

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 28, 2026 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 <i>by phone</i>	Supervisor
Louis Pingotti	Supervisor

Also present were:

Matt Biagetti	District Manager
Kyle Magee	District Counsel
Ryan Stilwell <i>by phone</i>	District Engineer
Jeff Johnson	Operations Manager
Devin McMichael	Operations
Geraldine Ferry	HOA President
Residents	

The following is a summary of the actions taken at the May 28, 2026 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Biagetti called the meeting to order at 1:00 p.m. Mr. Ferry, Mr. Curran, Ms. Wharton and Mr. Pingotti were present in person and Ms. Kinnecom was present via phone.

SECOND ORDER OF BUSINESS

Public Comment

There being no comments, the next item followed.

May 28, 2026

Heritage Park CDD

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 26, 2026 Meeting

Mr. Biagetti presented the minutes of the March 26, 2026 meeting, which were included in the agenda package. Ms. Wharton provided corrections.

On MOTION by Ms. Wharton seconded by Mr. Pingotti with all in favor the Minutes of the March 26, 2026 Meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Consideration of Fence Pressure Washing Proposal

Mr. Johnson presented a proposal from Riverside Management Services for pressure washing the fence along the wood line on the outside edge of the east side to the walking bridge, in the amount of \$1,200. It was only for the roadside and not the residential side. Ms. Wharton recalled in January of 2023, the cost was \$1,200 to pressure wash both sides of the fence by the villas. Mr. Johnson indicated that the east side to the walking bridge was last pressure washed before he served as Operations Manager.

Ms. Wharton pointed out that this was a non-budgeted item and requested that a line item be added to the budget every two years or use contingency funds. Mr. Johnson confirmed that there were sufficient contingency funds. Ms. Wharton pointed out that she planned to use contingency funds for the ponds. Mr. Biagetti was comfortable paying for this expenditure out of common area maintenance, as \$12,000 was budgeted, \$5,500 was spent and \$6,400 remained. Mr. Curran asked if the fence by the villas would be pressure washed next year. Ms. Wharton felt that the CDD should not be pressure washing both sides of the fence.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor the Proposal from Riverside Management Services for fence pressure washing in the amount of \$1,200 was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2026-03 Setting a Public Hearing Date to Adopt Revised Rules of Procedure

Mr. Biagetti presented Resolution 2026-03, Setting a Public Hearing to Adopt the Revised Rules of Procedure for July 30, 2026 at 1:00 p.m. at this location. Mr. Magee explained

May 28, 2026

Heritage Park CDD

that his office was having all of their CDDs adopt revised Rules of Procedure, to bring it in line with the current legislation. The biggest difference was in the timeline for adopting a rule, which was changed from 29 to 35 days.

On MOTION by Ms. Wharton seconded by Mr. Ferry with all in favor Resolution 2026-04 Setting the Public Hearing to Adopt the Revised Rules of Procedure for July 30, 2026 at 1:00 p.m. at this location was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2026-04, Approving the Proposed Budget for Fiscal Year 2027 and Setting a Public Hearing Date for Adoption *(proposed budget will be sent under separate cover)*

Mr. Biagetti presented Resolution 2026-04, approving the Proposed Budget and setting the public hearing for July 30, 2026 at 1:00 p.m. at this location, which was included in the agenda package. At the last meeting, the Board requested a \$10,000 increase for *Pond Bank Erosion Control*, bringing the total to \$20,000. There would be a 4.5% to 5% increase in assessments. A mailed notice would be sent to residents. Mr. Pingotti questioned why *Other Current Charges* increased from \$1,500 to \$3,614. Mr. Biagetti indicated that it was tied to the monthly bank charges. Currently \$3,000 was spent and the accountant was projecting \$4,700 in bank fees. Ms. Wharton requested that staff negotiate with the bank. Mr. Pingotti questioned why streetlights increased. Mr. Biagetti confirmed that there was a \$2,500 increase.

Ms. Wharton noted that Management fees increased by \$4,000 and GMS was still charging for office supplies. Mr. Biagetti confirmed that there was a 6% increase. Office supplies were being charged as the cost of doing business, but there was a savings on postage, as staff delivered the agenda packages to the Clubhouse. Ms. Wharton recalled speaking with Mr. Oliver about lowering management fees. Mr. Biagetti believed that the amount of the increase was lowered, but not the actual fee and all Districts that GMS managed, were being charged 6%. Ms. Wharton requested that Mr. Biagetti negotiate for a 4% increase. *There was Board consensus for Mr. Biagetti to negotiate with GMS for a 4% increase in management fees.*

May 28, 2026

Heritage Park CDD

On MOTION by Mr. Ferry seconded by Mr. Pingotti with all in favor Resolution 2026-04 Approving the Proposed Budget for Fiscal Year 2027 and Setting the Public Hearing for July 30 2025 at 1:00 p.m., at this location was adopted.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Magee reported that a special session was going to be held in the Legislature on June 1, 2026.

B. Engineer

Mr. Stilwell reported that he was trying to get some vendors to provide a pond bank assessment and recommended that his firm walk the pond bank when they do their Consulting Engineer's Report, as the vendors that he spoke with, wanted to do an assessment of every pond. At the same time, he planned to have a vendor, preferably Aquagenix, provide an assessment on pond bank restoration for free. Feedback would then be provided to the Board. Ms. Wharton liked this idea but requested a five-year approach and questioned when the walkthrough would occur. Mr. Stilwell would perform the walkthrough in the next couple of weeks, as the Consulting Engineer's Report was due in the middle of June. Ms. Wharton recalled that there was a certification for stormwater management of the ponds in a more natural way and would provide this information to Mr. Biagetti.

C. Manager

1. 2026 General Election

Mr. Biagetti reported that this was a General Election year. Seats 1, 3 and 5 were up for election. The qualifying period was Noon on June 8th to Noon on June 12th. To qualify, candidates must go to the Supervisor of Elections office. Some Supervisors have pre-qualified.

2. Report on the Number of Registered Voters (1,262)

Mr. Biagetti reported that there were 1,262 registered voters in the District as of April 15, 2026, according to the St. Johns County Supervisor of Elections. Last year, there were 1,368 registered voters.

3. Annual Ethics Training & Annual Form 1 Filing

May 28, 2026

Heritage Park CDD

Mr. Biagetti reminded all Supervisors to provide their Form 1, Statement of Financial Interest by July 1st, to the Commission on Ethics. This was done electronically. As public officials, each Supervisor was required to complete four hours of ethics training by December 31st. A reminder was sent out after the last meeting.

D. Operations Manager - Report

Mr. Johnson presented the Operations Manager Report, which was included in the agenda package. The Pond 300 fountain was currently out of service, but it should be running by Monday. The erosion project on Pond 100 was complete. He asked Yellowstone not to mow by the bank edges to allow for growth, but the growth has now superseded maintenance requirements. Yellowstone offered to do a one-time mow around all of the pond banks to the water line, at no additional charge. However, there would be an additional cost, for them to continue to use weed eaters. Mr. Johnson recommended that Yellowstone do the one-time mow, so that the pond banks looked presentable. Ms. Wharton was amenable to Yellowstone mowing at the shoreline but was not comfortable with Yellowstone mowing the edge with their equipment. Mr. Johnson pointed out that the height was the problem and the easiest way to cut the height, without an extensive charge, was to have Yellowstone cut the bank edge. Ms. Wharton requested that Yellowstone not cut within four days of a heavy rain.

Ms. Wharton recalled that the Pond 300 fountain was rebuilt in 2024 and had a warranty. Mr. Johnson reported that there was a power plug issue, which would cost \$300 to \$400 to repair. Ms. Wharton questioned how many fountains were in reserve. Mr. Johnson confirmed that two fountains remained in stock. Ms. Wharton did not want to order new fountains, but once they were down to one fountain, they had no choice and requested that Mr. Johnson obtain a price for additional fountains. Mr. Johnson would provide an estimate for one, two and five fountains at the next meeting. Ms. Wharton did not want a power house fountain, as it consumed it great deal of power and cost. Mr. Biagetti noted that there were less expensive alternatives that provided a similar affect, such as changing the nozzle.

EIGHTH ORDER OF BUSINESS

Audience Comments

Mr. Biagetti opened the public comment period. The following residents addressed the Board:

May 28, 2026

Heritage Park CDD

- Ms. Charlotte Cobb of 805 Oak Arbor Circle questioned the difference between the *Lake Maintenance* and *Pond Bank Erosion Control* line items in the budget and where the fountains were paid out of. Mr. Johnson explained that *Lake Maintenance* was for the lake maintenance contract. The fountains would be paid out of *Lake Contingency*. *Pond Bank Erosion Control* was for the plantings. Ms. Cobb questioned whether the 6% management fee increase was locked in. Mr. Biagetti explained that it was a yearly increase, but the Board was negotiating for 4%.

Ms. Wharton questioned the last time that GMS requested an increase. Mr. Biagetti recalled that last year there was a standard increase. It was increased this year due to inflation. Mr. Curran pointed out that if GMS raised it too much, the Board could look at other management companies. Mr. Biagetti felt that what the Board asked for was fair.

- Ms. Chris Fagan of 156 Pine Arbor Circle voiced concern about the duck problem, which was a worse problem. The resident who was feeding them, had 150 to 200 pounds of duck feed being delivered to their home every few weeks. They left their gates open and ducks were coming onto the sidewalks and in driveways, leaving their feces.
- Mr. Bruce Maddle of 174 Pine Arbor Circle had a video of 100 ducks that were in his backyard, ruining his landscaping.

Mr. McGee encouraged the residents to contact the Florida Fish and Wildlife Conservation Commission (FWC). Mr. Maddle spoke to FWC and was informed that it would cost \$2,000 for a trapper to remove the ducks. Ms. Wharton asked if there were any laws regarding feeding wildlife. Mr. McGee believed that there was a county code and would research this matter further, but recommended contacting local law enforcement, as the ducks were creating a nuisance. Ms. Wharton would like for Mr. McGee to send a letter to the Health Department and FWC, if the resident violated a law.

- Resident Geraldine Ferry, HOA President, reported that the HOA wrote a letter to the Health Department regarding the ducks and received no response. The resident who was feeding the ducks was following a law passed by the Governor, whereby residents could do whatever they wanted in their backyard. Ms. Ferry was trying to obtain pictures of ducks in backyards and on sidewalks.

May 28, 2026

Heritage Park CDD

Mr. McGee pointed out that what the resident was doing on their property, was under the purview of the HOA, as the CDD was limited in their enforcement. Ms. Wharton suggested that the HOA attorney look into this matter and that residents continue to contact FWC, the Sheriff's Department and Health Department. Mr. Curran encouraged residents to start a petition. Ms. Wharton further suggested contacting the Agricultural Center (Ag Center) for advise on duck repellent. Mr. Johnson indicated that he applied over 5 gallons of duck repellent and installed signs. Mr. Biagetti reported that a cease-and-desist letter was sent to a resident who was feeding ducks on the pond banks, but there was a trespass authorization form for someone feeding wildlife on the pond banks.

- Mr. Bruce Maddie of 174 Pine Arbor Circle asked if drainage pipes went from one pond to another and when they were cleaned, as his pipe was filling up with debris. Mr. Johnson confirmed that all ponds were interconnected. They had not had any problems with flow, but if there was debris in a pipe, he would look at it. If it was a roadway drain, it belonged to the county. Mr. Maddie voiced concern that a roadway drain would cause water to go into his yard. Mr. Johnson suggested contacting the Public Works Department.
- Ms. Chris Fagan of 156 Pine Arbor Circle reported that the pond bank behind her house had eroded, due to the ducks. Mr. Johnson confirmed that the CDD sent letters and tried treatments and signage. Ms. Fagan asked if the resident could be fined. Ms. Ferry indicated that the HOA did not fine and went directly to their lawyer.

There being no further comments, Mr. Biagetti closed the public comment period.

NINTH ORDER OF BUSINESS

Supervisors Requests

Mr. Curran reported that a street crossing light was finally installed on Woodlawn Road. Ms. Wharton pointed out that the speed bumps on Heritage Park Drive made a remarkable difference.

May 28, 2026

Heritage Park CDD

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

Mr. Biagetti presented the Unaudited Financial Statements through April 30, 2026, which were included in the agenda package. The District was currently in good financial health, as there was a positive variance of approximately \$16,000.

B. Assessment Receipt Schedule

Mr. Biagetti presented the Assessment Receipt Schedule, which was included in the agenda package. 98.69% of assessments were collected.

C. Approval of Check Register

Mr. Biagetti presented the Check Register for March 1, 2026 to April 30, 2026, in the amount of \$61,269.50, which was included in the agenda package. Ms. Wharton requested that only the first page of the Florida, Power & Light invoice be included, but asked if there would be any additional charges from Kutak Rock for the drafting of the rules and regulations. Mr. McGee confirmed that there would be no additional costs. Ms. Wharton requested that Mr. Johnson check on the Future Horizons pricing for the weed killer for the pond banks. Mr. Johnson indicated that there was a price reduction from \$1,945 to \$1,500. Ms. Wharton requested that Future Horizons cut back on what they were using, due to the low water table.

On MOTION by Mr. Ferry seconded by Mr. Curran with all in favor the Check Register for March 1, 2026 to April 30, 2026, in the amount of \$61,269.50 was approved.

ELEVENTH ORDER OF BUSINESS**Next Scheduled Meeting – July 30, 2026 @ 1:00 p.m.**

Mr. Biagetti reported that the next meeting was scheduled for July 30, 2026 at 1:00 p.m. at this location. This would be the public hearing on the budget and to adopt the revised Rules of Procedure.

May 28, 2026

Heritage Park CDD

TWELFTH ORDER OF BUSINESS

Adjournment

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

Signed by:

Matt Beagatti

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Secretary/Assistant Secretary

Signed by:

Thomas Ferry

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Chairman/Vice Chairman