

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

The Board of Supervisors of the Heritage Pines Community Development District held a Public Hearing and Regular Meeting on September 10, 2019 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:**

Kathleen Lonergan	Chair
Neil Goulette	Vice Chair
Michael Walsh	Assistant Secretary
Arthur Rhodes	Assistant Secretary
Carol Vaughan	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Kurt Heath	District Engineer
Chris Ansley	Assistant Golf Course Superintendent
Herb Hurley	General Manager
Clifford Freund	Resident
Deb Tribbey	Resident
Gene Andre	Resident
Carla Becker	Resident
Gary Farley	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 2:00 p.m. Supervisors Lonergan, Goulette, Walsh and Rhodes were present, in person.

**SECOND ORDER OF BUSINESS**

**Moment of Silence in Memory of  
Supervisor Jack Nelson**

Ms. Lonergan stated that Mr. Nelson's Memorial Service was well attended and many residents were in attendance. A moment of silence was held in memory of Supervisor Jack Nelson. Since Mr. Nelson was an active Supervisor when he passed, Ms. Lonergan suggested planting a tree in his honor.

**On MOTION by Ms. Lonergan and seconded by Mr. Rhodes, with all in favor, planting a tree in memory of Mr. Jack Nelson, a Supervisor of Heritage Pines Community Development District, was approved**

**THIRD ORDER OF BUSINESS**

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

Mr. Clifford Freund, a resident, asked about the Eleventh Order of Business related to future building projects, as his residence abuts the back of the CDD. Ms. Lonergan stated this matter would be addressed during that portion of the meeting.

Ms. Carol Vaughan, a resident, suggested planting the memorial tree in the park near Mr. Nelson’s residence.

Ms. Deb Tribbey, a resident, asked the District to address the roadway surface flooding, entering Pine Glen Village at Webster Grove Road. Ms. Lonergan stated this matter would be addressed during the District Engineer’s report.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-06, Declaring a Vacancy in Seat 5 of the Board of Supervisors due to Supervisor Nelson’s Passing; and Providing an Effective Date**

Ms. Lonergan presented Resolution 2019-06.

**On MOTION by Ms. Lonergan and seconded by Mr. Rhodes, with all in favor, Resolution 2019-06, Declaring a Vacancy in Seat 5 of the Board of Supervisors due to Supervisor Nelson’s Passing; and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired Term of Seat 5; *Term Expires November 2022***

Ms. Lonergan nominated Ms. Carol Vaughan to fill Seat 5, and stated she is qualified, has resided in the CDD since 2008 and is interested in protecting the preserves and wetlands.

**On MOTION by Ms. Lonergan and seconded by Mr. Goulette, with all in favor, the appointment of Ms. Carol Vaughan to Seat 5, term expires November 2022, was approved.**

**A. Administration of Oath of Office to Newly Appointed Supervisor (*the following will be provided in a separate package*)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Carol Vaughan. Mr. Adams provided and briefly explained the following items:

- i. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- ii. Membership, Obligations and Responsibilities**
- iii. Financial Disclosure Forms**
  - a. Form 1: Statement of Financial Interests**
  - b. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - c. Form 1F: Final Statement of Financial Interests**
- iv. Form 8B – Memorandum of Voting Conflict**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-07, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the District, and Providing for an Effective Date**

Mr. Walsh nominated the current slate of officers, with the addition of Ms. Carol Vaughan, as an Assistant Secretary, as follows:

Chair	Kathleen Lonergan
Vice Chair	Neil Goulette
Secretary	Chuck Adams
Assistant Secretary	Michael Walsh
Assistant Secretary	Arthur Rhodes
Assistant Secretary	Carol Vaughan
Assistant Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

On MOTION by Mr. Walsh and seconded by Mr. Rhodes, with all in favor, Resolution 2019-07, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the District, and Providing for an Effective Date, as nominated, was adopted.

**SEVENTH ORDER OF BUSINESS****Public Hearing on Adoption of Fiscal Year  
2019/2020 Budget****A. Affidavit/Proof of Publication**

The proof of publication was included for informational purposes.

**B. Consideration of Resolution 2019-08, Relating to the Annual Appropriations of the District and Adopting the Budget for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams presented the proposed Fiscal Year 2020 budget and stated it was the same as the one presented in July; no changes were made. The proposed Fiscal Year 2020 budget still anticipates a \$90,000 increase to fund balance and a \$10,000 transfer in to the General Fund that should be the left-over revenue in the Debt Service fund, once the final Debt Service payment scheduled for May 1, 2020 is made. Overall, assessments would decrease. The "Legal" description, on Page 3, would be changed.

Ms. Lonergan asked whether the "Dry retention pond refurbishment/planting" line item would exceed budget this year or next year. Mr. Adams replied affirmatively and stated that the Fiscal Year 2019 expenses would exceed budget; the Fiscal Year 2019 budget would be amended to avoid a finding in the audit.

**Ms. Lonergan opened the Public Hearing.**

No members of the public spoke.

The following changes were made to the Fiscal Year 2020 budget:

Page 4, "Retention pond mowing/weed control/irr.": Change "Association" to "Contractor" throughout the description

Page 3, "Legal": Change "Bush Ross P.A." to "Straley Robin Vericker"

**On MOTION by Mr. Rhodes and seconded by Mr. Walsh, with all in favor, Resolution 2019-08, Relating to the Annual Appropriations of the District and Adopting the Budget for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2019/2020; 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**

Ms. Lonergan presented Resolution 2019-09.

**On MOTION by Mr. Rhodes and seconded by Mr. Walsh, with all in favor, Resolution 2019-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2019/2020; 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.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-10, Classifying Surplus Tangible Personal Property; Authorizing Disposition of Surplus Tangible Personal Property; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams explained the disposition of unusable property process, specifically the 2013 Toro Ground Master 4000D golf course mower. Mr. Gatz received some interest and he expected it to be purchased. The highest bidder would be able to purchase the equipment.

**On MOTION by Mr. Walsh and seconded by Mr. Rhodes, with all in favor, Resolution 2019-10, Classifying Surplus Tangible Personal Property; Authorizing Disposition of Surplus Tangible Personal Property; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Staley Robin Vericker Proposal for District Counsel Services**

Mr. Adams presented the Staley Robin Vericker (SRV) proposal for District Counsel Services; SRV would provide services only when needed. Terminating Bush Ross, P.A., before engaging SRV, as new District Counsel, was suggested.

**On MOTION by Mr. Rhodes and seconded by Mr. Goulette, with all in favor, terminating Bush Ross, P.A., effective immediately, was approved.**

**On MOTION by Mr. Walsh and seconded by Mr. Rhodes, with all in favor, engaging Staley Robin Vericker for District Counsel Services, effective immediately, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Discussion: Capital Fund Committee Recommendation to Work with CDD as Possible Partner and Revenue Source to Fund Future Building Projects**

Mr. Goulette discussed the Committee’s email about its desire to build various buildings on CDD property and discuss the possibility of the CDD financing the projects.

Mr. Adams explained the benefits if the District were to finance improvements; however, that would require allowing the public full access to parks, roads, sidewalks, Community Centers, etc., for an annual fee to access that facility. An alternative would be for the District to execute a land lease with the Association, with the Association financing the construction of the facility on District property. The District could prepare the land for the Association to construct a private facility and then execute the land lease with the Association. While other Districts surveyed the community when considering a large capital investment, he suggested scheduling a Town Hall meeting, instead, as it was very successful during the reclaimed water project. If comfortable with the conceptual perspective, it would provide the Association with enough comfort to commence the planning process, initiate a budget and obtain drawings, before surveying the community. Mr. Goulette stated these discussions arose because the Association wanted clarification of whether the facility must be open to the public, if built by the Association. Mr. Adams stated that the CDD owns the front property and it had no debt assigned to it.

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2019**

Ms. Lonergan presented the Unaudited Financial Statements as of July 31, 2019. Mr. Rhodes noted an invoice was missing and one that did not belong to the District was included. He requested a copy of the Auditor’s engagement letter for the upcoming Fiscal Year.

It was noted that a new stamp would will be purchased and the Down to Earth (DTE) June 2019 invoice referring to EDRA #38 would be corrected. The financials were accepted.

**THIRTEENTH ORDER OF BUSINESS**

**Approval of July 9, 2019 Regular Meeting Minutes**

Ms. Lonergan presented the July 9, 2019 Regular Meeting Minutes. The following change was made:

Line 36: Change “the community” to “Paleo Park”

In reference to Line 165 regarding “Conservation Area” signs, Mr. Adams stated that Mr. Gatz was notified that the signs arrived today.

**On MOTION by Mr. Rhodes and seconded by Mr. Walsh, with all in favor, the July 9, 2019 Regular Meeting Minutes, as amended, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Assignment of Duties/Board Member Reports**

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

The following was reported:

- EDRA #45 at Hole #1 and EDRA #2A at Hole #7 would be raked by the end of the week.
- The palm tree between Holes #3 and #4 would be removed, including the root ball.
- The tall weeds at Hole #8, near the street, would be removed.
- Proposals to reduce the size of the EDRA #40 sand bottom would be presented at the next meeting.

Mr. Ansley stated that Mr. Gatz with DTE would contact Mr. Walsh to suggest planting the same grass at EDRA #40 as is planted at Holes #11 and #12. Planting was scheduled for the fall.

Discussion ensued regarding areas that need to be maintained but have not yet been maintained due to the area being underwater.

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

There being no report, the next item followed.

**C. Mosquito Control, Front Property:**

With Ms. Lonergan's recommendation, Ms. Vaughan was assigned as the point of contact for Mosquito Control and the Front Property.

Mr. Goulette identified which District ponds are stocked with fish.

**FIFTEENTH 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***

**i. Drainage Review and Report**

Mr. Heath distributed the results of the drainage review for EDRA #47 and #51.

Discussion ensued regarding elevation levels, the intent of roadway drainage to go into the dry retention and wetlands for storing and that the size of the retention area would be reduced by raising additional berms, causing additional flooding to the property, etc.

Mr. Heath stated that, since all the basins in the area were above the designed high-water level, he would review the original design and modeling plans for inconsistencies, have the pipes going into the retention area inspected and engage Contractor to perform survey.

Mr. Gene Andre, a resident, asked for the District to follow through with having the District Engineer inspect and confirm that the slant in the area south of Hole 17 was proper so that the water runs out. He discussed the recent sewer line issues in the Village.

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

There being no report, the next item followed.

**D. Landscape Maintenance: *Down To Earth Landscape & Irrigation Supply***

**i. Detailed Billing Back-up and Hourly Rate**

There being no report, the next item followed.

**E. HPCA General Manager: *Herb Hurley***

There being no report, the next item followed.



**SIXTEENTH ORDER OF BUSINESS**

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

Ms. Tribbey asked which Supervisor was the point of contact for Paleo Park and for confirmation that the Board would not advocate financing a building for the Association.

Ms. Vaughan was assigned as the point of contact for Paleo Park.

Ms. Lonergan stated the Board would not advocate financing a building for the Association without receiving further information about the project.

Ms. Paula Becker, a resident, asked for clarification of the earlier discussions involving the Association and whether the Board was advocating for community involvement and a community vote. Ms. Lonergan stated the Association would survey residents prior to making a decision. Mr. Hurley stated the discussions were merely a fact-finding mission to get a better understanding of how the financing worked with the CDD, no specific plans were made.

**SEVENTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Rhodes stated DTE's new, detailed billing format was working a lot better. He requested building the fixed and variable services portion into the DTE contract.

Mr. Adams had asked DTE to include in the invoices the situation and reason for the rate to change. Changes to hourly rates or positions must be presented for consideration. He would confirm whether an Addendum to the contract was necessary.

Ms. Lonergan asked that the Board receive the agendas seven days before the meetings. Mr. Adams stated the electronic version is emailed and posted on the website seven days prior to the meeting, as required; however, physical copies could be delayed a day or so; in this instance, Districts were legally exempt from the deadlines due to the impending hurricane.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Rhodes and seconded by Mr. Goulette, with all in favor, the meeting adjourned at 3:35 p.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair