

**MINUTES OF MEETING**

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Heritage Harbour South Community Development District was held on **Thursday, November 21, 2013 at 6:00 p.m.** at the Comfort Inn Bradenton located at 580 66<sup>th</sup> Street Court East, Bradenton, Florida 34243.

Present and constituting a quorum were:

Joyce Sandy	<b>Board Supervisor, Chairman</b>
Michelle Patterson	<b>Board Supervisor, Vice Chairman</b>
Wm. Lee Bettes	<b>Board Supervisor, Asst. Secretary</b>
Joseph Jaudon	<b>Board Supervisor, Asst. Secretary</b>

Also present were:

Greg Cox	<b>District Manager; Rizzetta &amp; Company</b>
Andy Cohen	<b>District Counsel; Persson &amp; Cohen</b>
Rick Schappacher	<b>District Engineer; Schappacher Engineering</b>

Audience

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Cox called the meeting to order and conducted roll call.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Joel Tropp voiced his opinion regarding the draft maintenance agreement in the agenda and agreed with a letter written by resident Gene Aulenbach.

Tom Bakalar voiced his opinion regarding the draft maintenance agreement and the responsibilities of the Supervisors.

Ira Tropp asked about the position of the District Counsel and stated he had not seen the invoices from District Counsel in the Operation & Maintenance Expenditures report. Mr. Cox advised that those invoices had not yet been processed.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of Board of Supervisors' Meeting Held Oct. 17, 2013**

**HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT**

**November 21, 2013 - Minutes of Meeting**

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Mr. Cox presented the minutes of the Board of Supervisors' meeting held on October 17, 2013 to the Board for consideration.

On a Motion by Mr. Bettes, seconded by Ms. Sandy, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held October 17, 2013 as presented for the Heritage Harbour South Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Operation &  
Maintenance Expenditures for Oct. 2013**

Mr. Cox presented the Operation & Maintenance expenditures for October 2013 totaling \$15,126.98 to the Board for ratification.

On a Motion by Ms. Patterson, seconded by Mr. Bettes, with all in favor, the Board of Supervisors ratified the Operation & Maintenance Expenditures for October 2013 totaling \$15,126.98 for the Heritage Harbour South Community Development District.

**FIFTH ORDER OF BUSINESS**

**Operations Update**

Mr. Cox asked Don Adkins of Eco Consultants to present his operations report. Mr. Adkins provided an update for the Board and informed them that the two wetland maintenance events approved by the Board had been conducted. At the Board's request, Mr. Adkins explained the removal of invasive plants from the wetland areas as well as the treatment of water lettuce at various sites.

The Board asked Mr. Adkins to look into the possibility of applying for state grants for specific work on waterways. Mr. Jaudon expressed his displeasure that the grant work had not already been done. Mr. Bettes asked for information regarding the days of the month that the lakes are treated.

After Mr. Adkins' update, Mr. Cox reviewed the latest field inspection report as prepared by Operations Manager Tyree Brown.

**SIXTH ORDER OF BUSINESS**

**Stoneybrook HOA Update**

No update was provided.

**SEVENTH ORDER OF BUSINESS**

**Lighthouse Cove HOA Update**

No update was provided.

**EIGHTH ORDER OF BUSINESS**

**Golf Course Update**

Chris Brandt of the Stoneybrook Golf Club informed the Board that the clubhouse is not available for Board meetings on the third Thursday of each month but that other days may be available. Mr. Brandt also shared his appreciation for the efforts the Board is making with pursuing the work on the lake banks but also noted his wish for the process to move faster.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Cohen had no separate information or report to present.

**B. District Engineer**

Mr. Schappacher presented a summary of proposals submitted to repair the erosion on lake #27. Discussion ensued. The Board decided on Finn Outdoor's proposal for an amount not to exceed \$1,640.00.

On a Motion by Ms. Sandy, seconded by Mr. Bettes, with all in favor, the Board of Supervisors accepted the proposal from Finn Outdoor for bank repairs to lake #27 for an amount not to exceed \$1,640.00 for the Heritage Harbour South Community Development District.

Next Mr. Schappacher provided the Board with an update of the project to restripe the street markings in the District.

Discussion ensued regarding status of the two riprap bank repairs. Mr. Cox advised that both Holland Tree Service and Morris-Riley were sent letters requesting repairs to be made to the banks or refunds be sent to the District. Mr. Cox indicated Morris Riley had not responded and he has exchanged several emails with Holland but Holland was not agreeing to make further repairs. The Board asked staff to send another letter requesting their positions on the repairs with a suspense date for response.

Mr. Schappacher then presented the Board with the results of his recent assessment of the lake bank property lines and how it appears that the District does own most of the lake banks that had recently been in question. With that information the Board discussed the lake banks and how plans to work on them should proceed. With regard to lake banks on the golf course, Mr. Brandt addressed the Board and indicated he would be willing to trim down the banks on one golf hole to demonstrate a standard to which the Board could solicit quotes to have others done. Mr. Brandt also advised that he also would like to be able to provide a quote to do the work for the CDD.

**C. District Manager**

Mr. Cox announced that the next regularly scheduled meeting will be held on December 19, 2013 at 6:00 p.m. at the Stoneybrook Golf Club. He also informed the Board that the cul-

de-sac circles' pressure washing had been completed minus one and indicated that the decorative street sign pole damaged by a motor vehicle accident is still to be manufactured and would hopefully be replaced soon.

**TENTH ORDER OF BUSINESS**

**Discussion of Board Member Liaison Responsibilities**

The Board discussed the detailed responsibilities that Chairwoman Sandy had suggested for each supervisor as a liaison for certain areas. It was agreed that issues related to irrigation should be monitored by Mr. Jaudon along with landscaping and lake banks; storm drain issues should be monitored by Mr. Lane along with roadways; and Ms. Patterson would handle financial items. Ms. Patterson suggested that a list of projects be maintained and discussed at each meeting.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-01,  
Amending Fiscal Year 2012/2013 Budget**

Mr. Cox explained the need for an administrative amendment to the Fiscal Year 2012/2013 due to cost overruns in the litigation area and presented Resolution 2014-01 to the Board for consideration. He advised the resolution would add \$55,000 to the expenditures and bring forward \$55,000 from the general fund as revenue.

On a Motion by Mr. Bettes, seconded by Ms. Patterson, with all in favor, the Board approved Resolution 2014-01, Amending Fiscal Year 2012/2013 General Fund Budget, for the Heritage Harbour South Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Procedure  
and Meeting Procedures**

Mr. Cox presented Resolution 2014-02, Adoption of Rules of Procedure and Meeting Procedures, and explained the purpose of holding a public hearing.

On a Motion by Mr. Jaudon, seconded by Ms. Patterson, with three in favor and one (Mr. Bettes) opposed, the Board opened the public hearing portion of the meeting for the Heritage Harbour South Community Development District.

The Board received comments shared by the audience in attendance, with comments including that consideration of the resolution and procedures should wait until Board supervisors Richard Lane is also present and comments from some residents indicating they did not have a chance to read the proposed documents. After hearing the public's comments the Board chose to continue the public hearing to the next scheduled Board meeting.

On a Motion by Mr. Jaudon, seconded by Ms. Sandy, with all in favor, the Board continued the public hearing to the Board of Supervisors' meeting scheduled to be held at 6:00 p.m. on December 19, 2013 at the Stoneybrook Golf Club for the Heritage Harbour South Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Presentation of Arbitrage Rebate  
Calculation Report for Series 2002 A&B**

Mr. Cox presented the arbitrage rebate calculation report for Series 2002 A&B bonds to the Board for consideration.

On a Motion by Ms. Sandy, seconded by Ms. Patterson, with all in favor, the Board approved the acceptance and filing of the Arbitrage Rebate Calculation Report for Bond Series 2002 A&B for the Heritage Harbour South Community Development District.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Quote Packet for Lakes,  
Waterways & Wetlands Maintenance  
Contract**

Mr. Cox reminded the Board that they had previously decided to have the contract for lake, waterway and wetland maintenance services put out for bid and presented the packet of information to be sent out to prospective vendors which would give them the necessary information for submitting service quotes. The Board members discussed whether a number of maintenance events should be included in the scope of work for the wetlands maintenance portion of the potential contract. A consensus was reached that the number of events should be seven (7) to begin with.

On a Motion by Ms. Sandy, seconded by Mr. Jaudon, with three in favor and one (Mr. Bettes) opposed, the Board approved the amendment of the wetland portion of the Lakes, Waterways & Wetlands Maintenance quote packet's scope of work to specify seven (7) maintenance events and authorized staff to release the packet to prospective vendors for the Heritage Harbour South Community Development District.

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Draft HOA Maintenance  
Agreement**

Mr. Cox presented the draft HOA maintenance agreement to the Board for consideration and explained that it is the first of several reviews that the draft agreement would go through. Mr. Bettes expressed his opinion that discussion of the agreement should be postponed until the new Stoneybrook HOA board is formed in January 2014.

The Board then discussed the scope of work items in the agreement and identified some areas that need changes or closer examination, including the item that assigns responsibility for pressure-washing sidewalks and curbs to the HOA. Other areas deemed as needing re-

examination were insurance liabilities and gate access software responsibilities.

The Board directed staff to change the pressure-washing item and forward the draft to the HOA for review and comment. The general consensus was that the draft agreement would eventually be jointly reviewed by the District Board chairman and the new president of the HOA to negotiate any issues.

**SIXTEENTH ORDER OF BUSINESS**

**Consideration of Draft Golf Ball Revenue Agreement**

Mr. Cox presented to the Board the draft golf ball revenue agreement between the District and the Stoneybrook Golf Club for the collection and distribution of revenue from golf ball retrieval. Mr. Cox explained the agreement and Mr. Brandt shared the golf club's position regarding the agreement. It was also explained that there are a few minor adjustments to be made but that the agreement in general is acceptable.

On a Motion by Mr. Jaudon, seconded by Mr. Bettes, with all in favor, the Board approved the golf ball retrieval revenue agreement between the District and Stoneybrook Golf Club in substantial form pending final staff review for the Heritage Harbour South Community Development District.

**SEVENTEENTH ORDER OF BUSINESS**

**Review of Insurance Policies**

Mr. Cox advised the Board Members that information on the District's insurance policies was included in the agenda books for review and to forward any questions regarding the policies to him.

**EIGHTEENTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. Jaudon expressed his concern about the continuing flow of heavy construction traffic on the major roads within the District and the damage it will cause.

Ms. Patterson asked that the HOA updates be put together as one item on the agenda. Mr. Cohen reminded the Board that a specific update item for the Lighthouse Cove HOA is required due to language in the litigation settlement.

**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Ms. Sandy, seconded by Mr. Bettes, with all in favor, the Board adjourned the meeting at 8:52 p.m. for the Heritage Harbour South Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman