

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

The Board of Supervisors of the Heritage Pines Community Development District held a Regular Meeting on April 18, 2023 at 2:00 p.m., in the Heritage Pines Country Club Meeting Room, 11524 Scenic Hills Boulevard, Hudson, Florida 34667.

Present were:

Kathleen Lonergan	Chair
Arthur Rhodes	Vice Chair
Carol Vaughan (via telephone)	Assistant Secretary
Janice Benedetti	Assistant Secretary
Michael Walsh	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Vivek Babbar (via telephone)	District Counsel
Kurt Heath	District Engineer
Alan Jowers (via telephone)	Carr, Riggs & Ingram, LLC (CRI)
Lauren Villarreal (via telephone)	Carr, Riggs & Ingram, LLC (CRI)
Tim Gatz	Down to Earth Landscaping (DTE)
Herb Hurley	Heritage Pines Community Association

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 2:01 p.m. Supervisors Lonergan, Rhodes, Benedetti and Walsh were present. Supervisor Vaughan attended via telephone.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Public Comments: Agenda Items [3 minutes per person]

There were no public comments.

FOURTH ORDER OF BUSINESS

Presentation of Audited Financial Statements for Fiscal Year Ended September 30, 2022, Prepared by Carr, Riggs & Ingram, LLC

Mr. Jowers presented the Audited Financial Report for the Fiscal Year Ended September 30, 2022 and noted the pertinent information. There were two instances where expenses should have been accrued to a prior year but those were minor and not of concern. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was an unmodified opinion, meaning it is a clean audit. The CDD is a mature CDD and, from a financial perspective, the CDD has a healthy surplus and is in a good position.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2022

Ms. Lonergan presented Resolution 2023-03.

On MOTION by Mr. Rhodes and seconded by Mr. Walsh, with all in favor, Resolution 2023-03, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2022, was adopted.

- **Consideration of Heritage Pines Community Association, Inc. Proposal for Landscape Maintenance**

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

- **Consideration of Landscape Maintenance Agreement (under separate cover)**

Mr. Adams distributed and reviewed the newest version of the Landscape Maintenance Agreement. The following changes will be made to the Agreement:

Where necessary, except in the opening paragraph, addresses, signature lines, etc.:
Change "District" to "CDD" and "The Association" to "HP"

Item 3, Line 5: Change “five (5)” to “twenty (20)”

Discussion ensued regarding the requirement for an addendum to the Agreement for additional services, what it applies to and how it will be implemented.

Regarding the scope of work, Ms. Lonergan stated that all the changes requested were not addressed. Others believed that requested changes were incorporated into the scope.

Discussion ensued regarding whether it is necessary to include wording requiring a proposal or if it is understood that the proposal will be an exhibit to the addendum.

Regarding Section 7, on Page 3, Ms. Lonergan wants “secure labor and/or” removed from “inability to secure labor and/or products” because, in her opinion, regardless of any type of extenuating factors, lack of labor is never the CDD’s problem. Mr. Hurley stated he will not agree to that without consulting the Heritage Pines Community Association (HPCA) attorney.

Regarding Item IV, on Page 11, Ms. Lonergan wants “External Causes” defined and wants the verbiage in Section 7, on Page 3, updated to match this change.

Regarding Item 9a, on Page 3, Ms. Lonergan wants “The CDD shall photograph any such condition whenever practicable.” removed.

Mr. Hurley stressed that he wants a redline version of the Agreement with District Counsel’s edits, as soon as possible.

Page 8, Item li: Change dates to “May 1st to September 30th” and “October 1st to April 30th”

Page 9, Item Ili: Change “Customer” to “CDD”

Regarding Page 10, Item Ilii, Ms. Lonergan wants “as determined by HP” deleted but others feel that it means that HP will determine what weed control method will be used. Ms. Lonergan stated that is not her interpretation.

Discussion ensued regarding use of equipment, renting equipment if needed, annual irrigation allowance of \$12,000 for costs of normal repair and maintenance of the irrigation systems.

Ms. Vaughan asked if the monthly invoice will reflect the full amount or if items will be itemized. Mr. Hurley stated the invoice will be the monthly \$10,700 plus irrigation. Mr. Adams stated that additional work outside the scope of the Agreement will be billed separately.

On MOTION by Mr. Walsh and seconded by Ms. Benedetti, with all in favor, the Heritage Pines Community Association, Inc. Landscape Maintenance Agreement, in substantial form subject to the changes discussed and coordination of District Counsel and HPCA Counsel to finalize the changes, and authorizing the Chair to execute, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-04, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Ms. Lonergan presented Resolution 2023-04. Mr. Adams reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

Discussion ensued regarding which category line item the mulch expense should be in and the possibility that shifting it will cause an assessment increase. The consensus was to adjust the line items and amounts, as necessary to move mulch to another category, while keeping the assessment amount unchanged year-over-year.

On MOTION by Mr. Rhodes and seconded by Ms. Benedetti, with all in favor, Resolution 2023-04, Approving a Proposed Budget for Fiscal Year 2023/2024, as amended and Setting a Public Hearing Thereon Pursuant to Florida Law for July 18, 2023 at 2:00 p.m., in the Heritage Pines Country Club Meeting Room, 11524 Scenic Hills Boulevard, Hudson, Florida 34667; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Heritage Pines Community Association, Inc. Proposal for Landscape Maintenance

- **Consideration of Landscape Maintenance Agreement (under separate cover)**

This item was presented after the Fifth Order of Business.

EIGHTH ORDER OF BUSINESS

Consideration of Proposal from Landscape Maintenance Professionals, Inc.

- A. **Sample Bid Packet**
- B. **Landscape Maintenance Service Agreement**
- C. **Additional Maintained CDD's**

This item was no longer necessary and will be removed from future agendas.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2023

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2023.

Discussion ensued about trees that were cut down and three trees put in the pond.

The financials were accepted.

TENTH ORDER OF BUSINESS

Approval of February 21, 2023 Regular Meeting Minutes

Ms. Lonergan presented the February 21, 2023 Regular Meeting Minutes. The following change was made:

Lines 86 through 87: Change "will provide Mr. Hurley with a list of items the Board would like adjusted" to "asked if Mr. Hurley had a copy of the DTE Agreement. He said he did not. Mr. Rhodes provided Mr. Hurley with a copy"

On MOTION by Mr. Walsh and seconded by Mr. Rhodes, with all in favor, the February 21, 2023 Regular Meeting Minutes, as amended, were approved.

- **To Do Action Items List**

Items 13 and 15 were completed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Straley Robin Vericker, P.A.

There was no report.

B. District Engineer: Stroud Engineering Consultants

Ms. Lonergan referred to a resident concern about NWR 38 and asked if the District Engineer needs to do anything. Mr. Heath stated that he advised the resident that the concerns are being addressed but, in his opinion, there is nothing that needs to be done at this time. Ms. Lonergan noted the low depths and asked about removing dead debris from that area. Mr. Heath will review the area to determine if the area is dry enough and if anything can be removed.

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

- **NEXT MEETING DATE: June 20, 2023 at 2:00 P.M.**
 - **QUORUM CHECK**

TWELFTH ORDER OF BUSINESS

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

There were no audience comments.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Regarding a possible broken sprinkler head, Mr. Gatz stated that the sprinkler head was repaired and a different type of nozzle was added to another sprinkler head in that area. Ms. Lonergan asked if the area needs to be resodded. The thought is that the area will be okay now that it will receive irrigation.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Rhodes and seconded by Mr. Walsh, with all in favor, the meeting adjourned at 3:04 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair