

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 4, 2023, at 4:00 p.m.** at the **Stoneybrook Rec Center located at 200 Golden Harbour Trail, Bradenton, FL 34214.** The following is the agenda for this meeting.

Present and constituting a quorum were:

Philip Frankel	Board Supervisor, Chair
Robin Spencer	Board Supervisor, Vice Chair
Tom Bakalar	Board Supervisor, Asst. Secretary
Mike Neville	Board Supervisor, Asst. Secretary
Eric Hallberg	Board Supervisor, Asst. Secretary (via Phone)

Also present were:

Christina Newsome	District Manager; Rizzetta & Company
Scott Brizendine	Vice President of Operations; Rizzetta & Co.
Andy Cohen	District Counsel; Persson, Cohen Mooney, Fernandez & Jackson P.A.
Rick Schappacher	District Engineer; Schappacher Engineering (via Phone)
Gene Zeiner	Representative; MHOA
Mike Fisher	Representative; MHOA

Audience	Present
----------	----------------

FIRST ORDER OF BUSINESS

Call to Order

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

On a Motion from Mr. Neville seconded by Mr. Bakalar, with all in favor, the Board approved for Eric Hallberg to participate by phone, for the Heritage Harbour South Community Development District.

SECOND ORDER OF BUSINESS

Audience Comments

There was an audience present, there were no comments.

THIRD ORDER OF BUSINESS**Presentation of Inframark**

There was a presentation by Inframark and their Staff that was presented to the Board. The Board adjusted the agenda to allow the presentation from Inframark and their Staff to happen first on the agenda. The Board heard from their Staff and asked questions about their process and discussion ensued.

FOURTH ORDER OF BUSINESS**Discussion of Golf Cart Crossings
Deficiencies**

A discussion ensued during the new cart path deficiencies. Mr. Bruce received an email from Mr. Schappacher around March 15, 2023, to set up a meeting with him. They got together with the concrete contractor and have remedied the curb and cart path extensions on Heritage Isles and Stone Harbour Loop rounding out rough curb cuts that were left. There will also be temporary flagging and speed hump signs installed to alert others to be cautious in those areas. Mr. Neville stated that there have been several complaints and comments about the height and angle of the new speed humps that have been installed. Mr. Schappacher stated that while the humps may be in the higher side, they do meet that standard for the MUPCD. They will compress over time though.

FIFTH ORDER OF BUSINESS**Consideration of Resolution
2023-03, Authorizing Investment
of District Operating Funds**

The Board motioned and approved Resolution 2023-03 – Authorizing the Investment of District Operating funds. Memorializing the prioritization of safety of principal and liquidity, adopting the “no investment policy” references in Chapter 218.415 subsection 17 of FL Statutes, investing operating funds and reserves as well as potential bond funds subject to any limitations with trustee or indenture. Authorized signors will be the Vice Chair or Chair in her absence. Ms. Spencer will be taking the lead on this investment discussion and working with Mr. Brizendine.

On a Motion from Mr. Neville seconded by Mr. Bakalar, with all in favor, the Board approved Resolution 2023-03, Authorizing of District Operating Funds, for the Heritage Harbour South Community Development District.

SIXTH ORDER OF BUSINESS**Discussion of Eminent Domain**

The Board motioned and approved the State of Florida Department of Transportation Representative Authorization for Moore Bowman & Reese, P.A., accept service of process on the district's behalf concerning any legal proceedings in eminent domain which may ensue. This is not a retainer and will not cost the district any fees at this time.

On a Motion from Mr. Bakalar seconded by Mr. Neville, with all in favor, the Board accepted and executed the authorization of representative form for the eminent domain, for the Heritage Harbour South Community Development District.

SEVENTH ORDER OF BUSINESS**Discussion of Repairs
to Guardhouse**

A discussion ensued about the repairs to the guardhouse. During the discussion, Mr. Neville stated there is noticeable damage to the guardhouse and residents are asking when it will be fixed. His question is who does the responsibility of repairs fall on. Based on the Maintenance agreement with the Master, maintenance of the guardhouse structure is to be performed by the HOA, and all damages/repairs over \$5000 should be done by the HOA, if there are damages, the CDD should be informed immediately so an insurance claim can be filed if need be. Mr. Schappacher will access and report his findings to the board at the next meeting.

EIGHTH ORDER OF BUSINESS**Consideration of Request
to Designate Chairman as
Liaison to Heritage Harbour
Master HOA**

Mr. Neville mentioned that when he served as Chair, he was the liaison for the Master HOA, and he would be relinquishing that to the new chair Mr. Frankel. He encouraged the Master to use Mr. Frankel as a resource.

On a Motion from Mr. Bakalar seconded by Mr. Neville, with all in favor, the Board designated the Chair to act as the liaison to the Master HOA, for the Heritage Harbour South Community Development District.

NINTH ORDER OF BUSINESS**Discussion of Fiscal Year
2023-2024 Budget**

During the discussion about the upcoming fiscal year 2023-2024 budget, the Board discussed the upcoming fiscal year budget and the Manager will get with the District Engineer to discuss the amount that needs to be budgeted for any road repairs coming in the next fiscal year. Ms. Newsome informed the Board that their proposed not to exceed the budget adoption meeting will be held on May 2, 2023.

TENTH ORDER OF BUSINESS**Consideration of Minutes of Board
of Supervisors Regular Meeting
held on March 7, 2023**

Ms. Newsome presented the minutes from the meeting held on March 7, 2023, to the Board.

On a Motion from Mr. Frankel seconded by Mr. Neville, with all in favor, the Board approved the minutes from the March 7, 2023, meeting, for the Heritage Harbour South Community Development District.

ELEVENTH ORDER OF BUSINESS**Consideration of Operations
and Maintenance Expenditures
for February 2023**

Ms. Newsome presented the Operations and Maintenance Expenditures for February 2023 to the Board.

On a Motion from Mr. Neville seconded by Mr. Bakalar, with all in favor, The Board ratified the Operations and Maintenance Expenditures for February 2023 (\$10,405.14) for the Heritage Harbour South Community Development District.

On a Motion by Mr. Frankel, seconded by Mr. Bakalar, with all in favor, the Board of Supervisors approved to extend the meeting to 6:15 p.m., for the Heritage Harbour South Community Development District.

TWELFTH ORDER OF BUSINESS

HOA Updates

1. Heritage Harbour Master HOA

Mr. Fisher informed the Board that the playground has reopened. The hours would be from dusk to dawn. Safety and security of the playground were also discussed. Mr. Frankel mentioned that a resident referenced dying palm trees near the fountain and stated that the trees may be on CDD property. Mr. Fisher stated that he would confirm which trees the resident were referring to. The discussion continued regarding foliage at the fountain and possible steps being taken to improve the landscaping in that area.

2. Stoneybrook HOA

Mr. Ziener informed the Board that there is an upcoming election for the Stoneybrook HOA being held on April 20, 2023. There are 11 candidates running for the 4 open seats on the Board. Mr. Ziener also mentioned that they are currently looking for a new manager for the Rec Center because the current manager, Kaline, has resigned. Rebekah Thomas, Association Assistant, will be acting manager in the interim. Ms. Spencer inquired about who would be handling the financials in the interim between managers. Mr. Zeiner informed her that they are using a third-party vendor for those services. He also mentioned that phase 3 of the median work has begun and plantings has started, the project is ongoing. Mr. Bakalar requested the wetland dumping letter should be added to the Stoneybrook HOA newsletter as well the Masters newsletter.

3. Lighthouse Cove HOA

During updates for Lighthouse Cove Mr. Frankel informed the Board that he requested the meeting link but was given the Zoom meeting link too late to be able to participate in the last meeting. He will be attending the next meeting, which will be held at IHOP, in person and will report back to the Board.

4. Golf Course Update

During golf course updates, Mr. Bruce stated, since it reopened in November, operations have been good on the course as well as the restaurant. Last July the golf course suffered a default from one of the buyers and ended up in litigation in late summer, that litigation has been settled as of March 28, 2023. They are now making progress to get those projects back on track. Mr. Frankel inquired with Mr. Bruce about several comments about Holes 1 and 2 being an eyesore. Mr. Bruce informed us that there is no irrigation in that area which is why the grounds are unkept in that area, but he is working to get the landscaping addressed there. Mr. Neville mentioned that an email was sent to the Engineer regarding an issue on Lake 11, the complaint is there is erosion in the T Box area of Hole 17 going down into the pond. Also, about the silt fence. Mr. Bruce stated they are working with the Master Association and pond professionals to identify and rectify any lake banks that are an "eyesore" to try and come up with a plan for aquatic plantings and grasses to fix the lake banks.

THIRTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel**

Andy Cohen was present. He informed the Board that the contract form with Manatee County Sheriff's office is almost finalized. Mr. Cohen also informed the Board that the easement for SMH Signage has been prepared to include the chair's comments and was sent on April 4, 2023. Now he is awaiting a response from them.

B. District Engineer

Rick Schappacher was present. During District Engineer updates, Mr. Schappacher informed the Board that the draft ownership maps have been sent out and he is still working on our ownership before the final maps are sent out. He has reached out to Marketplace regarding the striping along River Heritage Blvd, they are doing their engineering work with the county to see how to make the striping work better. The goal is to create a bypass road that will go around and provide Marketplace to have access to the crosswalk. He will report back as updates come along. The six, speed radar enforced signs have been installed as well. Mr. Schappacher and Mr. Hallberg will work together to get the radar feedback signs ordered and placed. Mr. Neville also mentioned that there was an email from a resident sent to Mr. Schappacher regarding a drain on Stone Harbour Loop that needs to be cleared, the Master needs to be informed. Mr. Bakalar let the Manager know to contact Icon's Manager, Lee Weiss, Truscapes as well as the Manager at the Stoneybrook HOA and send over information for the storm drain issue. The District Engineer and Manager will work together to make sure the drain is cleaned/cleared by the responsible party. Mr. Neville also mentioned a sign at the intersection of Camden Harbour and Heritage Isles, Camden sign blown down during the hurricane and the sign has not been found and District Engineer will have the sign ordered and placed.

On a Motion by Mr. Frankel, seconded by Mr. Bakalar, with all in favor, the Board of Supervisors 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 presented the District Manager Report to the Board. During the District Manager Updates, Ms. Newsome informed the Board that she is keeping the emergency contact list up to date and will be sending out updates as they come in. Scott Brizendine addressed the Board about the upgraded accounting software. Mr. Brizendine informed the Board that they should have all received an email with the account log in information for the Sage Intacct software, some Board member had not received it so it will be resent. Mr. Brizendine also told the Board that there will be training and that they were able to work it out with the manufacturer that all supervisors will have access at no additional cost.

FOURTEENTH ORDER OF BUSINESS

Supervisors Requests

During the supervisor requests, Mr. Bakalar inquired about the reimbursement for the Stoneybrook HOA for the Hurricane damage repairs. This has been paid. The check number is 100093. Ms. Spencer inquired about the invoice process and why invoices are ratified after payment and not approved prior to being paid.

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 6:25 p.m., for the Heritage Harbour South Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman