

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

The Board of Supervisors of the Heritage Pines Community Development District held a Telephonic Public Meeting on April 14, 2020 at 2:00 p.m.

**Present at the meeting, via telephone, were:**

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

**Also present, via telephone, were:**

Chuck Adams	District Manager
Kurt Heath	District Engineer
Herb Hurley	HPCA General Manager
Steven Riggs	Carr, Riggs & Ingram LLC
Tim Gatz	Superintendent Down to Earth Landscaping (DTE)
Vincent Daviero	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 2:05 p.m. Supervisors Lonergan, Goulette, Walsh and Rhodes were attending via telephone. Supervisor Vaughan was not present at roll call. Due to the COVID-19 pandemic, this meeting was being held telephonically, as permitted under the Florida Governor's Executive Order 20-69, which allows local governmental public meetings to occur via telephone. The meeting was advertised to be telephonic and the meeting agenda was posted on the District's website.

**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**

**Presentation of Audited Financial Statements for Fiscal Year Ended September 30, 2019 Prepared by Carr, Riggs & Ingram LLC**

**Ms. Vaughan joined the meeting, via telephone.**

Mr. Riggs reviewed the Audited Financial Statements for Fiscal Year Ended September 30, 2019 and noted the pertinent information found on each page. He concluded that there were no findings or issues; it was a clean opinion.

Mr. Riggs responded to questions as follows:

- The auditor obtained information from Accounting Staff at Management’s office, where 90% of the work was completed.
- Regarding auditor responsibilities related to documented internal controls, auditors are required to follow up on any internal control issues discovered during an audit and identify whether any such issues should be brought before the Board.

Mr. Adams confirmed that Management has formalized and written internal controls. Mr. Rhodes noted that the verbiage in the Report was identical to that of the previous year, which he felt was unusual. Mr. Riggs stated that, although the structure of the Reports are similar from year to year, auditors recast all entries and perform new tests every year. Mr. Rhodes commented that the Report did not contain any recommendations that would help the CDD to improve. Mr. Riggs stated, generally, Wrathell, Hunt and Associates (WHA) is very good at managing CDDs and Mr. Pinder is an experienced Controller; therefore, there are rarely any issues but, if there were issues, they would be pointed out.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-03, Hereby Accepting the Audited Financial Statements for Fiscal Year Ended September 30, 2019**

Mr. Adams presented Resolution 2020-03.

**On MOTION by Mr. Walsh and seconded by Ms. Lonergan, with all in favor, Resolution 2020-03, Hereby Accepting the Audited Financial Statements for Fiscal Year Ended September 30, 2019, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Discussion/Consideration: Mulch Pricing**

Mr. Gatz, of DTE, reported the following:

- DTE prepared a \$15, 500 proposal to address the native grass beds in seven retention areas; EWRA 24B, EWRA 20B, EDRA 44A (2 beds), EDRA 7 and EDRA 40(2 beds).
- DTE would supply mulch for the beds and install a pre-emergent to limit weed growth. The mulch would be blown in and trucks would enter the golf course.
- DTE would be closed for three months, commencing May 4<sup>th</sup>. The mulching project would occur afterward; however, the weeds would be sprayed and a pre-emergent would be applied over the next few weeks.

Mr. Gatz responded to questions regarding time frame, type of mulch and the pre-emergent applications. Mr. Goulette preferred the use of hoses to apply the mulch instead of having it blown in from trucks. Mr. Gatz stated that would be arranged. Ms. Lonergan asked if the project would be performed annually or just once. Mr. Gatz stated it was the CDD's decision. The proposal would be emailed to Management.

**On MOTION by Mr. Walsh and seconded by Ms. Vaughan, with all in favor, the Down to Earth proposal for cypress mulch application in seven grass beds on the golf course, including pre-emergent spraying to limit weed growth, in the amount of \$15,500, was approved.**

**SIXTH ORDER OF BUSINESS**

**Update: Drainage Remediation Project**

Mr. Heath gave the following update:

- The berm in EDRA 51 was removed, sodded and restored back to the permitted version.
- Drainage piping near Scenic Hills Boulevard was checked to ensure that the pipes that convey the water through that area were not clogged; the piping does appear to be open.

➤ The central lake area, where the majority of the stormwater on the property is housed, was well above the design elevation and flooding the other retention areas. The CDD must decide how to proceed.

Mr. Vincent Daviero, a resident, asked for the recommendations to alleviate the flooding in Webster Grove, which is a particularly difficult area to drain. Mr. Heath stated that Webster Grove has the lowest inlets in the community; he would enlist the help of an engineer that handles stormwater design, as the stormwater system is not functioning the way it was originally designed and permitted. As far as options, the performance of the system would be evaluated, remodeled and calibrated to determine how best to improve it. Other options included checking on permitting with the Southwest Florida Water Management District (SWFWMD), installing a pump station at the southeast portion of the property and transferring water from one spot to the next to avoid flooding. Mr. Daviero asked if the flooding was caused by improper design or if it was related to construction, at the time that the CDD was developed. Mr. Heath stated the elevations of the drain and retention areas were designed based along the modeling and structures were built according to the permits; however, it was possible that some of the assumptions placed into the models are no longer valid. Mr. Goulette stated that he closely monitored the operation and felt that now the berm has been removed, most of the flooding issues would be solved. Mr. Heath stated removing the berm was definitely helping but, if the upcoming rainy season is intense, the District would have an inundated condition.

Ms. Lonergan asked if the resident's invisible fence issue was addressed. Mr. Heath stated, while the dirt removal work was being performed, an invisible fence below grade was cut and the homeowner wanted the CDD to pay for the repair and removal of a nearby tree. The homeowner would be informed that the CDD is not responsible for the repairs since the fence is outside of her property and part of the drainage maintenance easement. Discussion ensued regarding the homeowner, tree removal, raising the grade of the retention areas and costs. In response to Mr. Daviero's question, Mr. Heath stated that he did not foresee any homes being in danger of flooding. Mr. Lonergan asked for an update on the golf course renovations involving Holes 3 and 16. Mr. Heath stated Board Members previously inquired

about raising the inlets and building certain areas to keep the fairways dry and, although it was doable, he must still verify that the inlets could be raised. Discussion ensued.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-04, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Pasco County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date**

Mr. Adams presented Resolution 2020-04 and listed the disclosures. Mr. Goulette asked if an e-blast could be sent to alert residents of the upcoming election. Mr. Hurley stated an e-blast was already sent. Mr. Rhodes asked about the proportional cost of the election and if the CDD would be charged. Mr. Adams stated the proportional cost is a statutorily required disclosure but the CDD would not be billed.

**On MOTION by Ms. Lonergan and seconded by Mr. Walsh, with all in favor, Resolution 2020-04, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Pasco County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-05, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date**

Mr. Adams presented Resolution 2020-05. Each year, the auditor reviews the internal controls and makes a disclosure. Ms. Lonergan asked if this was the first time the CDD was required to adopt this type of resolution. Mr. Adams stated it was due to a new legislative requirement for CDDs to formally adopt an internal controls policy to be placed into the record by resolution. Mr. Rhodes asked about a monthly electronic data backup and if Management

had written internal procedures. Mr. Adams would email a copy of Management’s written procedures to Mr. Rhodes.

**On MOTION by Ms. Lonergan and seconded by Mr. Walsh, with all in favor, Resolution 2020-05, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of February 29, 2020**

Mr. Adams presented the Unaudited Financial Statements as of February 29, 2020. Mr. Goulette pointed out that there was no invoice of the \$9,000 for DTE for December. Mr. Adams would forward the invoice and ensured that the general ledger is corrected to include four entries that were coded under “Dry Retention Pond Refurbishment and Planting”, instead of under “Mowing and weed control”. Discussion ensued regarding the general ledger, billing and accounts payable process. The financials were accepted.

**TENTH ORDER OF BUSINESS**

**Approval of February 11, 2020 Regular Meeting Minutes**

Mr. Adams presented the February 11, 2020 Regular Meeting Minutes. The following changes were made:

Line 19 and throughout: Change “Cathleen Westphal” to “Kathleen and Westfall”

Line 21 and throughout: Change “Collingsly” to “Collins-Lay”

Mr. Goulette stated that Lines 40 and 41 were not done and asked that \$8,413 be separated out for October and November billing. Mr. Adams stated the bill was paid in one month because of when Accounting received the October payment and it could not be changed.

**On MOTION by Ms. Lonergan and seconded by Ms. Vaughan, with all in favor, the February 11, 2020 Regular Meeting Minutes, as amended, were approved.**

- **To Do List of Action Items**

Item 1: Ongoing. Mr. Gatz discussed his plan to install a 12"x 12" drain basin along the edge of the fence of the property and run a 4" drain line to resolve the downspout issue. Per Ms. Lonergan, Mr. Gatz would forward a proposal outlining the drainage storage project. Mr. Heath asked that Mr. Gatz refrain from commencing the work until he checks the permit requirements from the SWFWMD. Ms. Vaughan asked to be updated on this item.

Items 5, 8, 10, 11 and 14 (duplicate of 10) were completed.

Item 6: Would be performed when the golf course closes in May.

## ELEVENTH ORDER OF BUSINESS

### Assignment of Duties/Board Member Reports

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

Mr. Goulette reported the following:

- Met with Mr. Gatz yesterday regarding the 4000 mower which cost the District \$70,000 and discussed how it is being utilized.
- The policy stated that the mower is not designed to mow certain areas but, on several occasions, it was noted that crews were mowing those areas and causing damage to the mower. The crews were not weed-eating around the structures.
- The mechanic would check the mower this week.

Mr. Gatz stated it was not DTE's intention to treat the CDD's equipment poorly. He would address the issue with the crews and create a schedule for the crews to use the weed-eater in the EDRA's, instead of the mower. Mr. Goulette voiced his preference that crews use the weed-eater and the mower. Mr. Gatz would devise a schedule for EDRA maintenance that includes both weed-eating and mowing.

Mr. Walsh reported the following:

- The grass in EDRA's 51 and 23 was very high and there was overgrown ficus; those areas should be maintained with a bush hog so as not to overburden the mower. Mr. Gatz would look into renting a bush hog for that area.
- Cart signs in the lower fairway area should be removed.

Mr. Gatz would have the cart signs removed from the lower fairway.

- Mulching in EDRA 30 would be kept as is and not be reduced.

Mr. Walsh stated a resident at 10928 Trulane Way sent a letter to the Board complaining that her neighbors were using the area behind her home, NDRA 12 A, as a dog park. The area is designated as an NDRA, a natural dry retention area, and the rules prohibit dog-walking in that area. Mr. Walsh asked if the area is a retention area. Mr. Heath referenced a map and stated the area is common grounds as far as the platting. Discussion ensued. Mr. Heath would access the CDD's historical documents. He asked for a copy of the resident's letter.

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

Mr. Rhodes expressed his opinion that the nearly \$10,000 fee for the recent audit that was 28 pages long with no new verbiage and no recommendations for improvement was concerning. In his opinion, it signified professional laziness. He asked about changing auditors. Mr. Adams stated the Board could consider changing auditors but he doubted the content would change since the District had just two funds and there is not much activity in either of them. Mr. Rhodes stated the issue could remain unchanged for now but would be revisited.

**C. Mosquito Control, Front Property and Paleo Park: *Supervisor Vaughan***

Ms. Vaughan stated that there was no report of mosquitoes but there were termites on Hole #4. Mr. Gatz would check for termites and give an update at the next meeting.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

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

There being no report, the next item followed.

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

Mr. Heath would forward emails to Mr. Goulette and Ms. Vaughan next week.

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

Mr. Adams reported the following:

- The invoice package that contains the \$9,000 and the December invoice from DTE, amongst others, would be transmitted to Mr. Goulette and the other Board Members.

➤ The three resolutions from today would be emailed to Ms. Lonergan for her to execute and return to him electronically.

- **NEXT MEETING DATE: June 9, 2020 at 2:00 P.M.**

- **QUORUM CHECK**

All supervisors confirmed their attendance at the next meeting.

Discussion ensued regarding telephonic meetings, the Governor’s Executive Order and the quorum requirements.

**THIRTEENTH ORDER OF BUSINESS**

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

Mr. Daviero reported a cracked structure in the front of EDRA 37A. Mr. Goulette and Mr. Walsh inspect it.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

There being no Supervisor’s Requests, the next item followed.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Walsh and seconded by Mr. Goulette, with all in favor, the meeting adjourned at 4:08 p.m.**

Copsal  
Secretary/Assistant Secretary

Kathleen Louys  
Chair/Vice Chair