

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

A Public Hearing and a Regular Meeting of the Heritage Pines Community Development District's Board of Supervisors were held on Tuesday, September 11, 2018 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:**

J. Bart Cutshall	Chair
Jack Nelson	Vice Chair
Raymond Russell	Assistant Secretary
Neil Goulette	Assistant Secretary
Michael Walsh	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Wrathell, Hunt and Associates, LLC
Kurt Heath	District Engineer
Bill Crusselle	HPCA General Manager
Chris Ansley	Assistant GC Superintendent
Jeremy Martin	Down to Earth
Randy Doolittle	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 2:00 p.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items [3 minutes per person]**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Adoption of the District's Final Budget for Fiscal Year 2018/2019, Pursuant to Florida Law**

**A. Affidavit/Proof of Publication**

Mr. Adams presented the affidavit of publication.

**B. Consideration of Resolution 2018-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams presented Resolution 2018-06. He highlighted the minor adjustments discussed at the last meeting and summarized the remainder of the Fiscal Year 2019 budget. Assessments were decreasing slightly, from \$424.76 to \$424.45, year-over-year.

**Mr. Cutshall opened the Public Hearing.**

Mr. Randy Doolittle, a resident, asked if the CDD budgeted enough in the Fund Balance to cover maintenance and additional street lighting additions. Mr. Cutshall stated that enough funds were budgeted. To date, only about half of the \$83,000 budgeted for Fiscal Year 2018 has been spent, with two months remaining, so there was more than enough to continue maintaining the EDRAs and the accepted EWRA's. Mr. Adams explained that unused budget funds moved to the fund balance and, when the CDD has sufficient surplus funds, the Board could decide how to use the excess, which could, in effect, reduce future assessments. Mr. Cutshall stated, in two years, the principal assessment will be paid in full, resulting in a possible assessment reduction. Mr. Adams stated Mr. Cutshall was referring to the Series 1998 bond that was refinanced in 2008 and would be paid off two years.

Mr. Doolittle mentioned the newly installed lighting that was leaning. Mr. Cutshall stated he was aware of the issue and would have the contractor straighten it; he would also review the retention pond. Mr. Adams stated dry retention pond expenditures were at 77%, which was lower than the 84% prorated projection.

**Mr. Cutshall closed the Public Hearing.**

**On MOTION by Mr. Cutshall and seconded by Mr. Nelson, with all in favor, Resolution 2018-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2018/2019; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Cutshall presented Resolution 2018-07. Mr. Adams stated this is the assessment levying Resolution, which takes into consideration the newly adopted Fiscal Year 2019 budget and the assessment levels therein and directs Staff to prepare and transmit the lien roll to the Tax Collector for placement of the on-roll assessments on the tax bill and direct billing of the off-roll assessments.

**Mr. Cutshall opened the Public Hearing.**

No Members of the public spoke.

**Mr. Cutshall closed the Public Hearing.**

**On MOTION by Mr. Cutshall and seconded by Mr. Nelson, with all in favor, Resolution 2018-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2018/2019; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Update: Lighting Project**

Mr. Cutshall received the proposal from Withlacoochee River Electric Cooperative, Inc. (WREC). Mr. Adams stated that Management processed payment last week. This phase of the project is expected to be finalized in October or no later than November, weather permitting, and, as discussed, consists of mooring and installing lights at several new locations within the community. Expenditures were about \$41,000 of the \$71,000 budgeted. The Scenic Hills community opted out of this project. Mr. Cutshall will confirm whether WREC received payment and request a work schedule. Their sub contractor will be the first company onsite,

boring and installing cables; however, due to an invoice discrepancy for installing cable, we were credited \$2,200. An article on the Lighting Project was in the Pines Newspaper.

▪ **Discussion: Procedure to Proceed with a Tabled Item**

**This item, previously the Seventh Order of Business, was presented out of order.**

Mr. Goulette asked Mr. Adams how tabled items are handled. Mr. Adams stated an item is tabled at the request of a majority of the Board. The same must occur to untable the item; and item could be tabled indefinitely or for a specific time.

Mr. Cutshall stated that the question arose because an item was tabled but then discussed and work was performed before the next meeting, unbeknownst to certain Board Members. Mr. Adams asked if this pertained to the Sixth Order of Business. Mr. Cutshall replied affirmatively.

**SIXTH ORDER OF BUSINESS**

**Continued Discussion/Comments on Pond #25 and Heiser Residence at 18109 Tiverton Court, From Last Meeting**

Mr. Cutshall stated, as far as he knew, this item was tabled, according to his discussions with the Village President, which indicated the Village owns the property, and Mr. Heiser was informed of this and that, if he chose, he would be suing his own Village. Discussion ensued regarding a meeting with the Village President and several people, and a letter to Mr. Heiser for which a response was pending. Mr. Goulette stated that he was never notified that the item was untabled and felt that Board Members assigned an item should be notified if any action is taken. He requested the process of tabling and untabling an item be followed.

Mr. Cutshall provided a historical timeline of events leading to the action taken. Discussion ensued regarding whether, contractually, the meeting minutes were to be transcribed verbatim instead of being summarized; it was noted the meeting is recorded verbatim and the audio is available upon request. Mr. Cutshall stated the EDRA #25 maintenance issue was resolved and that no further discussions with the Village President occurred nor has Mr. Heiser responded to the condition of his home. Mr. Adams stated Mr. Heiser was due back in town shortly. Mr. Russell provided an overview of his involvement in the process of resolving the issue before turning it over to Mr. Goulette. Mr. Cutshall explained the reason for the notification mishap and how this was no longer an agenda item issue.

Mr. Martin stated his discussions with the Board President and Ms. Terry Delaney was that the slope was no longer a concern; their only request was for a liner for the pond. Mr. Cutshall confirmed the tabled item was completed and, since the original issue of the slope, backfilling it and putting additional material was the responsibility of the Village, any new issue would be a new agenda item. Ms. Delaney should speak with the Village President to see if they were willing to change the heads to 360 degrees to irrigate the upper part of the slope. Mr. Cutshall directed Mr. Ansley and Mr. Martin to obtain proposals to install a line around the middle of EDR 25. Mr. Cutshall reiterated that the previously tabled item regarding putting material in the area is moot. The new issue is irrigation and Down to Earth (DTE) and Mr. Crusselle were directed to obtain proposals to irrigate the area and contact the Village President. Mr. Adams stated the CDD should obtain some form of commitment from the Village that the area will not be disturbed, before the CDD invests in irrigation.

**SEVENTH ORDER OF BUSINESS**

**Discussion: Procedure to Proceed with a Tabled Item**

This item was presented following the Fifth Order of Business.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2018**

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2018. Assessment revenue collections were at 100%. Expenditures were at 55%, which was below the 84% prorated projections; however, once the lighting project commences, those costs will capture that variance. The outstanding DTE invoices will be reflected in the August Financials, which will be presented at the October meeting.

**On MOTION by Mr. Cutshall and seconded by Mr. Walsh, with all in favor, the Unaudited Financial Statements as of July 31, 2018, were approved.**

**NINTH ORDER OF BUSINESS**

**Approval of July 31, 2018 Regular Meeting Minutes**

Mr. Cutshall presented the July 31, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

Line 83: Change "Russell" to "Cutshall"

Line 136: Change "Crusselle" to "Martin"

Line 131: Change "clubhouse" to "pumphouse" and "Lots" to "EDRA's"

Line 147: Change "19" to "16"

**On MOTION by Mr. Cutshall and seconded by Mr. Walsh, with all in favor, the July 31, 2018 Regular Meeting Minutes, as amended, were approved.**

#### TENTH ORDER OF BUSINESS

#### Assignment of Duties/Board Member Reports

##### A. Golf Course Surrounding Areas: *Supervisor Goulette (West), Supervisor Walsh (East)*

Mr. Goulette stated the drain was installed behind the resident's home; however, the area must be sodded. Mr. Martin stated that the drain at Hole #5 and the catch basin were installed and the pipe was ran down into the water the same day EDRA #16 was done; the area needs to be filled with dirt and sodded.

Last week the Village asked Mr. Goulette why the area on the west side of EDRA #21 was not being maintaining, after it was just replanted. Mr. Goulette asked Mr. Martin if he received a maintenance schedule. Mr. Martin stated they have the schedule and the crew was 25% of the way through installing pine straw on one side. He and Mr. Ansley were coordinating in assigning labor and sectioning off areas where an entire project can be completed within a weeks time, and then just have to be maintained. Mr. Martin stated the weed removal at the two EDRA's ponds near Hole #2 were included in his schedule. EDRA's #21 and #36, near Hidden Hills, will be added to the schedule, which already included EDRA's #44A, #20B and #24B, near Hole #2, EDRA's #7 and #15B, near Hole #9, and EDRA #40, near Rolling Hills. He was not yet able to test an area using a different pesticide. Mr. Doolittle questioned why homeowners are held accountable but the CDD is not, and asked if additional staff was needed to return the area to a favorable condition. Mr. Martin inquired about scheduling an additional crew to complete the work.

Mr. Walsh stated, once the dry season begins, Mr. Martin must include mowing the retention areas to the work schedule and silt buildup needs to be removed from inside the pipes. Mr. Crusselle stated that type of work is scheduled during winter. Mr. Cutshall mentioned that Pond #36 has 6" to 8" of silt above the bottom of the pipe that should be removed now. Mr. Martin stated biweekly mowing begins October 1<sup>st</sup> and, during that time, the area would be leveled. Mr. Adams stated that a grate would have to be specially made, as the dimensions were not standard. Mr. Goulette will assess the conditions of the grates and provide an update at the next meeting.

Mr. Martin stated he would email the proposal to remove the Brazilian peppertrees.

Mr. Martin stated he was not able to reconnect the EDRA #48 irrigation line, due to the condition of an underwater, rusted ball valve; it would be investigated further, as it did not turn on when the bleeder and solenoid valve were opened.

**B. Finance Matters and Negotiations: *Supervisor Russell***

Mr. Russell had nothing to report.

**C. Reclaimed Water Project: *Supervisor Russell***

Mr. Russell stated everything was running fine.

**D. Lighting, Mosquito Control, Front Property: *Supervisors Cutshall and Nelson***

Mr. Nelson stated, since the fence installed on the west side of Paleo Park looks so great, he is proposing extending the split rail fence beyond the sight line of the chain-link fence or further around the entire south side. He presented quotes for 50' at \$541 or 182' along EDRA #15B at \$1,969.24, less a 3% discount. Discussion ensued regarding extending the split rail fence further to the golf course and that it could cause golfers to retrieve golf balls and continue playing, as opposed to with the chain-link fence. Mr. Nelson was impressed with A Perfect 10 Fencing's performance and recommended awarding the contract to them, instead of going out to bid. He requested removal of the "Restrictions for Entrance" sign from the fence and installing it on a new post.

**On MOTION by Mr. Nelson and seconded by Mr. Cutshall, with all in favor, obtaining a proposal from A Perfect 10 Fencing Company, for installation of a two-rail fence along the south side of Paleo Park, with approval to install, subject to a not-to-exceed amount of \$2,300, was approved.**

- Lighting: Mr. Cutshall had nothing further to report.
- Mosquito Control: Mr. Cutshall stated the County’s mosquito control efforts were working properly and there were no incidents; however, lovebug season was approaching.
- Front Property: A-Z Tree Service, LLC (A-Z Tree) will remove the dead pine trees on September 20<sup>th</sup> and will need access to the service road. Mr. Cutshall will give the key to Mr. Martin.

Mr. Nelson was concerned about the pine tree beetle virus effecting the CDD and community; it was already affecting the neighboring community, requiring them to cut and remove the tree stumps. Discussion ensued regarding whether to remove dead trees, spray them or, leave the dead tree where it is, as recommended by the Florida Forest Service (FFS), so the beetles do not migrate to a healthy tree. Mr. Cutshall stated that A-Z Tree was removing dead trees, not the stumps, and turning it into mulch and laying it along the entire roadway. Mr. Russell recommended the CDD, Mr. Crusselle and the HOA coordinate efforts in sharing costs to remove and replace trees.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Bush Ross, P.A.***

There being no report, the next item followed.

**B. District Engineer: *Stroud Engineering Consultants***

There being no report, the next item followed.

**C. District Manager: *Wrathell, Hunt and Associates, LLC***

**i. NEXT MEETING DATE: October 9, 2018 at 2:00 P.M.**

The next meeting will be held on October 9, 2018 at 2:00 p.m.

Mr. Adams stated the Americans with Disabilities (ADA) audit of the District’s website was complete and the website now contains only statutorily required documents; outdated items were removed and annual financial reports were linked to the State’s websites.

Mr. Adams confirmed the lily reduction was scheduled for early October.

**TWELFTH ORDER OF BUSINESS**

**Audience Comments: Non-Agenda Items [3 minutes per person]**

There being no audience comments, the next item followed.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Russell asked about DTE purchasing the CDD's mowing equipment to use when performing CDD work. Mr. Martin stated that DTE was not interested. Mr. Adams stated, once the equipment's usage life runs out, it will be sold. Mr. Martin stated the equipment was running well since replacing the bearings on the back axle and the weed wacker was attached and being used during mowing.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Cutshall and seconded by Mr. Nelson, with all in favor, the meeting adjourned at 3:11 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair