> )	District Counsel
Jeff Johnson	Operations Manager
Andy Hatton ( <i>via phone</i> )	Field Manager
Geraldine Ferry	HOA President
Residents	

*The following is a summary of the actions taken at the September 25, 2025 Heritage Park Community Development District Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Biagetti called the meeting to order at 1:00 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Ms. Geraldine Ferry, HOA President, was present to discuss the field. There were two ways to do the insurance; the CDD would either add the HOA as an additional insurer for \$30 or \$50 per event or obtain single-use insurance. They would use the field rarely but wanted to have that option. The HOA would also be willing to pay any insurance fees. Mr. Biagetti indicated that this

September 25, 2025

Heritage Park CDD

item was on the agenda, under the Sixth Order of Business and would be discussed at that time. He requested that Mr. Magee provide input on whether the CDD would obtain insurance or the HOA would, as with many organizations, the CDD would typically have the organization provide the insurance, listing the CDD as an additional insurer. Resident Ann Germain, of 907 Oak Arbor Circle, was interested in Item Seven, the Yellowstone proposal for Pond 100, as she and Ms. Kinnecom lived on Pond 100. She did not understand the drip line. Mr. Johnson would explain it when this item was discussed but noted that the primary purpose was to provide irrigation for the plantings around the pond bank, as there was currently no irrigation. Ms. Wharton pointed out that she emailed some information about pond plantings to Mr. Oliver, which he was going to print out and provide to everyone, but did not see it in the agenda package. Mr. Biagetti apologized for not including it but would search for it during the meeting.

**THIRD ORDER OF BUSINESS****Approval of the Minutes of the August 7, 2025 Meeting**

Mr. Biagetti presented the minutes of the August 7, 2025 meeting, which were included in the agenda package. Ms. Wharton indicated that she was initially concerned about using the voice recognition software but thought it worked out well. There was a minor correction, but it was not worth mentioning. Mr. Ferry recalled that on Page 9, the word, "*idea*" should be "*ideal*."

On MOTION by Mr. Curran seconded by Mr. Ferry with all in favor the Minutes of the August 7, 2025 Meeting were approved as amended.

**FOURTH ORDER OF BUSINESS****Acceptance of the Minutes of the August 7, 2025 Audit Committee Meeting**

Mr. Biagetti presented the minutes of the August 7, 2025 Audit Committee meeting, which were included in the agenda package.

On MOTION by Ms. Kinnecom seconded by Mr. Pingotti with all in favor the Minutes of the August 7, 2025 Audit Committee Meeting were approved as presented.

**FIFTH ORDER OF BUSINESS****Consideration of Engagement Letter with Grau & Associates**

September 25, 2025

Heritage Park CDD

Mr. Biagetti recalled that Grau & Associates (Grau) was selected by the Audit Committee at the last meeting, when they went through the Request for Proposal (RFP) process. An engagement letter for the Fiscal Year 2025 audit in the amount of \$3,300 for Year 1, was presented. This item was budgeted at \$3,500.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor the Engagement Letter with Grau & Associates to perform the audit for Fiscal Year 2025 in the amount of \$3,300 was approved.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of HOA Request of Field 227 Usage**

Mr. Biagetti reported that there was a request from the HOA to use Field 227. No documentation was provided, but this item was for discussion purposes. Mr. Pingotti and Ms. Kinnecom were fine with the request. Ms. Wharton was also fine with it, but only on a case-by-case basis. Mr. Magee advised that there were two options of having the HOA as an additional insurer or having them provide their own insurance. It was much more common, when having these types of events, for the organizer to provide their own insurance. However, he did have a concern with adding the HOA as an additional insurer to the District's insurance policy, as there were liability issues, which could affect the District's insurance rates, if there was a claim. Therefore, his recommendation would be that the HOA provide their own policy. Ms. Wharton preferred that the HOA provide their own insurance, as she wanted to keep the two entities separate as much as possible. Mr. Ferry asked if the HOA could sign a waiver. Ms. Ferry did not believe that the HOA needed to sign a waiver, as their single use insurance would cover it. Mr. Magee indicated for these types of events, his office would prepare a License Agreement, but typically it was on an event-by-event basis.

Mr. Curran had no issue with it, as long as the events were restricted and there would not be any food trucks. Ms. Ferry preferred not to have food trucks. They were looking at having a fun day towards the Spring. Mr. Ferry asked if guests would be allowed. Ms. Ferry confirmed that it would be strictly for the community and no guests would be allowed. Ms. Wharton had no problem with food trucks at an event. Mr. Curran voiced concern, as their event would be publicized on the food truck website and they would get outsiders. Ms. Wharton pointed out that there could be a stipulation that they were not allowed to advertise it, as it would be a private closed event. Mr.

September 25, 2025

Heritage Park CDD

Curran recalled having this issue years ago and it came down to the fact that they would need restrooms and they did not want people to be roaming around. If they did proceed, Ms. Ferry indicated that it would be grab and go.

On MOTION by Mr. Ferry seconded by Ms. Wharton with all in favor the HOA request of usage of Field 227, subject to the HOA providing the insurance and District Counsel preparing a License Agreement was approved.

**SEVENTH ORDER OF BUSINESS****Consideration of Proposal from Yellowstone for Pond 100 Pump and Drip Line Install**

Mr. Johnson recalled that the Board approved a proposal from Yellowstone for the erosion project on Pond 100; however, they did not take into consideration that there was no irrigation on that pond. So, Mr. Johnson argued with Yellowstone back and forth several times, to come up with a different plan. They came up with a plan that would provide great savings to the District. It would include installing a pump where the power plug for the fountain was located. They would be running a line into the pond and using the pond water to irrigate the plants. They would have a filter on that pump, to keep debris from coming in. They would install a line from the pond and use the pond water to irrigate the plants and a floating duck, in order to keep the line off of the bottom of the pond. There would also be a housing over the pump, to protect it and provide aesthetics. Yellowstone agreed to monitor the irrigation in the pump monthly, to ensure that everything was in working order. The pump needed to be installed by a third-party contractor. There was a price of \$2,876.69 for the pump, but after going back and forth, Yellowstone agreed to drop the price to \$2,100. They also agreed to cover every additional cost for the installation of the drip line. This would include the cost of the timer clock and all of the parts and labor, associated with the drip line installation. In addition, Yellowstone dropped the original price of the proposal from \$5,862.38 to \$5,168.13, to help offset the subcontractor price for the installation of the pump. Total savings for the project from Yellowstone was \$2,171.04. The only additional charge was for a new line to run the pump.

Mr. Ferry questioned how often the pump would run. Mr. Johnson indicated that it would be constant, but Yellowstone would set the time. He could get that information from them and provide it to the Board, so that the time could be adjusted, if necessary. Ms. Wharton pointed out that it would need to be changed, because initially the plants should be watered twice per day for

September 25, 2025

Heritage Park CDD

seven to 10 days, then once per day and after that, they would start skipping days. That was the only time that the pump should be running. Mr. Johnson indicated that the only out of pocket expense for this irrigation setup, would be \$2,100 and Yellowstone would be covering the rest. The only other additional charge would be the electrical work, which was estimated to cost \$800 to \$1,000, but he was meeting with the electrician this afternoon, if the Board wanted to approve a not-to-exceed amount or he would obtain a proposal. Ms. Wharton questioned the location of the electrical. Mr. Johnson confirmed that it would be on the on the southwest end where the bend was, on the other side of Ms. Kinnecom's house. It would run out to the road where there was a circuit box, on the other side of the rocks, where the power pole was situated. It would then feather out between both sides. Mr. Ferry felt that it was good to have a second line for the second pump, in case one pump shorts out, rather than having them both on the same line. Ms. Wharton agreed that it would be better. Mr. Johnson pointed out if it was a substantial size pump, it should be able to control quite a bit and they could extend it. Ms. Wharton indicated that it depends on the drip line that they were using. Mr. Johnson did not know if they would be using a drip line. Ms. Wharton pointed out it cost slightly more to do a drip line to each individual plant, rather than having a hole every 12 inches, but voiced concern of having a big blowout, since they were taking water from the lake and preferred that it have a pressure relief valve. Mr. Johnson recalled that the proposal did not specify the type of drip line but would find out.

Ms. Wharton asked if the estimate of \$5,168.13 for the plants, was for half of the plants. Mr. Johnson confirmed that it was split out into 50 Muhly and 50 Fakahatchee grasses. Mr. Ferry questioned whether everything planted would use the same amount of water. Mr. Johnson confirmed that it would all be irrigated the same way. Ms. Wharton pointed out that Fakahatchee did not need water after a year. Mr. Johnson felt that drip lines were the better way to go, as heads tend to clog and break very easily, but if the Board wanted irrigation heads, he could petition Yellowstone to go that route. Ms. Germain asked if they were purchasing 100 plants for \$5,100. Mr. Johnson confirmed that the Muhly plants were \$1,000 and Fakahatchee were \$995, for a total of \$2,000. Ms. Germain recalled that Yellowstone planted Bottlebrush trees at the entrance of Oak Arbor Circle and they struggled. She didn't like Yellowstone, as she felt that they did not provide good service and wanted someone to ensure that they were getting good quality plants from them. Mr. Johnson pointed out that Yellowstone provided a full one-year warranty on the plants. Every one of the plants on Pond 1800, were getting replaced at no charge, due to problems with the

September 25, 2025

Heritage Park CDD

irrigation pump. The irrigation clock was struck by lightning, which burnt out the clock. The plants were still under warranty. He was on top of Yellowstone to monitor the irrigation. Ms. Germain assumed that the plants were Florida Friendly and that they needed approval from the county to plant them. Mr. Johnson confirmed that they were Florida Friendly but did not believe that they needed approval from the county. Ms. Wharton understood that a new community needed approval, as it needed to have a certain percentage of trees. Ms. Germain noted that the lawn was shortening behind her home. Mr. Johnson confirmed that this was what this project was designed for.

Ms. Germain pointed out that Yellowstone caused ruts in the ground, due to running their equipment across it, which was disgraceful. Ms. Wharton requested that the engineer check the pond bank, to ensure that it was solid; however, they had to stop it from the water side first. Mr. Johnson indicated that the proposal did not include rip rap, but once the erosion project was completed, they could still add it. Ms. Germain surmised that the erosion was being caused by the water taking soil out from under the lawns. Mr. Johnson explained that there would be an erosion mat on the pond bank, to secure the ground and prevent it from washing out. If it was within the scope of work, they would fill in what needed to be filled in. Ms. Wharton recalled that there was an original quote for rip rap and questioned the amount. Mr. Johnson did not recall but would find out. Ms. Wharton offered to walk Pond 100 with Ms. Germain next week and suggested that they hold off on this proposal and wait for the rip rap proposal. Mr. Ferry agreed, as they did not need another pump, but a longer drip line. Ms. Wharton proposed instead of meeting next week, that they meet right before the next meeting, so it was fresh in their heads. Mr. Ferry felt that they should approve the proposal now and split up the plants in two sections. Mr. Biagetti suggested that the Board approve it in substantial form and delegate a Supervisor to work with staff. Mr. Ferry asked if the work would start in two months. Mr. Johnson indicated that Yellowstone did not provide a timeline but would find out when the erosion project started. However, the pond banks were becoming a problem and the Board needed to seriously think about it. In his opinion, rip rap was a must, as it provided a solid base.

Ms. Wharton felt that they needed to address the rip rap first and then the plants, but questioned what was budgeted, because at one time, the Board discussed budgeting \$5,000, but it would cost \$10,000 if there was a blowout. Mr. Ferry wanted to spend the money now, before something major happened. Mr. Johnson agreed, as something needed to be placed on the bank to

September 25, 2025

Heritage Park CDD

prevent further erosion. Ms. Wharton believed that they needed to put down the material first before the rip rap. Mr. Johnson stepped out of the room to call the Field Manager, Mr. Andy Hatton, while the Board discussed this matter further. Ms. Kinnecom nominated Ms. Wharton to work on this matter with Mr. Johnson. Mr. Biagetti recalled that the Board budgeted \$10,000 for pond bank erosion control for this upcoming year, but there was money in the Capital Reserve Fund. Mr. Ferry recalled that they had a surplus of \$14,000 and was in favor of spending the money now. Ms. Wharton agreed. Mr. Johnson returned to the room and questioned whether the Board wanted to place rip rap on the entire bank or just the culverts. Ms. Wharton wanted to place the fabric and a good amount of rip rap around the same area that they were putting the plants, to stop the erosion. Mr. Hatton joined the meeting and pointed out that in order to provide a price, he must take measurements. Ms. Wharton proposed approving a tentative amount at this time and then meeting with staff onsite. Mr. Johnson requested a proposal from Mr. Hatton on the rip rap. Mr. Pingotti suggested waiting for the proposal and having an emergency meeting in two weeks. Mr. Biagetti recommended that the Board continue this meeting but cautioned the Board about meeting onsite without publicly noticing it. Mr. Pingotti did not have an issue with Ms. Wharton walking the pond with staff and then coming back with the information in two weeks, for the Board to vote on, instead of approving a blind proposal. Ms. Wharton was in favor of approving \$7,300 for the plants and pump and an additional \$6,000 for the rocks, for a total amount of \$13,300.

On MOTION by Ms. Wharton seconded by Mr. Pingotti with all in favor the Proposal from Yellowstone for Pond 100 pump and plants in the amount of \$7,300 and \$6,000 for rock was approved.
--

Mr. Ferry requested that Yellowstone order the rock and put this on their schedule. Mr. Johnson recommended that they put in the rip rap before the plants and would get with Mr. Hatton the first of next week, to obtain the proposal. Ms. Germain hated the way this matter dragged on and was happy to see that there was some urgency, as this matter was of great importance, because if the erosion continued, it would impact the property of those that lived in this area. Ms. Wharton pointed out that part of the problem was that the Board met every two months, but they were working as fast as the government allowed them to.

## **EIGHTH ORDER OF BUSINESS**

## **Staff Reports**

September 25, 2025

Heritage Park CDD

**A. Attorney**

There being no comments, the next item followed.

**B. Engineer**

Mr. Biagetti recalled that recently, the District Engineer provided a stormwater system report but felt that it was worthwhile before the proposals were signed, that they confer with the District Engineer, to ensure that they agreed with this plan.

**C. Manager**

Mr. Biagetti reported that the next meeting was November, unless the Board wanted to continue this meeting or hold a special meeting, but reminded the Board about the four hours of ethics training that was required by the end of this year. Ms. Wharton asked if there were any links that they could provide the Board. Mr. Biagetti had not seen any different ones, especially the free links, but did not recommend paying the training or classes. Mr. Magee noted that they were the same classes as last year; however, there were some paid ones that were more exciting. The Board was welcome to pay for those, but their recommendation was to utilize the free versions. Ms. Wharton requested the link for the paid ones. Mr. Ferry asked if the ethics training that they did in July counted. Mr. Biagetti indicated that they may have filed Form 1 by July and did the ethics training with it, but if a Supervisor did not do their four hours of ethics training, this was a reminder. Form 1 did not need to be filed again until next Summer.

**D. Operations Manager - Report**

Mr. Johnson presented the Operations Manager Report, which was included in the agenda package.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

Resident Ann Germain reported several instances of dead ducks. Today, she received a phone call regarding some duck feces on a driveway, which was not unusual; however, it was unusual to see gooey duck feces, which may have been caused by a poison and wondered what the Board could do about it. Ms. Wharton requested that Ms. Germain contact the Wildlife Federation. Mr. Ferry suggested that she call the Florida Fish & Wildlife Commission (FWC). Mr. Biagetti would provide their contact information to Ms. Germain after the meeting. Resident Geraldine

September 25, 2025

Heritage Park CDD

Ferry, President of the HOA, distributed information regarding the feeding and overpopulation of ducks, which the HOA planned to send out, with the CDD policies. However, there was nothing about feeding the ducks in the CDD policies and asked if it could be updated. One woman had 70 ducks on her property, because she was feeding them. In addition, regarding the discussion of the mowing of the pond banks, if the Board wanted to send out a memo to the community, they should inform the HOA, as the HOA received most of the complaints. Mr. Johnson pointed out that the banks were dormant in the Winter, which reduces the mowing schedule, but would contact Yellowstone after the meeting.

Ms. Wharton wanted no riding mowers within 10 feet of the bank. Mr. Johnson reported that it may pose a problem during the Summer months, because that was the way that Yellowstone maintained the pond banks, but if the Board wanted to go the route of not having mowers on the pond banks, it may increase costs. Ms. Wharton pointed out that it may be cheaper in the long run to increase costs than to have erosion. Mr. Johnson agreed and would ensure that Yellowstone adhered to it. Ms. Ferry asked if she should send the CDD policies out as-is. Mr. Biagetti was unaware that it was sent out initially, until he was made aware of it, but it did say that people were not supposed to be on the pond bank for any reason, which should eliminate the feeding of wildlife, but they could always add language. Therefore, he requested that Ms. Ferry hold off on sending it out. Ms. Wharton requested language on the releasing of any animal into the ponds, because people were releasing Peking Ducks, which cannot fly. Mr. Johnson asked whether the Board was okay with increasing costs, in order for Yellowstone to stay within 10 feet of the bank. Ms. Wharton wanted them to stop with the heavy machinery, but using a push mower and weed whacking at the bottom, were fine, as the use of heavy machinery, damaged the ponds. Mr. Johnson agreed but just wanted to cover all of the bases. Ms. Germain felt that they were acting like cowboys, with the way that they turn, as they cause ruts. Ms. Wharton would understand if it rained and they could not mow the banks. Ms. Ferry indicated that they had the ability to broadcast on TV. When people were feeding the ducks, Ms. Germain clarified that it was not just occurring on the pond banks, they visit people across the street.

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

There being no comments, the next item followed.

September 25, 2025

Heritage Park CDD

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

Mr. Biagetti presented the Unaudited Financial Statements through August 31, 2025, which were included in the agenda package. There was a positive variance of \$3,000 on the revenue side, plus a positive variance of \$20,000 in total, on the expenses.

**B. Assessment Receipt Schedule**

Mr. Biagetti presented the Assessment Receipt Schedule, which was included in the agenda package. Assessments were at 100.68% collected, due to those that did not take advantage of the early payment discount and paid late fees.

**C. Approval of Check Register**

Mr. Biagetti presented the Check Register for July 1, 2025 to August 31, 2025, in the amount of \$54,146.55, which was included in the agenda package.

On MOTION by Ms. Wharton seconded by Ms. Kinnecom with all in favor the Check Register for July 1, 2025 to August 31, 2025 in the amount of \$54,146.55 was approved.

- **Operations Manager – Report (Con't)**

Mr. Johnson requested that the Board approve a not-to-exceed amount of \$15,000 for the pump, erosion and electric. Ms. Wharton agreed, as she forgot about the electric and preferred to have the biggest pump possible. Mr. Ferry did not think it would be that much, but they could put the rest of the money towards more rock or plants.

On MOTION by Ms. Wharton seconded by Mr. Ferry with all in favor the Proposal from Yellowstone for the Pond 100 pump, rocks, plants and electric in a not to exceed amount of \$15,000 was approved.

**TWELFTH ORDER OF BUSINESS****Next Scheduled Meeting – November 20, 2025  
@ 1:00 p.m.**

Mr. Biagetti stated that the next meeting was scheduled for November 20, 2025 at 1:00 p.m., unless something dramatic happened and they needed to hold a special meeting.

September 25, 2025

Heritage Park CDD

**THIRTEENTH ORDER OF BUSINESS      Adjournment**

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

Signed by:

*Matt Bragetti*

EB6F00213668403...

Secretary/Assistant Secretary

Signed by:

*Thomas Ferry*

7128C417FA784A9...

Chairman/Vice Chairman