

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, April 6, 2021 at 4:01 p.m.** at the Stoneybrook Golf Club located at 8000 Stone Harbour Loop, Bradenton, Florida 34212.

Present and constituting a quorum were:

Mike Neville	<b>Board Supervisor, Chairman</b>
Louis Brodersen	<b>Board Supervisor, Vice-Chairman</b>
Tad Parker	<b>Board Supervisor, Asst. Secretary</b>
Thomas Bakalar	<b>Board Supervisor, Asst. Secretary</b>

Also present were:

Greg Cox	<b>District Manager; Rizzetta &amp; Company</b>
Christina Newsome	<b>District Manager; Rizzetta &amp; Company</b>
David Jackson	<b>District Counsel; Persson, Cohen &amp; Mooney, P.A.</b>
Rick Schappacher	<b>District Engineer; Schappacher Engineering (via conference)</b>
Eugene Zeiner	<b>Representative; MHOA &amp; Stoneybrook HOA</b>
Dave Proulx	<b>Representative; Lighthouse Cove HOA</b>

Audience	<b>Present</b>
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FIRST ORDER OF BUSINESS

Call to Order

The meeting was called to order at 4:01 p.m. and a rollcall was conducted to verify that a quorum of Supervisors was present. Mr. Cox introduced Ms. Christina Newsome prior to the meeting to the Board members as a Rizzetta District Manager who would be transitioning to replace him as District Manager over the next few months.

On a Motion from Mr. Parker, seconded by Mr. Brodersen, the Board approved, with a 3-1 vote, with Mr. Neville voting no, that the wearing of COVID-19 protection masks at the meeting was optional but that social distancing was required, for the Heritage Harbour South Community Development District.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were audience members present but no comments were presented to the Board.

**THIRD ORDER OF BUSINESS**

**Board Recognition of former Supervisor**

The Board recognized former Supervisor Larry Eichert at the meeting for his service to the community and presented him with a ceremonial plaque.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resumes for Open Board Seat**

The Board considered resumes from those interested in being appointed to vacant seat #2 with a term of office of 2020 to 2024. After hearing from Mr. Philip Frankel and Mr. Michael Burke, who were present, the Board voted to select Mr. Frankel. A third applicant, Robert Valente, was not present at the meeting. Mr. Frankel was administered the Oath of Office by Mr. Cox and was seated on the Board. Mr. Jackson provided Mr. Frankel with information regarding Sunshine Laws compliance, Florida Ethics Laws, and other administrative topics. Mr. Frankel confirmed that he would accept the authorized compensation offered to Board Supervisors.

On a Motion from Mr. Brodersen, seconded by Mr. Parker, the Board unanimously approved to appoint Philip Frankel to seat #2 with a term of office of 2020-2024, for the Heritage Harbour South Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2021- 03, Designation of Officers**

Mr. Cox informed the Board that due to the new Supervisor appointment; the Board would need to re-designate the officers of the Board. Mr. Bakalar nominated Mr. Neville as Chairman and Mr. Bakalar nominated Mr. Brodersen as Vice-Chairman and there were no other nominations for those Board Officer positions.

On a Motion by Mr. Parker, seconded by Mr. Brodersen, the Board unanimously approved to adopt Resolution 2021-03, Designation of Officers, with Mike Neville named as Chairman and Louis Brodersen as Vice-Chairman. Tad Parker, Thomas Bakalar, Philip Frankel, Greg Cox, and Christina Newsome were named as assistant secretaries, for the Heritage Harbour South Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Minutes of the Board  
of Supervisors Regular Meeting held  
on March 2, 2021**

On a Motion from Mr. Brodersen, seconded by Mr. Neville, the Board unanimously approved the minutes of the March 2, 2021 Board of Supervisors' Meeting, for the Heritage Harbour South Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for  
February 2021**

On a Motion from Mr. Parker, seconded by Mr. Brodersen, the Board unanimously approved to ratify the payment of the invoices in the February 2021 Operations and Maintenance Expenditures Report in the amount of \$27,890.75, for the Heritage Harbour South Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Heritage Harbour Master HOA**

The Board received a Heritage Harbour Master HOA update from Mr. Eugene Zeiner. He informed the Board of staffing issues and ball field irrigation concerns. He summarized the erosion repair proposals for pond # 48. He explained the portion of the repairs that were to be repaired by Mr. Joe Marino's company, M&M, Inc. The Board members discussed paying for a portion of the remainder of the bank repairs. Mr. Schappacher recommended removing the bond payment requirement.

On a Motion from Mr. Bakalar, seconded by Mr. Brodersen, the Board unanimously approved to contribute \$24,400.00 to the Heritage Harbour Master HOA for the purpose of assisting with the funding of the pond # 48 bank repairs, for the Heritage Harbour South Community Development District.

**NINTH ORDER OF BUSINESS**

**Stoneybrook HOA**

Mr. Eugene Zeiner informed the Board that he had no additional update for the Stoneybrook HOA.

**TENTH ORDER OF BUSINESS**

**Lighthouse Cove HOA**

The Board received a Lighthouse Cove HOA update from Mr. Dave Proulx. Mr. Proulx stated that a member from the Lighthouse HOA plans to be present at meetings from this point forward and discussed issues in the Lighthouse Cove community to include golf carts being driven on the roads and questioned who owns the sidewalks and streets. Mr. Cox informed the Board that he was not aware of any approvals to designate areas in the District as a golf cart community and that those driven on the roads would need to be "street legal" under Florida statutes. Mr. Cox also indicated the roads and sidewalks were owned by the CDD.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Aquatic Service**

Not present.

**B. District Engineer**

The Board received a District Engineer update from Mr. Schappacher. He discussed the bids he had received for the roadway resurfacing work according to the maintenance plan.

On a Motion by Mr. Parker, seconded by Mr. Brodersen, the Board of Supervisors unanimously approved to authorize the Chairman to execute the proposal from Superior for repairs of roadway repairs, with a not-to-exceed amount of \$190,000, for the Heritage Harbour South Community Development District.

Mr. Schappacher presented the Board with bids to perform roadway striping repairs.

On a Motion by Mr. Bakalar, seconded by Mr. Brodersen, unanimously approved the proposal from JJ Pavement for \$450.00 for striping repairs, for the Heritage Harbour South Community Development District.

The Board received an update from Mr. Schappacher, the repairs to the sidewalks and curbs had been completed and that repair costs, at \$6,413.00, stayed under the not-to-exceed amount of \$7,000.

Mr. Schappacher informed the Board that he was working with vendors to complete signage repair work and that he was waiting for the sign-off of the SWFWMD re-certification.

**C. District Counsel**

**1. Update on Aquaterra**

The Board received a District Counsel update from Mr. Jackson. He provided an update of the status of the Aquaterra letter prepared by Mr. Cohen and noted that no responses had been received.

The Board reviewed a memorandum from District Counsel that informed them of a CPI based increase in the fees charged by District Counsel in service to the District. No actions were taken by the Board.

**D. District Manager**

The Board received a District Manager update from Mr. Greg Cox. He reminded the Board that the next regular CDD meeting was scheduled for Tuesday, May 4, 2021 at 4 p.m. Mr. Cox also informed the Board that as of this time, the District had used 1000 document remediations of the 3000 allotted in the website ADA compliance agreement. Mr. Cox provided a District financials update, reviewed the off-duty deputy reports, reviewed the timeline for District upcoming activities and the action item list. Mr. Bakalar requested that the off-duty deputies be scheduled to include part of their patrols in the Stoneybrook and Lighthouse Cove communities along with the central park areas.

**TWELFTH ORDER OF BUSINESS****Discussion of CDD / MHOA Workshop**

Mr. Cox provided a summary of the actions that came out of the recent CDD Board and Master HOA Board workshop to include the request for a letter from District Counsel regarding Aquaterra, the pond 48 bank repairs cost sharing and the agreement for the Master HOA to maintain responsibility for Central Park areas.

On a Motion from Mr. Bakalar, seconded by Mr. Neville, the Board approved, with a 3 to 1 vote with Mr. Parker voting no, to extend the meeting beyond the 2-hour limit to up to one hour, for the Heritage Harbour South Community Development District.

**THIRTEENTH ORDER OF BUSINESS****Consideration of Irrigation and Lake Bank Repair Proposal**

The Board discussed the proposal to repair pond banks adjacent to the golf course greens #3 and #9 at which golf course irrigation lines had become exposed and damaged. After Board discussion and input from Mr. Branch with the Golf Club, the Board agreed to share costs in the proposal.

On a Motion from Mr. Bakalar, seconded by Mr. Frankel, with all in favor, the Board approved to provide funds to the Master HOA for the repair of the CDD owned pond bank next to hole #3 in the amount of \$1,903.00 and the CDD owned pond bank next to hole #9 in the amount of \$1,403.00, for the Heritage Harbour South Community Development District.

**FOURTEENTH ORDER OF BUSINESS****Supervisor Requests**

Mr. Bakalar reminded the Board that coordinating with the Master HOA is hard to do and time consuming, but it is necessary.


FIFTEENTH ORDER OF BUSINESS

Adjournment

On a Motion from Mr. Brodersen, seconded by Mr. Frankel, the Board approved to adjourn the meeting at 6:44 p.m., for the Heritage Harbour South Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman