

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, July 30, 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	Supervisor
Louis Pingotti	Supervisor

Also present were:

Matt Biagetti	District Manager
Kyle Magee	District Counsel
Ryan Stilwell <i>(via phone)</i>	District Engineer
Jeff Johnson	Operations Manager
Geraldine Ferry	HOA President
Residents	

The following is a summary of the actions taken at the July 30, 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. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comment

Mr. Biagetti opened the public comment period. Resident Ann Germain of 907 Oak Arbor Circle thanked the Board for taking care of Pond 100, which looked better. The riprap was working and looked great. There was vegetation where there used to be sand. There being no further comments, Mr. Biagetti closed the public comment period.

July 30, 2026

Heritage Park CDD

THIRD ORDER OF BUSINESS**Approval of the Minutes of the May 28, 2026 Meeting**

Mr. Biagetti presented the minutes of the May 28, 2026 meeting, which were included in the agenda package. Ms. Kinnecom indicated that she attended via phone and not Ms. Wharton. Mr. Curran pointed out that all references to him on Pages 2 and 3, should be Mr. Pingotti, but on Page 7, under Supervisor's Requests, Mr. Curran made the comment. Ms. Wharton noted on Page 3, in the second line from the bottom, the minutes stated, *"Negotiate for a 4% increase, so that the CDD could purchase a piece of property."* The CDD was not purchasing any property, and this statement would be stricken.

Ms. Wharton requested clarification on Page 5, under D, *"There would be an additional cost for them to continue to use weed eaters."* Mr. Johnson explained that with the new landscaping scope of two mower widths apart, it would take Yellowstone additional time to weed eat that big of an area. If the Board wanted to maintain this area, Yellowstone would have to provide a charge, but at this time, there was no charge. Mr. Ferry recalled Mr. Magee mentioning a county code on Page 6. Mr. Magee would discuss this under his report.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor the Minutes of the May 28, 2026 Meeting were approved as amended.

FOURTH ORDER OF BUSINESS**Consideration of Fountain Pump Replacement Proposal (shelf stock)**

Mr. Johnson presented proposals from Future Horizons for five and seven fountain pump replacements, to replenish their stock. Only one fountain pump remained in stock. Ms. Wharton asked if the 5% discount applied, if five or more fountains were purchased. Mr. Johnson preferred to purchase five fountains, as he was concerned about not having enough fountains in stock, if a catastrophe occurred. There was also free shipping. Mr. Ferry agreed with purchasing five fountains, as fountains would start to break. Ms. Wharton understood with the purchase of five fountains, there would be a \$682 discount on a \$13,000 bill but preferred three fountains and requested that Mr. Johnson negotiate a discount. *There was Board consensus to purchase five fountains.*

July 30, 2026

Heritage Park CDD

On MOTION by Mr. Ferry seconded by Mr. Curran with all in favor the proposal from Future Horizons for five fountain pump replacements in the amount of \$2,728 each was approved.

FIFTH ORDER OF BUSINESS**Public Hearing Adopting the Budget for
Fiscal Year 2027**

Mr. Biagetti reported that there were two public hearings, one to adopt the budget and the other to levy assessments and certify the Assessment Roll. At the May meeting, the Board approved the Proposed Budget. Changes were made to the budget. However, the budget that was included in the agenda package was incorrect and the correct budget that the Board was adopting, was posted on the District's website. It included an assessment increase. Mailed notices were sent to all property owners. In the *Administrative Budget*, there was a request to negotiate the 6% increase in *Management Fees*, and this was lowered to a 4% increase or \$67,811.

Ms. Wharton appreciated the reduction to 4% and was happy with GMS' service but requested an agreement that it be capped at 4%. In addition, *Engineering* increased by 33%, *Field Management* increased by 23.88% and *Landscape Maintenance* increased by 25.21% and wanted to cut back on services to keep costs down, so they did not have to raise assessments. Mr. Ferry pointed out that the two biggest increases were in *Streetlights* and *Pond Bank Erosion Control*. Mr. Johnson suggested changing the hours of the fountains, to save on electricity. Ms. Wharton noted that the CDD had no control over Florida, Power & Light (FPL) and what they charged for electricity for the streetlights.

Mr. Biagetti reported that the current balance in the *Capital Reserve Fund* was \$157,000, not including \$40,000 that was budgeted this year, which would bring the total to \$197,000, by the end of this fiscal year. Ms. Wharton recalled that the *Pond Contingency* was decreased to \$20,000, but another \$20,000 was supposed be added for Fiscal Year 2027. Mr. Biagetti pointed out that line items could be reduced and the reductions included in *Pond Bank Erosion Control*. Ms. Wharton felt that *Office Supplies* should not be charged by GMS, as it was the cost of doing business. Mr. Ferry requested listing the *Other Current Charges*, versus including under *Other Current Charges*, but questioned why it increased from \$1,500 to \$3,614. Mr. Biagetti explained that a tax payment was made to the Tax Collector for 227 Hefferon Drive.

July 30, 2026

Heritage Park CDD

On MOTION by Mr. Ferry seconded by Ms. Kinnecom with all in favor the Public Hearing to adopt the budget for Fiscal Year 2026 and impose special assessments was opened.

Resident Ron Szpak of 486 Hefferon Drive, who moved into the community three months ago and was new to CDDs, questioned the billing process. Mr. Biagetti explained that tax exempt bonds were issued for the construction of any improvements. The primary focus of a CDD was to manage stormwater in the ponds throughout the District. Residents paid for the operation and maintenance (O&M) in the non-ad valorem section on their Tax Bills. Resident Tom Kramer of Wooded Crossing Circle questioned whether the reduction of the electricity would be per pole and if the public hearing on the special assessments would be held. Ms. Wharton indicated that the Board was discussing reducing the time that the fountains would run. Mr. Biagetti confirmed that the public hearing on the special assessments, was part of the budget public hearing. The purpose was to certify the Assessment Roll and fund the budget.

On MOTION by Ms. Kinnecom seconded by Mr. Pingotti with all in favor the Public Hearing to adopt the budget for Fiscal Year 2027 and impose special assessments was closed.

A. Consideration of Resolution 2026-05, Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2027

Mr. Magee presented Resolution 2026-05, formally adopting the Fiscal Year 2027 budget and appropriating funds in the sums as set forth in Exhibit A, the budget. Line items could be amended and adjusted throughout the year. According to the resolution, 60 days prior to adoption, the Board adopted the Proposed Budget, provided it for public review, advertised this public hearing and posted the budget on the CDD's website, as required by Statute.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor Resolution 2026-05 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2027 was adopted.

B. Consideration of Resolution 2026-06, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2027

Mr. Magee presented Resolution 2026-06, Imposing Special Assessments and Certifying

July 30, 2026

Heritage Park CDD

an Assessment Roll for Fiscal Year 2027. It levies the assessments to fund the budget that was just adopted.

On MOTION by Mr. Pingotti seconded by Mr. Ferry with all in favor Resolution 2026-06, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2027 was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing for the Purpose of Adopting Amended and Restated Rules of Procedure; Consideration of Resolution 2026-07

Mr. Magee presented Resolution 2026-07, Adopting the Amended and Restated Rules of Procedure. These were based on changes made in the legislature, to stay in line with the current statutory requirements. The biggest changes were to the notice period for adopting rules, which increased from 30 to 35 days and to clarify that Board Members present at a meeting, needed to take a vote on every matter, unless there was a conflict of interest. Mr. Biagetti requested that Mr. Magee distribute a redlined version to the Board with the changes.

On MOTION by Mr. Ferry seconded by Ms. Kinnecom with all in favor the Public Hearing to Adopt the Amended and Restated Rules of Procedure was opened.

There were no audience questions or comments.

On MOTION by Ms. Wharton seconded by Mr. Curran with all in favor the Public Hearing to Adopt the Amended and Restated Rules of Procedure was closed.

On MOTION by Mr. Pingotti seconded by Ms. Wharton with all in favor Resolution 2026-07 Adopting the Amended and Restated Rules of Procedure was adopted.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Magee recalled a request from the last meeting, to review the county code regarding nuisance wildlife. There was an Ordinance from St. Johns County from 2012 regarding the

July 30, 2026

Heritage Park CDD

feeding of wildlife in an inhabited area, but it was updated in 2017 and this language was omitted. Since this was not a CDD issue, Mr. Magee did not want to waste CDD funds to research this matter; however, since the ducks were a nuisance, he suggested that it be handled by Animal Control. The bill to raise the caps for sovereign immunity, was vetoed by the Governor. This would result in lower rates for insurance, as the exposure would remain the same. His office was preparing a summary of this Legislative Session, which would be provided to the Board at the next meeting.

B. Engineer

Mr. Stilwell reported that a site visit was performed on the stormwater ponds, which the vendor attended, to look at future opportunities and understand the cost implications of different erosion control options. However, despite numerous follow up and conversations with the vendor, they have not provided a per linear foot cost option, but as soon as it was received, Mr. Stilwell would provide it to the District Manager.

C. Manager

Mr. Biagetti reported that GMS staff in the North Florida office, met with an insurance provider and adjuster yesterday, to discuss insurance rates.

1. Discussion of Fiscal Year 2027 Meeting Schedule

Mr. Biagetti reported that the District was required each year, to approve an annual meeting schedule and present the meeting dates for Fiscal Year 2027, which were on the fourth Thursday at 1:00 p.m., every other month. The only exception was the November meeting, which was moved to the third Thursday, due to the Thanksgiving holiday and the July meeting, which was the fifth Thursday, to meet the 60 days between the budget approval and adoption.

On MOTION by Mr. Ferry seconded by Mr. Curran with all in favor the Fiscal Year 2027 meeting schedule as presented was approved.
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Ms. Wharton questioned why the November 2027 meeting was not included. Mr. Biagetti indicated that the November 2027 meeting would be included in the Fiscal Year 2028 meeting schedule, as the 2027 meeting schedule was only for the October through September meetings.

July 30, 2026

Heritage Park CDD

2. Discussion of Fiscal Year 2027 Goals and Objectives

Mr. Biagetti reported that during the Fiscal Year 2024 Legislative Session, the State Legislature passed a law requiring Districts to set goals and objectives for the year. These were goals and objectives that the CDD could achieve, such as holding at least four regular Board of Supervisor meetings per year and noticing them, advertising them in the newspaper and posting on the CDD's website, including financial reports and annual audit in agenda packages and posting on the CDD's website and approving a Proposed Budget by June 15th of each year and adopting it by September 30th.

On MOTION by Ms. Wharton seconded by Mr. Pingotti with all in favor the goals and objectives for Fiscal Year 2027 were approved.

Ms. Wharton asked if all Board Members submitted their Form 1 by July 1st. Mr. Biagetti confirmed that according to the Commission on Ethics website, all Board Members completed the Form 1s. However, the Board was also required to complete four hours of ethics training by December 31st. Mr. Magee reported that according to the Deputy Director for the Commission on Ethics, the free videos would be updated.

D. Operations Manager - Report

Mr. Johnson presented the Operations Manager Report, which was included in the agenda package. Ms. Wharton asked Mr. Johnson to check the washout on Pond 100 and questioned the sustainability of the plants on Ponds 1 and 18. Mr. Johnson did not see any issues. All of the pressure washing was completed, including the bridge. Ms. Wharton appreciated that the vendor pressure washed the bridge and questioned whether there was any new pond erosion. Mr. Johnson indicated that according to a report from Yellowstone, There was increased grass lines around the outer edge of pond banks, which they were happy with. However, they would eventually need to get back to a normal mowing schedule along the pond banks and suggested revisiting it in the Springtime.

Ms. Wharton preferred to mow within one length but questioned why the vendor stopped spraying the pond banks and the water. Mr. Johnson reported that according to Future Horizons, there was exposed sand, causing weeds to grow and if they spray and kill the root base, it could

July 30, 2026

Heritage Park CDD

cause washouts. Ms. Wharton liked that Future Horizons decreased their price and that the ponds looked better, due to the fountains. Mr. Biagetti confirmed that Future Horizons decreased their price by \$400 per month or 20%. Mr. Johnson agreed that the pond banks looked better, due to the steps taken to stabilize the pond banks. Mr. Ferry requested that Yellowstone not mow within four days of a rain. Mr. Johnson voiced concern that if there were stipulations, the grass may not get mowed for six months. Ms. Wharton recalled that the only stipulation was that Yellowstone not use big mowers by the edge of the pond bank, which was requested by Resident Ann Germain of 907 Oak Arbor Circle.

EIGHTH ORDER OF BUSINESS

Audience Comments

Mr. Biagetti opened the public comment period. Resident Geraldine Ferry, HOA President, reported that a light on Hefferon Drive was out. Mr. Ferry requested that the tree that the light was in, be cut back. Mr. Johnson would look for the number of the light pole and report it to FPL and request that the landscaper cut the tree back. Ms. Wharton requested that Mr. Johnson see what other trees needed to be trimmed, so all of the trees could be trimmed at the same time. Mr. Johnson pointed out that it would not be a covered budget expense and must be paid out of the contingency. Ms. Wharton suggested separating the work out into areas. Mr. Johnson requested a list of addresses, so that he could prepare a list and provide to the landscape company in order for them to provide a proposal.

Ms. Ferry reported that the HOA sent a letter to the homeowner feeding the ducks and it was being handled through mediation but suggested that the CDD inform the homeowner that it was destroying the CDD's pond bank, as neighboring residents were complaining on a daily basis. Mr. Magee felt that there was no point in fixing it, until the duck issue was resolved, but the CDD could try to collect money from the homeowner for the repair. Ms. Wharton suggested placing riprap to stop the erosion of the pond bank, in the meantime. Mr. Curran reported that residents in Arbor Park Village stopped feeding the ducks and the ducks disappeared. Resident Ann Germain of 907 Oak Arbor Circle indicated that all of the Muscovy ducks were gone, because the majority of residents who fed them, stopped, but there were now migratory ducks. It was against the law to feed migratory ducks and requested that the CDD start fining people feeding the ducks, as they were feeding them on CDD property.

July 30, 2026

Heritage Park CDD

Ms. Wharton felt that it would be impossible to enforce, as there were no cameras around the ponds and there needed to be proof and requested that it be reported to the Florida Fish and Wildlife Conservation Commission (FWC). Mr. Magee agreed, as migratory birds were under the purview of the FWC. Ms. Wharton requested that Mr. Magee send a letter to the owner of 152 Pine Arbor Circle regarding increased erosion on the pond bank in front of their house, due to excessive duck activity. Ms. Ferry reported when residents questioned the assessment, she explained that it was a shareholder fee, as each resident owned one 703rd share of Heritage Park. There being no further comments, Mr. Biagetti closed the public comment period.

NINTH ORDER OF BUSINESS

Supervisors Requests

Ms. Kinnecom reported that she won her seat. Mr. Ferry noted that he tried to call their contact at FPL, but it was a wrong number. Mr. Biagetti recalled that Mr. Johnson had a contact with an individual at FPL who handled the entire Southeast and would contact them. Mr. Curran reported that the Sheriff conducted an exercise on Woodlawn Road yesterday, with the new crossing lights. They waited until there was a substantial amount of traffic and pushed the button to cross the street. If a car was coming when they crossed the crosswalk, deputies on motorcycles, pulled them over. It may have been due to the re-opening of school and people complaining.

TENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

Mr. Biagetti presented the Unaudited Financial Statements through June 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 \$25,000, with \$300 in positive revenue.

B. Assessment Receipt Schedule

Mr. Biagetti presented the Assessment Receipt Schedule, which was included in the agenda package. 100.74% of assessments were collected.

C. Approval of Check Register

Mr. Biagetti presented the Check Register for May 1, 2026 to June 30, 2026, in the amount of \$40,539.18, which was included in the agenda package. The cover pages for the FPL

July 30, 2026

Heritage Park CDD

invoices were not included, which he would provide to Ms. Wharton. Ms. Wharton preferred to wait until the next meeting.

On MOTION by Mr. Pingotti seconded by Mr. Ferry with all in favor the Check Register for May 1, 2026 to June 30, 2026, in the amount of \$40,539.18 was approved.

ELEVENTH ORDER OF BUSINESS

Next Scheduled Meeting – September 24, 2026 @ 1:00 p.m.

Mr. Biagetti reported that the next meeting was scheduled for September 24, 2026 at 1:00 p.m. at this location.

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 Biagetti

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Secretary/Assistant Secretary

Signed by:

Thomas Ferry

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Chairman/Vice Chairman