

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 **Monday, November 28, 2022, at 4:00 p.m.** at the **Heritage Harbour South Stoneybrook Golf Club located 8000 Golden Stone Harbour Loop, Bradenton, FL 34214.** The following is the agenda for this meeting.

Present and constituting a quorum were:

Mike Neville	Board Supervisor, Chairman
Philip Frankel	Board Supervisor, Asst. Secretary
Tom Bakalar	Board Supervisor, Asst. Secretary
Robin Spencer	Board Supervisor, Asst. Secretary

Also present were:

Christina Newsome	District Manager; Rizzetta & Company
Matthew Huber	Regional District Manager; Rizzetta & Company
Scott Brizendine	Vice President of Operations; Rizzetta & Co., (via Phone)
Kayla Connell	Manager, District Financial Services; Rizzetta & Co., (via Phone)
Andy Cohen	District Counsel; Persson, Cohen Mooney, Fernandez & Jackson P.A.
Rick Schappacher	District Engineer; Schappacher Engineering
Audience	Present

FIRST ORDER OF BUSINESS

Call to Order

Ms. Newsome called the meeting to order at 4:00 PM.

SECOND ORDER OF BUSINESS

Audience Comments

There was audience present.

THIRD ORDER OF BUSINESS

Presentation of Plaque

The Board presented a plaque to Tad Parker and thanked him for his hard work and dedication to the board these past 8 years. Mr. Parker then gave his closing regards.

FOURTH ORDER OF BUSINESS

**Follow-up on Discussion
of Lennar Conveyances and
Easement Requested**

Mr. Cohen introduced Mr. Mike Belle, the attorney for JLH Property. Mr. Belle presented documents to the Board, giving them the history of Parcel (Lot) 24 and formally asked for a non-exclusive ingress/egress easement. Discussion then ensued between the Board District Counsel and District Engineer and Mr. Belle regarding the position of Lennar regarding Stoneybrook and the Master, the acceptance of the deed from Lennar subject to staff approval, the addition to the two parcels that Stoneybrook did not want to have in their deed from Lennar, they want them to come to the CDD, those parcels are Tract 104 and 615. Tract 615 (Wetland ZZZ) is already owned by the CDD. The Master's parcels the are still in discussion, but none are going to be given to CDD south. Lennar counsel is Charles Mann. During District Counsel updates, Mr. Cohen informed the Board that the lender foreclosure from Haymarket Insurance Company had been dismissed as of November 3rd. The verbiage for the agreement for the easement requested by the golf course which includes the cart path has been agreed upon as of November 28th and the District Engineer provided the latest sketches received by Mr. Bruce.

On a Motion from Mr. Frankel seconded by Ms. Spencer, with an opposing vote from Mr. Bakalar (3-1 vote), the Board motioned and approved to accept the Lennar properties deeded to CDD South to include parcel 104 subject to staff approval to ensure the deed is in proper form., for the Heritage Harbour South Community Development District.

On a Motion from Mr. Frankel seconded by Mr. Bakalar, the Board motioned and approved (4-0 vote) to grant the easement from JLH Properties be accepted as presented subject to the ownership of the Parcel # 1442300319 to the North of Parcel 24, with the stipulation to cover all staff fees pertaining to this matter with all in favor, for the Heritage Harbour South Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of New Nominees

The Board reviewed all resumes from those interested in joining the board. the board then heard a short biography from both Christina Brantley and Jane Giannaula. The third candidate Eric Hallberg could not attend due to prior engagements, but his resume was reviewed as well.

On a Motion from Mr. Bakalar seconded by Mr. Frankel, with all in favor, the Board motioned to nominate Eric Hallberg to Seat 5 of the Heritage Harbour South CDD. Staff will coordinate with Mr. Hallberg to swear him in and get him acclimated with the history of the CDD, for the Heritage Harbour South Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, Officer Designation

The Board discussed the re-designation of officers of the district.

On a Motion from Mr. Frankel seconded by Mr. Bakalar, Mr. Frankel was nominated as Chairman and the Board approved, for the Heritage Harbour South Community Development District.

On a Motion from Mr. Frankel seconded by Mr. Neville, Ms. Spencer was nominated as Vice Chairman and the Board approved, for the Heritage Harbour South Community Development District.

On a Motion from Mr. Neville seconded by Mr. Frankel, the Board adopted Resolution 2023-01, Officer Designation, for the Heritage Harbour South Community Development District.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Adopting the Amended Budget for Fiscal Year 2021-2022

The Board extensively discussed the amendment and resolution for FY 21-22 budget and resolution. The process for budget will start early next year so all questions and any possible changes in budget, reserve study, and methodology are addressed well in advance of the proposed budget.

On a Motion from Mr. Bakalar seconded by Mr. Frankel, the Board motioned and approved to adopt Resolution 2023-02, adopting the Amended Budget for FY 2021-2022, for the Heritage Harbour South Community Development District.

EIGHTH ORDER OF BUSINESS

Supervisor Discussion of Management Issues

The board then discussed in detail their concerns with current management services. All gave their opinions on what is concerning them which include late financials, lack of attention to detail, professionalism, and communication. They voiced how these things are unacceptable and if these things aren't corrected within a reasonable amount of time they will begin to look for a different management company. Mr. Huber addressed the Board and apologized on behalf of Rizzetta for this misstep. and informed the Board that there will be significant change by the February meeting. He let them know that late financials would begin to be sent out on or before December

The Board then asked for more transparency and communication with all Board Members going forward so they are kept in the loop about what is going on so they can make the best decisions possible for the District.

On a Motion from Mr. Frankel seconded by Mr. Bakalar, the Board motioned and approved to extend the meeting to 6:15 p.m., for the Heritage Harbour South Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Minutes of Board
of Supervisors Regular
Meeting Held on November 1, 2022.**

On a Motion from Mr. Neville seconded by Mr. Bakalar, the Board approved the minutes as amended for the November 1, 2022 meeting, for the Heritage Harbour South Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of the Operations
and Maintenance Expenditures
for August and September 2022**

On a Motion from Mr. Neville seconded by Mr. Frankel, with all in favor, the Board approved the Operations and Maintenance Expenditures for August (\$) and September (\$) 2022, for the Heritage Harbour South Community Development District.

ELEVENTH ORDER OF BUSINESS

HOA Updates

1. Heritage Harbour Master HOA

There were no updates from the Master HOA.

2. Stoneybrook HOA

There were no updates from Stoneybrook HOA

3. Lighthouse Cove HOA

There were no updates from Lighthouse Cove HOA.

4. Golf Course Update

Mr. Bruce informed the Board that the speed humps will be installed along Stone Harbour Loop the last week of November as well as DOT signs as well. there will also be an e-blast sent by the Stoneybrook HOA to inform residents that speed humps will be installed soon. There will **only be stripes** where the golf carts cross on Heritage Isles Way

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

During District Counsel updates, Mr. Cohen informed the Board that the lender foreclosure from Haymarket Insurance Company had been dismissed as of November 3rd. The verbiage for the agreement for the easement requested by the golf course which includes the cart path has been agreed upon as of November 28th and the District Engineer provided the latest sketches received by Mr. Bruce. Mr. Cohen discussed a concern regarding some clearing of debris done by the HOA from the hurricane clean up and they may be making a formal request to the board for reimbursement. Mr. Cohen found the Disaster Recovery Plan document from 2016 and has shared it with the Board to review.

On a Motion from Mr. Neville seconded by Mr. Bakalar, the Board motioned and approved for the chairman to execute the golf course easement agreement outside of the meeting, subject to staff approval., for the Heritage Harbour South Community Development District.

B. District Engineer

Mr. Schappacher informed the Board that the pressure washing should be done by week's end. Radar sign on Heritage Isles Way is broken and he will be bringing a quote to the February meeting so the Board can discuss the replacements. Mr. Frankel suggests that it will be an effective deterrent to purchase and place stationary signs that indicate that the area is monitored by radar instead of replacing the broken radar signs. Mr. Schappacher will also obtain pricing for stationary signs as well for the February Agenda. Mr. Schappacher did go out and measure the decibels on the south end of Stone Harbour Loop. He walked from the sidewalk near the houses to the property line along SR64 and the readings he received from the area were 55-65 by the houses. At the right of way, the noise measured in the 70s at the noisiest time of the day. 60 decibels is an acceptable decibel range. He did mention that the sound was significantly lower by the lake. Mr. Schappacher will be surveying the area where residents would like the noise barrier placed and will report his findings back to the Board at the February meeting.

On a Motion from Mr. Bakalar seconded by Mr. Frankel, the Board motioned and approved to extend the meeting to 6:30 p.m., for the Heritage Harbour South Community Development District.

C. District Manager

1. Review of District Manager Report

Ms. Newsome informed the Board that the next meeting is February 7, 2023 at 4p at the Heritage Harbour Golf Course and that the verbiage for the wetland dumping will be completed prior to the next meeting. The Board asked for an update regarding the patrols done by FHP and instructed Ms. Newsome to reach out to them and have an update by the next meeting.

THIRTEENTH ORDER OF BUSINESS**Old Business**

There was no old business that needed to be discussed.

FOURTEENTH ORDER OF BUSINESS**Supervisors Requests**

There were no supervisors' requests.

FIFTEENTH ORDER OF BUSINESS**Adjournment**

On a Motion by Mr. Neville, seconded by Mr. Frankel, with all in favor, the Board of Supervisors approved to adjourn the meeting at 6:29 p.m., for the Heritage Harbour South Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman