

**MINUTES OF MEETING
HERITAGE PINES
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Heritage Pines Community Development District held a Regular Meeting on April 15, 2025 at 2:00 p.m., in the Heritage Pines Country Club Meeting Room, 11524 Scenic Hills Boulevard, Hudson, Florida 34667.

Present:

Kathleen Lonergan
Arthur Rhodes
Carol Vaughan
Michael Walsh
Stephen Putman

Chair
Vice Chair
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present:

Chuck Adams
Kurt Heath
Herb Hurley
Gary Farley
Mike Gilbert
George Daniels
Mark Kleeman

District Manager
District Engineer
HPCA General Manager
Resident/HPCA President
Resident
Resident
Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 2:00 p.m.

All Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

**Public Comments: Agenda Items [3 minutes
per person]**

No members of the public spoke.

FOURTH ORDER OF BUSINESS**Update: Operations Activities**

Ms. Lonergan discussed a report of a dead tree behind 18906 Rolling Hills Loop. She noted that NWRA 33 was discussed at the last meeting and another Rolling Hills Loop resident attended the last meeting. Mr. Heath's initial report concluded that the tree is not the CDD's responsibility, as his inspection found that the partially dead oak tree is actually on another resident's property behind 11906 Heritage Pointe Drive, and not near any CDD-owned easements.

Discussion ensued regarding the area in question near the NWRA, trees in the dry retention area and the condition of the tree in question. Mr. Heath will inspect the area again.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2025-03, Approving a Proposed Operation and Maintenance Budget for Fiscal Year 2025/2026; Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting, and Publication Requirements; and Providing an Effective Date**

Ms. Lonergan presented Resolution 2025-03 and read the title.

Mr. Adams stated that the proposed Fiscal Year 2026 budget is similar to the Fiscal Year 2025 budget. He reviewed increases, decreases and adjustments, compared to the Fiscal Year 2025 budget, and explained the reasons for any adjustments. The net effect is a reduction of approximately \$4,000 in appropriations compared to Fiscal Year 2025. The Operation & Maintenance (O&M) assessment is projected to decrease by \$2.88 per unit, year-over-year.

On MOTION by Mr. Rhodes and seconded by Ms. Vaughan, with all in favor, Resolution 2025-03, Approving a Proposed Operation and Maintenance Budget for Fiscal Year 2025/2026; Setting a Public Hearing Thereon Pursuant to Florida Law on July 15, 2025 at 2:00 p.m., in the Heritage Pines Country Club Meeting Room, 11524 Scenic Hills Boulevard, Hudson, Florida 34667; Addressing Transmittal, Posting, and Publication Requirements; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2025-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date

Ms. Loneragan presented Resolution 2025-04 and read the title.

On MOTION by Mr. Putman and seconded by Mr. Walsh, with all in favor, Resolution 2025-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-05, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Ms. Loneragan presented Resolution 2025-05.

Mr. Adams stated this previously approved Agreement is being presented due to updates. He discussed the benefits, noting that the CDD is more likely to be the recipient of aid from other governmental entities than a provider of aid.

On MOTION by Mr. Walsh and seconded by Ms. Vaughan, with all in favor, Resolution 2025-05, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2025

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2025. Revenue is 94% collected, with one month remaining until the payment deadline. Interest earned

on the investment accounts is not reflected, as the statements were not received in time; as soon as statements are posted, Mr. Adams will email the Board about the interest earnings.

On MOTION by Mr. Putman and seconded by Mr. Rhodes, with all in favor, the Unaudited Financial Statements as of February 28, 2025, were accepted.

NINTH ORDER OF BUSINESS

Approval of February 18, 2025 Regular Meeting Minutes

Mr. Adams stated that Ms. Lonergan submitted edits. The following changes were made:

Attendees: Add Bob Volbert, Mike Dillard, Mike Amarante, Bonnie Walsh, George Daniels and Bob Napolitano

Line 43: Add "18906 Rolling Hills Loop" after "property"

Line 45: Change "Staff" to "the Engineer"

Line 45: Insert "need to" after "will"

Line 46: Change "in question" to "behind his property at 11455 Heritage Point Drive"

Line 50: Insert "is" after "it"

Line 52: Insert "Mr. Gatz stated Item 5 on today's agenda will address this issue." after "grinding."

Line 56: Delete entire first line and insert "With regard to NWRA 33,"

Line 58: Change "that" to "which"

Line 58: Change "amended, the" to "amended. The"

Line 140: Delete entire line and insert "Ms. Lonergan apologized that she had not followed up, nor publicized, the workshop, which pursuant to our meeting of December 10, 2024, was to take place today at 1:00 p.m. The CDD can discuss a workshop at a later date."

On MOTION by Mr. Walsh and seconded by Ms. Vaughan, with all in favor, the February 18, 2025 Regular Meeting Minutes, as amended, were approved.

- **To Do Action Items List**

Item 12 was completed.

Add Action Item related to the Environmental Solutions Florida, Inc. (ESF) contract for cleanup on NWRA 33 by Rolling Hills Loop. The contract was executed; vegetation removal is underway. Mr. Heath will inspect the area and coordinate repairs.

TENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Straley Robin Vericker, P.A.**

Mr. Adams stated that the Notice of Public Hearing will be filed.

B. District Engineer: Stroud Engineering Consultants

Mr. Heath reported the following:

- Coordinating with Ms. Vaughan regarding NWRA 33 cleanup activities.
- Drainage inlet repairs on Breland Drive and Hollander Avenue were completed.
- Concrete curb was repaired on Fair Way Drive.
- ESF will address Scenic Hills at the east end.
- He will inspect a tree issue at the south side of Rolling Tree Loop. Ms. Lonergan noted that pictures would be helpful.

C. District Manager: Wrathell, Hunt and Associates, LLC

Mr. Adams recalled that the three annual reductions of spatterdock were programmed into the Lake Management Contract in 33 and 36. Those are scheduled to be addressed in May. He will remind Premiere. Ms. Lonergan voiced her opinion that the ponds on #7 need attention.

- **UPCOMING MEETINGS**

- **June 17, 2025 at 2:00 PM [Regular Meeting]**
- **July 15, 2025 at 2:00 PM [Adoption of FY2026 Budget]**
- **QUORUM CHECK**

ELEVENTH ORDER OF BUSINESS**Audience Comments: Non-Agenda Items [3 minutes per person]**

Resident Gary Farley stated that he asked for a workshop to be scheduled with both Boards to discuss the multi-purpose building. He asked for one CDD Board Member to serve as a liaison to the HPCA Fitness Committee and asked for input regarding how to proceed. Ms.

Loneragan stated the CDD was looking at Engineer drawings concerning the infrastructure that the Board will need to discuss. The CDD does not have what is needed to begin pursuing a bond or private financing to assist on this project. As a resident, she sees the need for a new building, but the CDD needs more information about the scope of the project and the cost before supervisors can make funding decisions.

Mr. Farley thinks a CDD Board Member would like to be involved. He stated the HPCA will spend an estimated \$15,000 for the District Engineer to prepare drawings for the underground, site plan, etc., for submission to the Southwest Florida Water Management District (SWFWMD). An architect must be engaged, bids can be obtained and then estimates will be known.

Mr. Adams stated he advised that drawings are needed; with drawings of at least 60% complete, the Engineer's Cost Opinions can be compiled. The CDD does not need to be a part of the design; the HPCA can design the site and then the CDD can consider the site design and why it makes sense for the CDD to consider participating financially given the CDD's tax-exempt status and based on who will be accessing those facilities. The Internal Revenue Service (IRS) Code opens the issue of public access; if a point of destination is not created, it might make logical sense for the CDD to participate. Drawings are needed for the Board to determine an order of magnitude for pricing and to determine if a five-year private placement note with a bank or a bond issuance is needed. The SWFWMD permitting scope of work will be suitable for the Board and the District Engineer to consider. Depending on the cost, the CDD might need to publish a Request for Proposals (RFP) or select a suitable contractor. The cost threshold for sealed bidding is approximately \$470,000; the process would be shorter for amounts below that amount.

Discussion ensued regarding the email, the request for a workshop, topics to be discussed by the Boards, the need for the CDD's input to move forward, etc.

Mr. Adams stated that "horizontal" infrastructure applies to sidewalks, curbs, gutters, drainage system, water and sewer, etc., that would be conveyed to another entity and does not create any issues. Conduit is considered horizontal; however, actual cabling cannot be done by the CDD. "Vertical" infrastructure, such as buildings with facilities, create a destination that creates an issue with tax-exempt financing. The CDD could accept an extensive water/sewer plan. Anything the CDD participates in will be purchased by the CDD. A Bill of Sale would be issued

from the HPCA to the CDD, with easements over it to preserve the CDD's access rights. The CDD can lease back the operation of assets to the HPCA or budget for the assets in the CDD's budget, but the CDD must physically own infrastructure it funds.

Resident George Daniels discussed management of the project and expressed a preference for consulting with a complete design build company rather than engaging different entities for architects, blueprints, site planning, engineering, construction, etc. Mr. Adams stated the CDD requires engineering in order to consider participating financially in the HPCA's project.

A resident discussed his experience and difficulty working with an architectural firm and expressed concern about working with one company.

Mr. Farley discussed the HPCA's processes and meetings held to determine the site selection before proceeding with engineering. He welcomes the input and stated that the HPCA looks forward to getting the engineering done; it is on the next meeting agenda. As soon as the engineering is complete, it will be submitted to the CDD.

Mr. Adams stated the CDD can designate one Board Member to serve as liaison to the HPCA. A liaison is not a decision-maker for the Board but can participate in meetings and share information with the CDD Board at a CDD meeting. The consensus was for Mr. Putman to serve as the liaison to the HPCA. Mr. Adams stated that only one CDD Board Member can participate due to the Sunshine Law.

Resident Bonnie Walsh asked what prevents the project from being open to the public. Mr. Adams stated that, when "destination locations" such as recreational areas, hiking trails, etc., are placed behind a gate, the general public still has the right to access those facilities if tax-exempt financing is utilized. The CDD tries to firewall those kinds of facilities from tax-exempt financing. Infrastructure, such as conservation areas, ponds, dry retention areas, water and sewer do not create a destination location.

Mr. Dillard asked if assets would not be subject to access by the outside if they are financed at a typical lending institution. Mr. Adams replied affirmatively; the CDD could issue taxable financing, but the HPCA could do the same. Tax-exempt financing generally saves up to 200 basis points on borrowing, which is the real benefit.

Resident Mark Kleeman discussed his background and questioned the need for the CDD to have ownership. Mr. Adams stated that, as the project is being built, the CDD can reimburse the HPCA for certain portions of the project but the CDD cannot give money away; in exchange for reimbursement, the CDD must receive something of equal value in return.

In response to a question, Mr. Adams stated that, generally, when the CDD acquires property, it is tracts under lakes, dry retention ponds, conservation areas, etc.

Asked at what point the building would revert back to Heritage Pines, Mr. Adams stated the building would always belong to Heritage Pines; the CDD would own utilities leading to the building, site drainage around the building, etc.

Mr. Adams discussed how the CDD would financially participate in the project, including securing a lending note in private placement from a bank for a term of five years. The CDD would collect the annual repayment obligations of principal and interest each year for the full term. The CDD would receive "Pay Applications" through or from the HPCA for invoices directly related to the infrastructure the CDD agreed to acquire. Invoices would be certified and then the CDD would release those funds. The CDD would have the repayment obligation; monies for principal and interest payments would be budgeted annually, generally in a Special Revenue Fund to keep it separate and distinct from the General Fund. The revenue side of the equation is the note; expenses are paid, and the corresponding assessments repay the note.

It was noted that, regardless of whether it is financed by the HPCA or the CDD, the same 1,406 homes would pay.

Mr. Adams discussed the financing mechanism options. He stated the portion to be financed by the CDD will be determined by the cost opinion value of the infrastructure determined that the CDD can finance without creating a destination that would put the front gate in jeopardy of being a "soft" gate in which the public must be allowed free access.

It was noted that the HPCA will fund the building. Mr. Adams stated the CDD could potentially fund the drainage and utilities to the edge of the building, site preparation such as sloping and banking that ensures water is flowing in the correct direction, etc.

Mr. Farley stated that the Ad-Hoc Committee's 30-page Report of what they are trying to do is on the HPCA website, including a conceptual design. Mr. Adams stated the Permit

Application Drawings should provide the CDD enough information, from a drainage perspective, to determine how much it will cost.

A resident asked for the basis of the HPCA's Board's decision at the last meeting to approve building location. Mr. Kleeman stated the site across the street was considered by the Committee, but it was not one of the recommendations by the Committee, which ultimately looked at the west end of the Clubhouse, where the #1 is, and the east end of the Clubhouse, which involves the parking lot. When the HPCA Board met with the Engineer, the Engineer recommended the site across the street because the east end of the parking lot affects the number of parking spaces that would be eliminated. The grade differentials would require more imported fill. He feels that the most impactful part of it was that the additional area of impervious area that would be created would have a costly effect on wet pond #18. An additional need for parking would not be a result of the project because the same activities will be offered.

Mr. Adams noted that the topics discussed would have been discussed at the workshop, and that public comments were allowed to exceed the three-minute per person time limit.

TWELFTH ORDER OF BUSINESS**Supervisors' Requests**

There were no Supervisors' requests.

THIRTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Walsh and seconded by Ms. Vaughan, with all in favor, the meeting adjourned at 2:52 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair