

**MINUTES OF MEETING
HERITAGE PINES
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Heritage Pines Community Development District's Board of Supervisors was held on **Tuesday, February 11, 2014 at 2:00 p.m.**, in the **Heritage Pines Country Club Meeting Room, 11524 Scenic Hills Boulevard, Hudson, Florida 34667.**

Present at the meeting were:

Gilbert Herr (<i>via telephone</i>)	Chair
Raymond Russell	Vice Chair
Herbert Elliott	Assistant Secretary
Robert Zimmerman	Assistant Secretary
Jack Nelson	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Tommy Land	ValleyCrest
Howard Dornfield	Resident
Kenny Nelson	Resident
Bonnie Walsh	Resident
Norm Bilfield	Resident
Sarah Brundage	Resident
Other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 2:00 p.m., and noted, for the record, that Supervisors Russell, Elliott, Zimmerman and Nelson were present, in person. Supervisor Herr was attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

Mr. Russell asked for public comments. There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Update: Reclaimed Water Transition Activities

Mr. Russell reported that Ms. Pamela Wright, of Pasco County Utilities (PCU), previously advised him that PCU is waiting for the legal documents from Southwest Florida Water Management District (SWFWMD). The plans will be drawn and construction will commence, upon receipt of the documents.

Mr. Russell advised that Mr. Heath will not be in attendance today.

Mr. Al Albertstein, a resident, questioned whether the proposed October completion date will be met. Mr. Russell advised that the delay does not necessarily imply that the project will not be completed in October.

Mr. Albertstein noted that he is the President of Scenic View Estates Village and their budget is dependent on what occurs with the wells. Mr. Russell indicated that, according to Ms. Wright, PCU's intentions are to "break ground in April". The District is looking forward to completing the project by the fall, when residents return for the winter.

Mr. Roger Shavert, a resident, asked where the project will commence. Mr. Russell and Mr. Adams responded that they do not have that information. Mr. Russell explained that the engineer will produce the plans, as soon as the final financing is in order.

Mr. Elliott's understanding was that SWFWMD's engineer approved the documents; the holdup is with their attorney. Mr. Russell clarified that SWFWMD and PCU are negotiating the terms of the agreement.

Mr. Howard Dornfield, a Golf View Estates resident, noted that he resides in a self-maintained village and inquired if residents will receive assistance with preparing their sprinkler systems, prior to the reclaimed water connection. Mr. Russell advised that the District Engineer will handle the preparation and direct the contractors, accordingly. Mr. Dornfield clarified that there are 300 individual irrigation systems within his community and each home is slightly different. Mr. Russell explained that the piping in the self-maintained villages will be installed adjacent to the well site and near the meter boxes.

Mr. Adams indicated that, in Golf View Estates, drinking water meters servicing both the homes and their sprinkler systems were installed at the curb. A reclaimed water meter will be installed adjacent to that meter and the sprinkler system will be disconnected from the current meter and connected to the reclaimed water meter. Mr. Adams mentioned that there should be no disruption to the sprinkler systems.

FOURTH ORDER OF BUSINESS

Discussion: Mowing Equipment Used on District EDRA's

Mr. Russell asked Mr. Land if the 2008 report reflects the current mowing hazard on the EDRA's. Mr. Land clarified that Mr. Russell is referring to a report from ValleyCrest's Regional Safety Director, in response to safety concerns. Mr. Land noted that the majority of the District's EDRA's are dry retention ponds, which were improperly constructed. The slopes are greater than 4:1 and the bottom elevations are incorrect; therefore, the conditions are unsafe for mowing.

Mr. Land referred to a handout and noted that it contains a 2008 letter from District Counsel to ValleyCrest and ValleyCrest's response from the Regional Safety Director. Mr. Adams confirmed that he received the handout.

Mr. Russell asked Mr. Land to explain whether there is a difference between the old and the new mowing equipment and any safety concerns. Mr. Land explained that both machines are the same model; one is five years older. The deck drive system on the older model has hydraulic down pressure for stabilization while mowing on slopes. The new mower has spring compression and is not as rigid. Mr. Land indicated that the new equipment is the highest rated deck mower, for the cost, and is comprised of three decks for additional ground coverage; two of the decks are on each side, for stabilization, while mowing on slopes.

Mr. Land provided the Board with a picture of the old model. In response to a question regarding the equipment, Mr. Land confirmed that both the old and new models are Groundmaster® 4000-D. He pointed out that the picture was taken on a small retention area, EDRA 8B, around the drain. Mr. Land noted that the conditions of the slopes are hazardous, even for the new equipment.

Mr. Nelson indicated that Mr. Land explained that the older model has hydraulic pressure to keep the wing down and support the upper deck and the new model does not. Mr. Land clarified that the old model is hydraulic pressured and the new model is spring pressured. He pointed out that the tipped over model, in the picture, is hydraulic.

Mr. Nelson questioned whether there is another model on the market with enhanced security features and additional hydraulic pressure to "hold it down". Mr. Land stated that the District purchased one of the two highest rated machines, for the greatest degree of slope. Mr. Nelson asked if cost was a consideration. Mr. Land replied that it was not.

Mr. Elliott referred to the picture and questioned whether the driver could not determine that the slope was an issue; he noted that the area appears to be the beginning of a sinkhole or a void. Mr. Land indicated that the location is an outfall going into a pond, behind the concrete culvert. There was a certain amount of washout around that outfall. Mr. Land clarified that the larger wheel went into the washout and the equipment tipped on its side. Mr. Elliott recalled a similar occurrence on EDRA 40. Mr. Russell indicated that the Board considered refurbishing that EDRA, for this reason.

Mr. Russell asked Mr. Land if there are EDRA irrigation issues, other than the repairs already discussed. Mr. Land explained that some irrigation systems were installed in the incorrect location and others do not have irrigation. He noted that EDRA 40 has irrigation problems and EDRA 28 has no irrigation.

Mr. Elliott asked whether SWFWMD has limitations for irrigating slopes and EDRAs. Mr. Land explained that SWFWMD does not want the bottoms of the EDRAs irrigated and there are no limitations for irrigating slopes.

Mr. Nelson voiced his understanding that the slopes in EDRA 40 are not receiving irrigation. Mr. Land confirmed that, currently, only portions of EDRA 40 are receiving irrigation. He clarified that there is not much evapotranspiration (ET) occurring; the plants and grasses are not utilizing the available water. Mr. Land indicated that irrigation is insufficient in some areas. The system is currently not running but it is operable.

In response to Mr. Russell's question, Mr. Land confirmed that there are irrigation issues on dry retention ponds throughout the District.

Mr. Russell referred to the handout entitled "Landscape Recommendations for Retention Ponds" and advised that the list was prioritized based on safety concerns and not aesthetics. The first seven recommendations, in priority order, are EDRAs 24B, 20B, 40, 28, 25, 52 and 33. Mr. Russell explained that the District will seek permission from SWFWMD to perform the required renovations.

Mr. Land indicated that quotes were requested from three contractors to refurbish an EDRA on the southeast side, by the inoperable well; the slope is greater than 4:1, there is a lot of washout and the area is a safety hazard. Mr. Land noted that ValleyCrest's contract stipulates that ValleyCrest will mow every ten to 12 days, in growing season; however, the mowing equipment has a tendency to slip and slide, in these conditions. He clarified that the contractors

were asked to provide quotes to repair the slope and install grass. The contractors advised that “earth work” must be performed in order to repair the slopes. Mr. Heath previously recommended that the District should confer with SWFWMD regarding the renovations.

Mr. Russell stated that the fourth priority, on the list, is EDRA 28. Mr. Zimmerman pointed out that EDRA has gopher tortoises. It was noted that the area looks like a construction zone. Mr. Land explained that gopher tortoises are an endangered species and advised of a company that relocates them. The locations where the gopher tortoises have burrowed are sandy and void of vegetation; therefore, when it rains, the sand washes away. It was confirmed that there is no irrigation on EDRA 28.

Discussion ensued regarding the locations of the EDRA's depicted on the priority list.

Mr. Land advised that EDRA 33 was inspected by SWFWMD; their recommendation was to fell the dead trees since they cannot be removed.

Mr. Russell reported that the District is currently working on restoring the first two priorities, on the list, EDRA's 24-B and 20-B. Referring to the handout, he noted that the last page contains a quote from Aventura Nursery & Landscape, Inc.

Mr. Nelson pointed out that the plantings, to the right of Tees #1 and #9 are beautiful; however, in his opinion, the plants were installed too close together. The cost could have been reduced significantly by installing fewer plants. Mr. Nelson noted that it is impossible to locate golf balls because of the thick vegetation.

Mr. Land reminded the Board that refurbishment to the EDRA's is not for aesthetic purposes, although aesthetics are involved. The refurbishment is for stabilization and safety of the workers. Mr. Land indicated that golfers can “hack” their golf balls out of #9, if they can find them. He noted that #2 and #3 are considered “lateral hazards” and can still be played; therefore, the plants must grow together to stabilize the slope.

Mr. Russell asked Mr. Adams if funds are available for the plantings, as quoted. Mr. Adams explained that the District has a yearly budget of \$20,000 for “Dry retention pond refurbishment/planting” and has expended \$12,330 for work performed earlier in the fall. The HOA will reimburse the District for 50% of the cost. He noted that there is \$15,200 in the “Contingencies” line item and, if the Board decides to proceed with refurbishing the first two EDRA's, \$5,000 will be expended from this line item, which leaves \$10,000 for the rest of the year.

Mr. Elliott indicated that EDRA 40 needs work totaling \$15,000 to \$20,000. In his opinion, EDRA 40 should be prioritized with EDRAs 24B and 20B. Mr. Elliott made a motion to prioritize the three EDRAs and defer the rest of the list until the District's budget is reviewed.

Mr. Russell acknowledged Mr. Elliott's comments and indicated that, he prefers to proceed with EDRAs 24B and 20B, followed by EDRA 12, subsequent to approval of the next fiscal year budget.

Mr. Nelson seconded Mr. Elliot's motion.

On MOTION by Mr. Elliott and seconded by Mr. Nelson, with all in favor, the Aventura Nursery & Landscape, Inc., proposal in the amount of \$19,150.71, for the plantings in EDRA 20B and EDRA 24B, and authorizing Mr. Russell and Staff to pursue and implement a design proposal for EDRA 40, were approved.

Mr. Russell asked the Board for authority to proceed with obtaining a proposal for EDRA 40. He asked Mr. Land whether the contractor will be able to refurbish EDRA 40 without the design work. Mr. Land replied yes and indicated that the work can be divided, to include design work to alleviate certain issues, as well as "earth work" to alleviate others. Mr. Land indicated that one issue is the dike that runs through the center of EDRA 40. He noted that the southeast corner can be stabilized with plantings. In response to Mr. Nelson's inquiry Mr. Land confirmed that, there are no plants on the slope in the southeast corner, only weeds.

Mr. Land explained that some of the irrigation in EDRA 40 does not contain "institutional heads"; in layman's terms, they do not have a check valve. Most of the homeowners' lawns do not have institutional heads, which will cause the water to "ooze" out of the last head on a slope; therefore, some areas will receive more irrigation than others.

Mr. Land further advised that installing plants on the southeast corner of EDRA 40 will eliminate the safety hazard. He noted that minor "earth work" will soften the slope on the dike.

Mr. Russell indicated that, per Mr. Elliott's suggestion and motion, EDRA 40 will be included with EDRAs 20B and 24B, for priority repairs.

Mr. Elliott asked if the District will have someone on site when SWFWMD inspects EDRA 40. Mr. Land indicated that it is his understanding, from his meeting with Mr. Heath, that

Mr. Heath is working with SWFWMD and will be able to make the decision whether to proceed on EDRA 40.

Mr. Elliott noted issues with a swamp near EDRA 47. Mr. Land advised that Staff is in the process of obtaining bids to clear that swamp. Mr. Elliott questioned whether approval from SWFWMD is necessary. Mr. Russell and Mr. Land confirmed that SWFWMD's approval is not necessary.

Mr. Elliott stressed that preservation of wildlife is of the utmost importance while the work is being performed. He noted that maintenance with the mowing equipment will be feasible, once the work to the retention areas is performed.

Mr. Kenny Nelson, a resident, asked if the vegetation for the plantings to EDRA 20B and 24B have been approved by SWFWMD. Mr. Land confirmed that the vegetation designated for those areas is on the SWFWMD plant list. He noted that planting can only be done on the slopes, with approved vegetation. In response to Mr. K. Nelson's question, Mr. Land explained that the plantings will be installed by an outside contractor.

In response to Mr. K. Nelson's inquiry regarding the HOA's \$6,000 reimbursement, Mr. Adams and Mr. Elliott explained that the expenditure was for a drain project near Green #9. Mr. Elliott clarified that runoff from a slope, coming from Green #9, is causing the erosion that extended into the retention area. Mr. Russell confirmed that the reimbursement was approved by the HOA Board.

Ms. Bonnie Walsh, a resident, asked how many safety incidents have occurred. Mr. Land responded that the only incident was captured in the picture that was circulated earlier; the driver did not sustain any injuries.

Mr. Adams recalled that the discussion regarding safety is a result of the death of a contractor who was mowing a county or state retention pond and rolled over. This resulted in heightened safety awareness.

Mr. Norm Bilfield, a resident, asked who is responsible for EWRAs. Mr. Land advised that they are the District's responsibility. Mr. Bilfield reported that he lives on the pond in Tall Pines and over the years, he witnessed at least three occurrences where mowing equipment skidded into the pond and the equipment had to be towed out. He knows that some day, he will have to pull a worker out of the water. Mr. Bilfield pointed out that the area is a steep hillside.

Mr. Land stated that he hopes ValleyCrest employees use common sense; the employees have been forewarned of the hazardous areas;

FIFTH ORDER OF BUSINESS

Approval of December 10, 2013 Regular Meeting Minutes

Mr. Russell presented the December 10, 2013 Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Elliott and seconded by Mr. Russell, with all in favor, the December 10, 2013 Regular Meeting Minutes, as presented, were approved.

SIXTH ORDER OF BUSINESS

Other Business

Mr. Bilfield asked for an update on the acquired property. Mr. Elliott advised that three bids were received for clearing the path: a \$6,200 bid from Luke Brothers, a \$3,200 bid from ValleyCrest and a \$2,500 bid from Panzer. He advised that the path will be cleared in the center of the property, some time this week.

Mr. Elliott advised that the property will be kept in its natural state, which will allow the District to decide on future projects. He noted that picnic tables will be installed in an area that is approximately 40' in diameter. Mr. Elliott conveyed that approximately 17 trees and dead vegetation will be cleared; the work will be completed by the end of the week. He advised that the dead plant material will be shredded and mulch will be placed on the cleared path.

Mr. Elliott reported that the property, located near Tee #7 and behind SunTrust Bank, was purchased by a company that intends to build a 94-unit facility for patients with Alzheimer's. Mr. Elliott indicated that he will research the purchase price for comparison against the District's purchase of the acquired property.

Ms. Sarah Brundage, a resident, recalled that some of the costs for the acquired property will be expended from the Fiscal Year 2014 budget. She asked if the Board would review the survey prepared by the Long Range Planning Committee, prior to determining future plans for the property. Mr. Elliott replied affirmatively. Mr. Russell indicated that the Board previously

decided to keep the property close to its natural state until information is received from the Long Range Planning Committee.

Mr. Zimmerman recalled a prior derogatory comment from Mr. Kenny Nelson, a resident, regarding the acquired property and asked if Mr. Kenny Nelson had any questions or comments. Mr. Kenny Nelson advised that he was not against the District purchasing the property; however, he was somewhat disturbed by the purchase price.

A resident asked if they will have access to the property. Mr. Elliott replied affirmatively.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

There being no report, the next item followed.

C. Manager

i. Approval of Unaudited Financial Statements as of December 31, 2013

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2013. He highlighted that collections were at 45%, through December 31. Referring to the "Interest & miscellaneous" line item, he noted that the amount includes the proceeds from the Concerned Citizens' Club.

Mr. Adams pointed out the "Insurance" expenditure was a one-time payment and the premium was \$500 higher than the budgeted amount. The "Annual district filing fee" was a one-time \$175 expense. Mr. Adams reiterated that the "Dry retention pond refurbishment/planting" expenditure was \$12,330 and the HOA will reimburse the District for 50% of that cost.

Mr. Adams advised that the one-time principal payment for the acquired property, in the amount of \$75,000, will be made in January, 2014.

Mr. Zimmerman asked if the property will be paid off in February. Mr. Adams clarified that it will be paid off in three years.

ii. NEXT MEETING: April 8, 2014 at 2:00 P.M.

The next meeting will be held on April 8, 2014 at 2:00 p.m., at this location.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests


Mr. Elliott suggested naming the acquired property. Mr. Adams was in agreement.

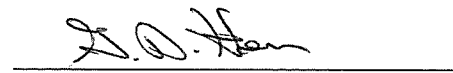
NINTH ORDER OF BUSINESS

Adjournment

There being nothing additional to discuss, the meeting adjourned at approximately 3:00 p.m.

On MOTION by Mr. Elliott and seconded by Mr. Nelson, with all in favor, the meeting adjourned at approximately 3:00 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair