# MINUTES OF MEETING HERITAGE OAK PARK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Heritage Oak Park Community Development District was held on Thursday, May 17, 2018 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 KoncarDistrict ManagerMichelle EganProject ManagerBrandon Romine (via telephone)Field Services

Residents

The following is a summary of the minutes and actions taken at the May 17, 2018 meeting of the Heritage Oak Park CDD Board of Supervisors.

#### 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 April 19, 2018 Workshop and April 19, 2018 Regular Meeting
- B. Financial Statements and Check Register

Mr. Bell MOVED to approve the Consent Agenda and Mr. Falduto seconded the motion.

- o Mr. Bitgood made the following changes:
  - o In the minutes of the April 19, 2018 meeting,
    - On page 2, R&M Contract-Irrigation should have read increased to \$49,500 and not reduced to \$45,000.
    - Not even mentioned in those minutes were Sidewalks that increased from \$3,960 to \$4,000.
    - R&M Irrigation went from \$36,000 to \$45,000.

On VOICE vote with all in favor the prior motion was approved as amended.

#### FIFTH ORDER OF BUSINESS

#### **Old Business**

#### A. Kitchen Operational Protocol

- o Mr. Carey noted after consultation with people who live in the Park with experience in commercial kitchens or ran their own restaurants, it made sense to take advantage of their expertise.
- He felt it was the Board's fiduciary duty to support the concerns, health, safety and welfare
  of the residents. They came up with a draft of kitchen protocol; some of which he read aloud.
- o Mr. Bitgood noted because this would be part of our Rules and Procedures, would we need to conduct a public hearing for this?
- o Mr. Koncar noted if you are going to adopt it as a policy, you do not need a public hearing.
- o If you are going to adopt it as a rule and incorporate it into the rules for the District itself, then you have to have a public hearing which requires a 60-day advertisement, and we can set that up for your meeting in August.
- Each Supervisor gave suggestions on how to keep the kitchen clean and in particular ways to keep the refrigerator clean.
- o Mr. Falduto noted tables are already being wiped down with sanitizing wipes after functions.
- o Mr. Carey noted we need a plumber to correct a few things that were installed improperly.

Mr. Carey MOVED that the kitchen operational protocols to be put into effect immediately until they are finalized by the Board at the June 14, 2018 meeting and Mr. Oppenheim seconded the motion.

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 Mr. Falduto suggested making the name change from protocols to policies so there is proper delineation of what the Board is doing. Mr. Carey agreed.

On VOICE vote with all in favor the prior motion was amended to read policies rather than protocols.

# B. Canopy on the Bocce Courts

- o Mr. Bell noted information on the canopy for the bocce courts was sent to all the Supervisors.
- They will also be available to the Activity Department to be used throughout the Park for any activity they see fit to use.

Mr. Bell MOVED to purchase the outdoor canopy in the amount of \$4,575.50 and Mr. Carey seconded the motion.

- Mr. Falduto spoke to a friend up north about the canopy. The friend observed this canopy weighs 1,510 pounds.
- o If the District purchased this, they would be required to hire a company to come in every time to put it up and then take down so there would be additional expenses.
- He voiced concern on several issues including the size of the canopy and where it would fit
  within the District. Based on the logistics of it, he cannot support the purchase.
- Mr. Oppenheim noted he is not in favor of the removal of the trees. He also noted the bocce people have complained about leaves on the courts.
- o Mr. Bitgood noted he is concerned with the expense of putting the canopy up and then having to take it down twice per year. He wanted to investigate this before even voting on this.

On VOICE vote with all in favor the prior motion was voided.

On MOTION by Mr. Bell seconded by Mr. Carey with all in favor the discussion on the canopy for the bocce ball courts was tabled until the June 14, 2018 Board meeting.

#### C. Update on Irrigation Mainline Engineering

o Mr. Carey noted he had a preliminary meeting with the principal of the engineering company to look at the scope of the project. The two engineers who working on the project met with

Mainscape. They created drawings and picked up drawings that existed here. They toured the property.

o The project is underway and proceeding in an orderly fashion.

#### SIXTH ORDER OF BUSINESS

#### **New Business**

# A. Request from Waterside Club IV

- Ms. Egan noted in the agenda package was an email from the Secretary of the Waterside IV
  about extending the sidewalk behind building L because residents use it to get to the pool and
  the clubhouse.
- o Mr. Bitgood requested this item be removed.

#### B. Security Review

- O Mr. Falduto noted there was a meeting earlier this month with a presentation called "Immediate Danger" meaning if a situation within any of our facilities were to occur similar to what has been happening in our schools recently.
- They feel it is important for security purposes to limit entry to all buildings. If someone is coming into the Lodge they could only use the front door. All other doors would be locked and only be usable for exit in case of an emergency or fire. Anytime someone wants to leave, they can use the exit doors.
- You can put a card reader on the doors. Recommendation was putting a card reader on all doors on all CDD buildings for safety reasons.
- o A discussion ensued on security, with each Board member voicing opinions on this issue.
- Mr. Bitgood wanted to conduct an investigation by the June meeting to find out exactly what
  the cost is for these buildings and the gates. He wanted it to be itemized.

# SEVENTH ORDER OF BUSINESS

#### **In-House Staff Reports**

o There being no report, the next item followed.

#### EIGHTH ORDER OF BUSINESS

#### **Staff Reports**

#### A. Attorney

Mr. Koncar noted the only report from District Counsel was a question from the last meeting about charging the HOA for the office space that is covered right now. The Board can charge the HOA for the rental of the office.

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#### B. Engineer

Ms. Egan noted she asked the District Engineer about two areas along the swales that go between Green Oak and Red Oak, the ones that do not have sidewalks. They came, looked at it and took pictures. He will give Ms. Egan something in writing to talk about different areas that may be of concern. He was supposed to email her with his recommendations.

## C. Manager

#### Distribution of the Proposed Budget for Fiscal Year 2019

- Mr. Koncar noted the proposed budget was included in the agenda package. There may be some possible changes to the budget.
- o The process is the Board approves the proposed budget at today's meeting. Then 60 days from today we will have a public hearing to consider the final adoption of the budget.
- The important thing about the proposed budget is the Board sets the maximum amount of assessments and you cannot go any higher than what you set your assessments in the proposed budget. You can change line items at your next meeting, but you cannot increase assessments that is set on your proposed budget.
- Mr. Bitgood noted under Operating Budget-Repairs and Maintenance, we missed painting of the buildings. We received a quote for \$72,000 for all interiors and exteriors of the buildings.
   That was not included in the budget. He thinks that should be included under R&M-Clubhouse.
- o Mr. Bitgood requested Mr. Koncar to do a salary survey.
- o Mr. Koncar noted we were requested to review the two in-house positions. We did a salary survey and found there was a gap in the market value between the Project Manager and Activities Director. The gap came up to about \$6,000 from market value.
- o Mr. Bitgood asked do we have to vote on modifying the contract to approve that?
- Mr. Koncar noted no, because the way the contracts are written the amount of our contract is determined by the Board at each budget meeting annually.
- o Mr. Bitgood noted we made a mistake under Contracts-Irrigation. Right now in the budget presented it states \$47,064. It should have been \$49,500. He requested that be changed.
- o Mr. Falduto asked does the budget for 2018/2019 include the borrowing of money and incorporating it into our current debt?

- Mr. Koncar noted there is nothing included in there for Debt Service on a loan, outside of what you already have.
- o Mr. Falduto noted his concern is that if we do not include that into our budget for 2018/2019, then when we come up with the mainline upgrade costs, we would have to wait until 2019/2020 to do that. All we would be doing is having another year while we are throwing good money after bad, putting Band-Aids on the mainline rather than fixing it, which is what we really need to do.
- o Mr. Koncar noted the Board can direct him to investigate the possibility of a loan.
- O He noted the way your debt is structured, as it is with all local government debt, you make an interest only payment on November 1<sup>st</sup>. If you were to implement this loan after November 1<sup>st</sup>, you would make a principal and interest payment on May 1<sup>st</sup>. That would be all that would need to be budgeted for next year, the principal and interest on whatever that debt is going to be.
- O Discussion ensued on the potential for rolling up existing debt into a new loan to cover expenses for the installation on a new mainline for the District.
- o Mr. Koncar noted when talking about rolling over existing debt and eliminating existing debt, we recommend hiring a certified Financial Advisor because you need to be very careful that everything is performed appropriately so you do not get stuck in a liability situation later on.
- O He noted the purpose of the proposed budget is to set the high water mark for the assessments.

  That is the main goal. All line items can be changed, but you cannot increase assessments when you adopt the budget.
- O He suggested the Board give District Management a few weeks to investigate, report back and have a continued meeting so we have some idea what these numbers can be. Then continue your meeting for consideration for the adoption of the proposed budget because it will impact your assessments.
- o The Board discussed a date for the continued meeting and decided on June 7, 2018 and hiring a Financial Advisor to give advice on a loan. Proposals for the cost of a Financial Advisor will be presented to the Board for consideration at the June 7, 2018 meeting.

On MOTION by Mr. Oppenheim seconded by Mr. Falduto with all in favor to continue today's meeting to June 7, 2018 at 10:00 a.m. for discussion on the Fiscal Year 2019 budget and discuss having a Financial Advisor to review the possibility of a loan, was approved.

# ii. Consideration of Resolution 2018-03 Approving the Proposed Budget and Setting the Public Hearing

This item was tabled to the June 7<sup>th</sup> meeting.

#### iii. Report on the Number of Registered Voters – 805

- Mr. Koncar noted the Supervisor of Elections of Charlotte County reports there are 805 registered voters residing within the District.
- o Mr. Koncar discussed <u>Resolution 2018-02</u> and noted two seats are up for election. They are Seat 3, Mr. Bell, and Seat 4, Mr. Oppenheim.
- o Mr. Bitgood thought this resolution was adopted at a prior meeting.

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.

#### D. Field Manager's Report

- o Mr. Koncar noted we have Mr. Romine on the phone if anyone has any questions.
- o The Field Management Report was accepted.

#### NINTH ORDER OF BUSINESS

# On-Site Administration Report – Project Updates

- Ms. Egan gave the following update:
  - Paving will begin this afternoon.
  - The tennis courts are scheduled to start May 28<sup>th</sup>.
  - New fitness equipment is here; three brand new treadmills and a brand new bicycle.
  - Some damage occurred under the guardhouse on Tuesday. The gates, however, are okay. Damages scheduled for repair tomorrow. The camera has to be re-positioned.
  - Sports Bar windows and Fitness Key Conversion were discussed.

- Mr. Bitgood mentioned they still have not heard back from the insurance company and have not yet been paid for damages from Hurricane Irma.
  - Ms. Egan noted the new cover for the handrails at the pool have been ordered.
  - The tiles could not be found. They are being ordered again.

#### TENTH ORDER OF BUSINESS

#### **Supervisor Requests**

- Mr. Bell noted windows in the Sports Bar are full of cobwebs and other debris. He would like to see that cleaned.
- o Mr. Carey commented on the ice machine replacement.
- o Mr. Oppenheim noted he was happy reflectors will be coming back on the roads.
- Mr. Falduto noted while we are investigating the electronic doors, he would like to see, as soon as the proper signage is available, "Entry to the Lodge is Only Through the Front Door". He would like to see the front doors locked.

#### ELEVENTH ORDER OF BUSINESS

#### **Audience Comments**

- O Mr. Bob Tingley commented on the poor speaker and sound system. He would like the HOPCA and CDD to work together to address the system and getting a new, higher performance system and wireless as well. He also commented on the pavers and the tiles.
- Mr. Bitgood wanted the Board to know they received two checks by mistake; they should only have received one. So do not expect a check this month.
- Mr. Koncar asked does the Board want to be paid for every meeting or just the regular Board meeting? The Board responded be paid only for regular Board meetings.

#### TWELFTH ORDER OF BUSINESS

#### Continuation

o There being no further business, the meeting was continued to June 7, 2018.

Concar

Robert Koncar

Secretary

Brian Bitgood

Chairman