

**MINUTES OF MEETING
HERITAGE OAK PARK
COMMUNITY DEVELOPMENT DISTRICT**

The workshop of the Board of Supervisors of the Heritage Oak Park Community Development District was held on Thursday, March 15, 2018 at 9:00 a.m. immediately followed by the regular meeting at 10:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida.

Present and constituting a quorum were:

Brian Bitgood	Chairperson
Paul Falduto, Jr.	Vice Chairperson
Olin Earl Bell	Assistant Secretary
Donald Oppenheim	Assistant Secretary
Edward Carey	Assistant Secretary

Also present were:

Robert Koncar	District Manager
Michelle Egan	Project Manager
Kelly Columbus	Activities Coordinator
Residents	

The following is a summary of the minutes and actions taken at the March 15, 2018 workshop and regular meeting of the Heritage Oak Park CDD Board of Supervisors.

WORKSHOP AGENDA

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Bitgood called the workshop meeting to order and Mr. Koncar called the roll.

SECOND ORDER OF BUSINESS

Discussion on Capital Expenditure Budget

- o Mr. Bitgood noted last year we spent a lot of time updating our Asset Capital Planning.
 - Until Hurricane Irma came, we were going to paint the exterior walls. That will not happen this year because we do not have the funds due to Irma.
 - All external painting planned for 2018 comes to \$31,000 for external paint only. We need that for the buildings. He asked that be added into Capital Assets for next year.
 - Mr. Bitgood noted our District Counsel was asked to go after the insurance company because they still have not paid us. After three months of submitting information and

not hearing back from the insurance company, we asked the Attorney to start the legal process to force them into paying us.

- We will put painting into the FY 2019 budget.
- Mr. Falduto asked that a package be prepared to include who will be painting the outside of the facilities and the interior of the facilities.
- Mr. Bitgood felt the double doors, located in several places and in the Sports Bar, should be replaced. He received a cost estimate.
- Mr. Falduto would like a quote to replace the doors and a quote to repair the doors.
- Mr. Bitgood wants to look into is replacing the white aluminum railings around the pool area. They are starting to deteriorate.
- Ms. Egan stated the contractor was scheduled to come, but unable to. They are supposed to be getting the cost for the bocce courts and will be here next week.
- Mr. Bitgood noted another item we have to look into at some point is new windows in the Library and Exercise Room. The sun comes in the Exercise Room all afternoon and the air conditioning is running constantly. It gets really hot in there.
- Green folding chair replacement was discussed.
- Mr. Bitgood commented on the following:
 - Green folding chairs replacement.
 - Later in the meeting, a proposal from the District Engineer to replace the mainlines, will be discussed. In the last 18 months, \$70,000 was spent on repairs to the mainlines.
 - Lake erosion. There are multiple areas where it is really getting bad. He asked the District Engineer to come up with a plan. After talking to the Engineer, it would cost an estimated \$10,000 to alleviate the problem.
 - Mr. Falduto noted last year at our budget workshop, Mr. Bloom of Inframark, advised us that even though the bond will be paid off in 2020; in 2021, 2022, and 2023, we will be required to put all the money paying for the bonds into Reserves so that money would not become available to us until 2024, according to what Mr. Bloom told us.
 - A discussion ensued on replacing the mainlines and the possible costs.

- Mr. Koncar noted we will bring back to the Board options on financing, which will tie into your next meeting discussion on the O&M. On the Capital items, we want to come up with an estimate and ideas on financing options that are available. We will work on that based on today's discussion.
 - Mr. Bitgood noted we have over \$300,000 in Reserves for Roads. This will be discussed in the regular meeting.
 - Mr. Bitgood noted before next month's meeting, a workshop will be scheduled at 9:00 a.m. at which time, the O&M budget for fiscal year 2019 will be discussed. In May, the Board will have to have a continued meeting because the June meeting is the date when the District's budget needs to be submitted to Charlotte County.
- An audience member commented on the railings.
 - Audience members commented on the FY 2019 budget.

THIRD ORDER OF BUSINESS

Adjournment

There being no further workshop discussions, this portion of the meeting was adjourned.

REGULAR MEETING

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Bitgood called the meeting to order and Mr. Koncar called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Audience Comments on Agenda Items

There being no audience comments, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

A. Approval of the Minutes of the February 15, 2018 Meeting

- Corrections were requested and will be incorporated into the final minutes. A correction was made to Resolution 2018-02.

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor the minutes of the February 15, 2018 meeting were approved as amended.
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B. Financial Statements and Check Register

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor the Financial Statements were accepted and the Check Register was approved.

FIFTH ORDER OF BUSINESS

Old Business

A. Bocce Court Improvements

- Ms. Egan updated the Board on the status of the bocce court improvements.
- She has tried contacting vendors with no success.
- She will report on this issue at the next meeting.
- Mr. Bell asked about scoreboards ordered a month ago. Ms. Egan will follow up.

B. Discussion on Mainline Replacement Project

- Mr. Bitgood noted CPH provided us with a contract for a complete irrigation plan for the mainlines. The cost is \$49,900. He read from the contract, *"The system will be designed to utilize as much of the existing pumps and irrigation wells as feasible and be designed to be converted to reclaimed water once service is available to the CDD. CPH will utilize record drawings and information provided by the client along with field measurements and aerials to aid in preparation of the plans. This contract includes the design of the plans in order to obtain pricing and establish a funding plan for the improvements. Design of the complete construction plans and permitting of the improvements is not included in this contract."*
- Mr. Bitgood noted this is just to do the engineering plan, not to do the construction plans.
- A discussion ensued on the items included in the CPH contract. Changes need to be made in the contract. Mr. Bitgood will speak to District Counsel on this contract.

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor the CPH, Inc. proposal was tabled in order to make corrections to the proposal and then presented again to the Board.

- Ms. Egan noted the scoreboards were shipped on March 6, 2018 and are in transit.

SIXTH ORDER OF BUSINESS

New Business

A. Roads

- Mr. Bitgood noted we have a proposal from Sunland Paving to correct seven areas in the Park, for example, at the intersection of Red Oak and Heritage Oak and other areas. Total cost for the repairs would be \$58,430.

Mr. Falduto MOVED to approve Sunland Paving making repairs on the roads in the District at a cost not-to-exceed \$58,430 and Mr. Oppenheim seconded the motion.

- A discussion ensued on the proposal process.

On VOICE vote with Mr. Falduto, Mr. Bitgood, Mr. Oppenheim and Mr. Carey voting aye and Mr. Bell voting nay, the prior motion passed.

B. Fitness Equipment

- Ms. Egan discussed quotes received from different vendors for fitness equipment.
- She noted fitness room equipment proposals from FitRev and Commercial Fitness Products were rated as “good”, “better” and “best” levels.
- The Board decided on the purchase of “good level” from FitRev Exercise Equipment.

Mr. Falduto MOVED to purchase the “good level” exercise equipment from FitRev including three treadmills and one bicycle and Mr. Oppenheim seconded the motion.

- Discussion ensued on the equipment and warranties. An extended warranty would be an additional purchase.
- An amended motion was made to include the extended warranties.

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor the prior motion was amended to include \$1,200 for extended warranties to the exercise equipment.

- Discussion ensued on the amount for the extended warranties.

Mr. Bell MOVED to amend the prior motion a second time to make it \$1,248 for the extended warranties and Mr. Falduto seconded the motion.

- Discussion ensued on the above.

On VOICE vote the prior amended motion was approved.

- Mr. Bitgood discussed the original motion.
- Mr. Carey asked whether residents use the present equipment.

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor to purchase the “good level” exercise equipment from FitRev of three treadmills and one bicycle at a cost of \$9,393.96 was approved.

C. Tennis Courts

- Ms. Egan noted there were two quotes in the agenda package; one from Sport Surfaces and the other from Lawson Courts.
- They use fiberglass mesh membrane over cracks.

On MOTION by Mr. Oppenheim seconded by Mr. Falduto with all in favor the renovation of the tennis courts by Sports Surfaces using fiberglass mesh membrane in addition to painting of the pickle ball lines at a cost not-to-exceed \$17,100 was approved.

D. Surplus Equipment

- Mr. Bitgood noted currently we have a golf cart and the old circuit computers we worked on previously.
 - He was approached by the Neighborhood Watch about the golf cart. They are requesting, after we declare it a surplus, we give the golf cart to the Neighborhood Watch.
 - Ms. Egan noted we have 5 Surface tablets and six keyboards.
 - Mr. Bell asked are there any restrictions on who and what we can donate?
 - Mr. Koncar noted there is a process the Board has to declare. They can sell or donate it to a non-profit organization. He will verify with District Counsel.
 - You can declare a surplus or you can donate to a non-profit.

- Mr. Koncar recommended declaring the equipment surplus at this meeting and then bring back the recommendation to resolve the questions on how to get rid of the items at the next meeting.

On MOTION by Mr. Falduto seconded by Mr. Bell with all in favor declaring the golf cart and the five Surface tablets as surplus was approved.

SEVENTH ORDER OF BUSINESS

In-House Staff Reports

- Ms. Columbus noted she researched information on sun sails.
 - An engineer did an estimate for sun sails. She noted it cost \$40,000 for them. She will investigate other possibilities.
 - She reviewed activities that took place in the last month and reviewed upcoming events.
- Field Report: Mr. Koncar noted we did the inspection, but the Field Report was not completed in time to include in agenda package. It will be sent to the Supervisors individually as follow up to the meeting notes. We will get back on schedule and the Field Report will be in the agenda package for the next Board meeting.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

- Mr. Bitgood reported he asked the District Counsel to contact the insurance company and FEMA. It has been more than three months since the District submitted all the claims and have not heard anything. So far, the District has spent over \$58,000 that is Irma related; including the Clubhouse, maintenance, picking up all trash in the pool area, cleaning all the roads. We expect the majority of that to come back.

B. Engineer

- Mr. Bitgood noted the engineer gave us a proposal for bank restoration in the lake for \$8,400.
- This will be discussed with the District Counsel and will be tabled until the next meeting.

C. Manager

- i. **Consideration of Resolution 2018-02 General Election Resolution Confirming District User of Charlotte County SOE to Continue**

Conducting District's Election of Supervisors in Conjunction with the General Election

- Mr. Koncar reviewed Resolution 2018-02 noting Seat 3, Mr. Bell, and Seat 4, Mr. Oppenheim, are up at November General Elections.

On MOTION by Mr. Bell seconded by Mr. Oppenheim with all in favor Resolution 2018-02 Confirming the District's Use of the Charlotte County Supervisor of Elections to Continue Conducting the District's Election of Supervisors in Conjunction with the General Election was adopted.

ii. Discussion on the Budget for Fiscal Year 2019

- Mr. Koncar noted at the workshop this morning, the Fiscal Year 2019 budget process was discussed.
 - Capital items were reviewed. He will bring back information on Capital Items at the next meeting including options for funding Capital items.
 - A workshop will be held to discuss the O&M part of the budget on April 19, 2018 at 9:00 a.m. with the regular meeting at 10:00 a.m.
 - Mr. Bitgood noted we will review item by item at the workshop.
 - Mr. Koncar noted a draft budget will be presented at the workshop.

On MOTION by Mr. Falduto and seconded by Mr. Oppenheim with all in favor to hold a workshop on Thursday, April 19, 2018 at 9:00 a.m. to discuss the Operations and Maintenance Budget prior to the regular meeting at 10:00 a.m. was approved.

- Mr. Bitgood noted our June meeting is the 14th. We are required by law to have our budget submitted by June 15th so we will have to have a continued meeting in May to approve the budget in order to submit the budget to the County to meet the deadline. He asked to have the continued meeting one week after the regular meeting on May 17th which would be May 24th. The Board agreed to have the continued meeting on May 24th at 10:00 a.m.

NINTH ORDER OF BUSINESS

On-Site Administration Report – Project Updates

- Ms. Egan gave the following updates:
 - All the toilets were replaced.

- The hot water heater was replaced.
- The permit for the Lodge windows was received. They will be delivered this afternoon.
- She reviewed the proximity cards and keys. If we want the company to come in and register 250 proximity cards, it would cost \$1,060.
- A long discussion ensued on the proximity cards and keys.

On MOTION by Mr. Falduto seconded by Mr. Oppenheim with Mr. Falduto, Mr. Oppenheim, Mr. Carey and Mr. Bitgood voting aye and Mr. Bell voting nay, acquisition of proximity cards for a total price of \$1,060 was approved.

TENTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Bell would like to form a committee to research the contract for the management company to see where we stand.
 - He noted we currently pay 25% or more of our budget to the management company and felt that is a lot of money for what we get in return. He asked the Board to think about it and at the next meeting discuss it.
 - He recommended the Chairperson nominate one Board member and two former Board members to research in order to circumvent the Sunshine Law.
 - Mr. Koncar noted if the Board appoints a committee for any reason, an advertisement would have to be placed.
 - Mr. Carey commented on sliding and skidding of the chairs.
 - Mr. Carey noted at last month's meeting there were comments made about the cleanliness in the kitchen. Because of some of the hysteria and threats made, Mr. Falduto, acting as the Chairman, decided to terminate the usage of the kitchen. We contacted the District Attorney. The Board has the fiduciary responsibility to the residents of the Park to ensure their health and safety.
 - Mr. Bitgood noted we should have received a written response from the Attorney by now.
 - A set of rules should be drafted on kitchen procedures for the next meeting.
 - Mr. Falduto gave a brief summary of what happened in the kitchen. At the last Board meeting, Ms. Nancy Cassidy brought up issues detrimental to

cleanliness and sanitation of the kitchen. They had a discussion afterwards and based on that, entry to the kitchen was suspended until the hot water issue was dealt with.

- This issue was brought up on Social Media and residents threatened to sue.
 - Mr. Falduto described how this was resolved and changes were made.
 - Mr. Koncar noted polling the Board between meetings is not appropriate and could be a Sunshine violation issue.
 - The Board can establish rules and procedures. He recommended it be done through a rulemaking process. Because of timeframes for advertisements, this cannot take place until the June meeting. Mr. Koncar was requested to start the process or guidelines of rulemaking.
 - He noted if the Board wanted to consider that, they can authorize the establishment of a public hearing for rulemaking.
 - Mr. Bell wanted an outline or a rough draft that Mr. Koncar could present instead of having a special meeting.
 - Mr. Koncar will prepare a draft of rules and procedures the Board can consider. Then if the Board wants to make a formal process, a public hearing can be advertised.
- Ms. Egan noted her credit card number was stolen. The bank gave her a hard time. She was asking for the possibility of changing banks for District funds.

Mr. Falduto MOVED to authorize Inframark to review changing banks for the District's funds and Mr. Carey seconded the motion.

- Mr. Bell asked what bank will we go to?
- Mr. Koncar noted it is going to have to be a Certified Public Depository Bank and not every bank is eligible. He will research and let the Board know which bank is eligible.
- In response to a question, Ms. Egan noted the issue with her card has been resolved.

On VOICE vote with all in favor the prior motion passed.

- Mr. Bitgood noted DRC Day was very successful. He thanked everyone involved.

ELEVENTH ORDER OF BUSINESS

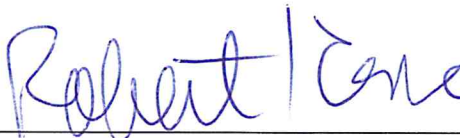
Audience Comments

- Ms. Caron Roszatycki commented she wanted the Board to do a survey on certain issues.
 - She also wanted meetings to be held in the afternoons.
- Mr. Roger Roszatycki commented on the 2020 bond.
- Mr. Bob Simon commented he has lived in the Park for seven years and this has been the nastiest he has seen the Park.
 - He spoke about the maintenance and condition of the Park. He noted when Ray, Maintenance Technician, was here, there were not as many issues.
- Ms. Nancy Cassidy commented more pickle ball paddles are needed.
 - She commented on kitchen cleanliness.
- Ms. Sandy Walter commented on lake restoration; procedure for removal of trees or trimming and on waste management costs.

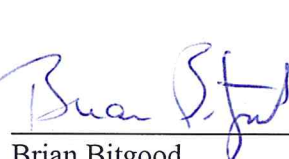
TWELFTH ORDER OF BUSINESS

Adjournment

- Mr. Bitgood noted the next meeting is April 19th at 10:00 a.m. with the workshop on the same day at 9:00 a.m. to discuss the budget.
- There being no further business, the meeting was adjourned.



Robert Koncar
Secretary



Brian Bitgood
Chairman