

HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT**October 3, 2023 - Minutes of Meeting****Page 1****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 Heritage Harbour South Community Development District regular meeting of the Board of Supervisors was held on **Tuesday, October 3, 2023, at 5:07 p.m.** at the **Stoneybrook Rec Center located at 200 Golden Harbour Trail, Bradenton, FL 34212.**

Present and constituting a quorum were:

Philip Frankel	Board Supervisor, Chair
Robin Spencer	Board Supervisor, Vice Chair
	(via conference call)
Eric Hallberg	Board Supervisor, Asst. Secretary
	(via conference call)
Mike Neville	Board Supervisor, Asst. Secretary
Darnell Bacon	Board Supervisor, Asst. Secretary

Also present were:

Kristee Cole	Representative, Inframark
Rick Schappacher	District Engineer, Schappacher Engineering
Daniel Lewis	District Counsel, Persson, Cohen, Mooney, Fernandez & Jackson, P.A.

Audience	Present
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FIRST ORDER OF BUSINESS**Call to Order**

Ms. Cole called the meeting to order at 5:07 p.m.

SECOND ORDER OF BUSINESS**Audience Comments**

There were two audience comments. One was regarding the fencing that the CDD has agreed to help the HOA and the Master Association pay for. The CDD received three quotes but they were not comparable to one another. Mr. Frankel asked for the scope of work to be the same for all three proposals. The HOA will obtain new proposals and submit them to the CDD.

The other audience comment was regarding the Maintenance Irrigation lines that tie into Stoneybrook. Mr. Schappacher explained that the County sends the water through

a pump into the CDD lines. When there is a water line break, TruScape does the work and shutting off the water to isolate the issue. Mr. Schappacher mentioned the company that took over Aqua Terra should be able to assist in this issue too.

On a Motion from Mr. Neville seconded by Mr. Bacon, with all in favor, the Board approved to allow Ms. Spencer and Mr. Hallberg to appear and vote via telephone, for the Heritage Harbour South Community Development District.

THIRD ORDER OF BUSINESS

Consideration of Meeting Minutes from September 5, 2023

Ms. Cole presented the Meeting Minutes from September 5, 2023, to the Board.

On a Motion from Mr. Neville seconded by Mr. Bacon, with all in favor, the Board approved the Meeting Minutes from September 5, 2023, for the Heritage Harbour South Community Development District.

FOURTH ORDER OF BUSINESS

Review of Financial Statements and Check Register

Ms. Cole presented the Financial Statements and Check Register to the Board. Mr. Frankel asked what the other Miscellaneous Revenue Stoneybrook HOA & Legal overpayments in the amount of \$5,123.00 were allocated to. The HOA representative explained that the overpayment was agreed to adjust for the error in the prior billing for storm cleanup contributions. Ms. Cole stated that she would look into this legal overpayment and Ms. Goldyn would send out a response to the Board via email.

On a Motion from Mr. Neville seconded by Mr. Bacon, with all in favor, the Board approved the Check Register, for the Heritage Harbour South Community Development District.

FIFTH ORDER OF BUSINESS

Staff Reports

1. District Counsel

Mr. Lewis updated the Board that there has been no change in the eminent domain issue involving the intersection of Heritage Green and SR 64. Mr. Neville raised the issue that this has been going on for over a year and as we see from the maintenance needs it will become a liability and safety issue. Prior Board's opinion was that we did not necessarily want to give the land away. After discussion amongst the Board, the direction was for District Counsel to reach out to Market Place and the State and see if either would be willing to acquire the land and maintain the area from the CDD monument (parallel to the Brewery) on Heritage Green to the SR 64 intersection.

2. District Engineer

Mr. Schappacher informed the Board that after storm cleanup for Hurricane Ian, there were still a lot of signs that had not been replaced but had been paid for. About half the signs are missing. The Board's direction was for Mr. Schappacher to contact the vendor and either have the signs put in by the next meeting or demand a return of the CDD payments back and have a new vendor install the signs.

A. Pond 31 Bank Repair Update

Mr. Schappacher updated the Board that the vendor is two weeks delayed on this repair. He stated that the repair should have begun September 18, 2023. Mr. Frankel asked Mr. Schappacher to please let the vendor know that he is disappointed and that they need to be held more accountable. Mr. Schappacher will follow up and report back.

B. Consideration of Golf Course Crossing

Mr. Schappacher provided a handout at the meeting of all the different types of signage that are in the community for the golf course crossing. Ms. Spencer noted that the signs all need to be the same, so their community holds the same value as a new community. Mr. Schappacher noted a lot of the signs are not meeting the guidelines and that they should be 7 feet off the ground. The Board requested that Mr. Schappacher gather quotes for the new signs and raise the signs to meet the guidelines.

Mr. Bacon also asked for Mr. Bruce to install stop signs in both directions for the golfers. He wanted to make it clear for the record that the golf course is responsible for any accidents where they do not have stop signs installed and the cars have the right of way, not the golf carts.

C. Consideration of ADA Crossing at Haven Harbour Way

Mr. Schappacher informed the Board that he reached out to five vendors regarding this project and provided the due dates, but no vendors responded. Mr. Schappacher noted that he reached out again after the due date and one vendor provided a quote. Mr. Schappacher's suggestion was to revise the scope of work and to have a piece on the North side by the basketball court that is handicap and ADA-compliant. The Board agreed to this suggestion and Mr. Schappacher stated this should be obtainable for \$3,000.00. He will report at the next meeting.

D. Marketplace & Beacon Construction Update

Mr. Schappacher informed the Board that this project is almost complete. The drain should be finished by October 5, 2023. He did notice there was erosion by one of the inlets. There is a grate not positioned correctly. Unfortunately, the water levels were too high, so Mr. Schappacher was not able to put it back on when he was at the site.

Mr. Neville asked if they would repair the path and put up the silt fences. Mr. Schappacher indicated they would do both. Currently, the silt fences are still down, which is an EPA violation. The Board requested that Mr. Schappacher make sure the Marketplace has the path restored to his satisfaction.

Ms. Spencer expressed how appalled she was that the Contractor refused to meet regulations when it comes to the silt fences. Mr. Schappacher noted that this is not a local contractor, as he does not recognize the company.

E. Discussion Regarding Grate Removal at Pond 29

Mr. Schappacher informed the Board that the fish grate will be removed at Pond 29 by Pond Professionals. He also stated there is no need for a permit to remove the fish grate.

F. Discussion regarding Petition for Speed Humps on Golden Harbour Trail

The CDD received a complaint about speeding violations on Golden Harbour Trail and a request for speed humps. Before the request can be considered an analysis of the problem must be done. It was suggested to put the radar speed signs on the road to monitor the situation.

Mr. Schappacher indicated that there are not many good places to put the radar detector on this road. There were suggestions to put it near the utilities area and Mr. Schappacher will place the detectors going northbound and southbound on Golden Harbour Trail at that point and monitor the speed. The Board will review the findings to see if another speed hump, speed bump, or speed cushions are necessary and effective.

The Board requested that Staff initiate the relationship with Manatee County Sheriff's Office to hire off-duty officers to patrol the neighborhood. The Board noted that this has been done in the past there is a form that they have used that they will require to be used again for the officers to be paid. Ms. Cole will get the information.

3. District Manager

Ms. Cole informed the Board that their next regularly scheduled meeting would take place on Tuesday, November 7, 2023, at 5:00 p.m.

Ms. Cole provided the following information from Ms. Goldyn:

Inframark requested that the trees in the right of way on Port Harbour Parkway be trimmed up and thinned and has contacted Lee Weiss to get this done.

Inframark requested that the trees blocking the signs at Bridgewater Ct, Beacon Manor Terrace, Montauk Point Crossing and Beacon Harbour Loop be trimmed so that the signs are visible. These were in the Engineer's signage report.

The website is still a work in progress but should be finished in the coming weeks.

Completed a walk with the insurance company EGIS on September 29, 2023 and will have the report from EGIS at the next meeting.

SIXTH ORDER OF BUSINESS

Discussion regarding Landscape Barrier

Mr. Frankel has been communicating with State Representative Tommy Gregory regarding the noise level problems on Stone Harbour Loop from SR 64. The FDOT provided a noise analysis due to the increase in traffic and widening 64. However, it found the noise level to be within acceptable limits. The FDOT did suggest that if the Community wanted to build a wall for that stretch of SR 64 for noise an abatement wall would cost approximately \$800,000.00. The wall would not stop the sound but it only push it back to homes that are not currently affected.

Mr. Frankel had Mr. Schappacher obtain quotes for landscaping along SR 64, both sides of the ponds, and add a fountain in the pond to disburse the sound waves. The shrubbery quote was for approximately \$61,000 and the fountain quote was for \$31,000, totaling \$91,000. Mr. Frankel provided the quotes to Mr. Gregory, who stated the new Florida Fiscal Year starts next week, and he will present the proposals at that time to see if FDOT will cover the costs.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2024-01,
Authorizing the Disbursement of
Funds**

Ms. Cole presented Resolution 2024-01, Authorizing the Disbursement of Funds to the Board.

On a Motion from Mr. Neville seconded by Mr. Bacon, with all in favor, the Board adopted Resolution 2024-01, Authorizing the Disbursement of Funds, in substantial form with allow the Vice Chair to sign as well for emergency purposes, for the Heritage Harbour South Community Development District.

EIGHTH ORDER OF BUSINESS**Consideration of Resolution 2024-02,
Amending the District's Meeting
Procedures**

Ms. Cole presented Resolution 2024-02, Amending the District's Meeting Procedures.

On a Motion from Mr. Neville seconded by Mr. Bacon, with all in favor, the Board adopted Resolution 2024-02, Amending the District's Meeting Procedures, for the Heritage Harbour South Community Development District.

NINTH ORDER OF BUSINESS**Discussion regarding Plantings for
the Gate Area**

Mr. Frankel indicated that the CDD at the previous meeting tried to help the HOA and plant shrubs into the front gate area but unfortunately, due to electrical and gas lines, it is not feasible.

The golf course has agreed to give the CDD two to three large boulders to put in place so that people cannot go around the gate. The golf course will install these and provide them free of charge.

Mr. Schappacher noted that these are legally permitted as long as they are 1.5 feet from the curb.

The Board would like to move forward with the boulders, contingent on their insurance carrier being comfortable with this action. Mr. Neville expressed his concern that this could cause a liability and safety issue. Staff will reach out to EGIS to confirm this is acceptable.

On a Motion by Mr. Frankel, seconded by Mr. Bacon, with all in favor except Mr. Neville, the Board of Supervisors approved the Boulders provided by and installed by the Golf Course, contingent on the insurance carriers' response, for the Heritage Harbour South Community Development District.

TENTH ORDER OF BUSINESS**HOA Updates****1. Heritage Harbour Master HOA**

Not present and no update.

2. Stoneybrook HOA

Not present and no update.

3. Lighthouse Cove HOA

Not present. Mr. Frankel advised the Board that the Lighthouse Cove HOA has not met since our last meeting, but they should be meeting next week.

4. Golf Course Update

Mr. Bruce was not present, but hole 1 which will be the hotel did close their contract for the purchase. Mr. Hallberg informed the Board that he had an in-depth conversation with Inframark regarding how to assess the hotel. Inframark did provide two other Communities that have similar items on their assessment roll and how they assess them. Mr. Hallberg mentioned that Inframark was very helpful during this process. The way that things were left is that the District has not decided how to assess the hotel, but is able to do so in the future with no hard numbers at this time. The Board did request that Staff invite the new owner of the hotel and Mr. Bruce to attend meetings, to give the community an update.

ELEVENTH ORDER OF BUSINESS**Audience Comments**

There was an audience comment about who will maintain hole 1 until the hotel is complete. Mr. Frankel stated that it is nothing the CDD has control over but a request to the new owner will be made.

TWELFTH ORDER OF BUSINESS**Supervisors Requests**

Mr. Neville mentioned the stormwater connection that Marketplace was doing to Beacon Lake and they had pumps running to dewater area. Mr. Schappacher addressed this item with Mr. Neville. He also mentioned the lights that are out along the roads. There was direction to contact Lee Weiss so that he can report the outage to FPL.

Mr. Frankel requested that the CDD provide the HOA a one-paragraph blurb about things that they have completed throughout the month to provide in their newsletter.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Ms. Spencer, seconded by Mr. Bacon, with all in favor, the Board of Supervisors approved to adjourn the meeting at 7:38 p.m., for the Heritage Harbour South Community Development District.

DocuSigned by:

Kristen Cole

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Secretary / Assistant Secretary

DocuSigned by:

Philip Frankel

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Chairman / Vice Chairman