

**MINUTES OF MEETING
HERITAGE HARBOUR NORTH
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Heritage Harbour North Community Development District was held on Thursday, April 7, 2022, at 1:30 p.m., at the River Strand Golf and Country Club, 7155 Grand Estuary Trail, Bradenton, Florida 34212.

Present and constituting a quorum:

Nancy Lyons	Chairperson
John Wisz	Vice Chairperson
Pauline Tasler	Assistant Secretary
Michael Fisher	Assistant Secretary
Louise Buckley	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Counsel
Tony Grau	Grau and Associates
Andrew Gill	

Audience:

All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE TRANSCRIBED IN *ITALICS*.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Andrew Gill called the meeting to order at approximately 1:30 p.m. He called roll and all Members of the Board were present constituting a quorum.

SECOND ORDER OF BUSINESS

Notice of Public Hearing

Notice of advertisement of the Public Hearing

Mr. Gill noted enclosed in the Agenda Packet was an affidavit mailing showing the publication which went out for the public hearing.

THIRD ORDER OF BUSINESS

Consideration of Minutes

February 3, 2022, Regular Meeting Minutes

Mr. Gill asked if there were any additions, corrections, or deletions to the Minutes; hearing none, he called for a motion.

On MOTION made by Mr. Michael Fisher, seconded by Ms. Nancy Lyons, and with all in favor, the February 3, 2022, Regular Meeting Minutes were approved.

THIRD ORDER OF BUSINESS

PUBLIC HEARING

Mr. Ward reviewed the public hearing process.

a. PUBLIC HEARING – FISCAL YEAR 2023 BUDGET

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Ms. Pauline Tasler, seconded by Ms. Nancy Lyons, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there any audience members present via telephone or video conference with any public comments or questions with respect to the Fiscal Year 2023 Budget; hearing none, he called for a motion to close the public hearing. He noted there were no members of the public present in person.

On MOTION made by Ms. Pauline Tasler, seconded by Ms. Nancy Lyons, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration.

Mr. Ward asked if there were any Board comments or questions; there were none.

III. Consideration of Resolution 2022-3 relating to the annual appropriations and adopting the budget for Fiscal Year 2023

Mr. Ward indicated the assessment rate was \$66.93 dollars per unit per year, and \$66.92 dollars per unit per year, and then there were the debt service funds. He stated the Series 2014 bonds would subject to a refinance in 2024. He noted the interest rates on the 2014 bonds were 5% to 5.25%; next year consideration of refinancing would begin. He stated the 2017 bonds were AAA rated bonds and as such there would not be any opportunity to refinance those bonds. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Ms. Nancy Lyons, seconded by Mr. John Wisz, and with all in favor, Resolution 2022-3 was adopted, and the Chair was authorized to sign.

b. FISCAL YEAR 2023 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY

Mr. Ward indicated this public hearing was related to the imposition of the special assessments and adopting an assessment roll for the District for Fiscal Year 2023.

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Ms. Pauline Tasler, seconded by Ms. Nancy Lyons, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there any audience members present in person, via telephone or video conference with public comments or questions; hearing none, he called for a motion to close the Public Hearing. He noted there were no members of the public present in person.

On MOTION made by Mr. Michael Fisher, seconded by Ms. Nancy Lyons, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward asked if there were any questions; there were none.

III. Consideration of Resolution 2022-4 imposing special assessments, certifying an assessment roll, and approving the general fund special assessment methodology

Mr. Ward noted Resolution 2022-4 imposed the special assessments, adopted the assessment roll and provided a mechanism for the Manager to update the assessment roll with changes in ownership moving forward, and approved the methodology.

Mr. Michael Fisher asked if any homeowner had paid off their assessments.

Mr. Ward responded in the affirmative; approximately 20 residents had paid off their assessments.

Mr. Fisher: Not enough to affect the total.

Mr. Ward: In terms of the total debt outstanding, no. We reduce the debt service and do a new amortization schedule for the bonds after each redemption, but it doesn't affect your normal assessments.

On MOTION made by Mr. Michael Fisher, seconded by Mr. John Wisz, and with all in favor, Resolution 2022-4 was adopted, and the Chair was authorized to sign.

Consideration of Resolution 2022-5, a resolution of the Board of Supervisors designating the dates, time, and location for regular meetings of the Board of Supervisors of the District

Mr. Gill: This resolution sets the dates, time, and location for regular meetings of the Board. We are required by law, if we have periodic meetings scheduled, to publish those dates, so Resolution 2022-5 lists out the meeting schedule as the first Thursday of each month. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Michael Fisher, seconded by Ms. Nancy Lyons, and with all in favor, Resolution 2022-5 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS**Consideration of Audited Financial Statements****Consideration and acceptance of the Audited Financial Statements for the Fiscal Year ended September 30, 2021**

Mr. Gill introduced Tony Grau of Grau and Associates.

Mr. Tony Grau with Grau and Associates reviewed the Audited Financial Statements for the Fiscal Year ended September 30, 2021. He reported pages 1 and 2 reflected a clean opinion with respect to the financial statements of the District. He stated page 3 was the management discussion and analysis which was a recap of the financial activity during the Fiscal Year and included the condensed statement of net position on page 4. He noted next was the income statement (changes in net position) which showed revenues, expenses, and the change in net position. He indicated both statements had comparative numbers with the prior year. He indicated the financial statements began on page 7 with the government wide financial statements including capital assets, long term debt, accrued interest, etc. He stated on page 9 was the balance sheet reflecting the general fund and debt service fund; the total fund balance was approximately \$1,050,000 dollars; the majority of this was in the debt service fund which was restricted for debt service. He stated the income statement was on page 11 and showed the special assessments, expenditures, general fund, and debt service payments. He reported on page 13 were the footnotes to the financial statements which were consistent with the prior year. He indicated on page 19 were the changes in the capital assets; there were no changes save depreciation. He stated page 20 showed the long term debt which included the Series 2014 and Series 2017 bonds; the bonds were paid down \$150,000 dollars for the 2014 bonds and \$665,000 dollars for the 2017 bonds. He noted on page 21 was the amortization schedule. He noted budget to actual was on page 22 and starting page 24 was the new item required by Florida Statute and the Auditor General. He stated the remainder of the report contained the various reports required under government auditing standards and by the Auditor General. He reported there were no findings and only clean opinions.

Ms. Nancy Lyons: "The District has not met one or more of the financial emergency conditions..." What does that mean?

Mr. Grau: That means that you haven't met one of those conditions. If you had met one, it would be considered a financial emergency and basically what triggers a financial emergency is default on a debt, not paying your vendors, etc.

Ms. Lyons: Okay, thank you.

Mr. Ward thanked Mr. Grau.

Mr. Gill asked if there were any additional questions; hearing none, he called for a motion.

On MOTION made by Ms. Pauline Tasler, seconded by Mr. Michael Fisher, and with all in favor, the Audited Financial Statements for the Fiscal Year ended September 30, 2021, were accepted for purposes of inclusion in the record.

SIXTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic: You might remember a couple of years ago a bunch of CDDs went through lawsuits and claims regarding the accessibility of their websites. A couple of weeks ago the Department of Justice came out and basically gave affirmation that government websites were subject to ADA, but they didn't provide specific regulations. They just provided some guidance standards for ADA compatible websites. I'm just letting you know that that's out there. My recommendation is to have the web consultants take a look at what the Department of Justice has put out. We are probably already consistent with it, but it's good to just double check. The other item is a bill that was passed by legislature, and it amends the advertising requirements. The legislature had butchered it the year prior, so they came back and tried to redo it a bit and create a different method for us to provide public notices. It didn't go as far as I think everyone would like. The newspaper lobby is still pretty heavy. But they created a concept of publicly accessible websites where we could post our notices to. I don't know if this will ever get legs, but basically it gave the availability of a concept where Manatee County could create a publicly accessible website, and there is no real guidance in the statute as to how this is done, but the County could create a publicly accessible website for all governments and districts within the County to publish their notices and hopefully that might be a more cost effective way to do it. Whether that happens or not I don't know. It certainly would be in everybody's interest to get the County to do that. Hopefully there will be some relief from advertising costs going forward. He discussed the expenses incurred by advertising requirements.

II. District Engineer

No report.

III. District Manager

- a) General Election announcement (Supervisor Seats 1, 3, and 5)
- b) Financial Statement for period ending January 31, 2022 (unaudited)
- c) Financial Statement for period ending February 28, 2022 (unaudited)

Mr. Ward: There is a requirement in the Statute that we announce your general election on June 15 of each year, so since we will not have a meeting, Seats 1, 3 and 5 will be up for election this

coming November which are Ms. Lyons, Mr. Wisz, and Ms. Buckley's Seats. We will announce now that you will have your general election, so I will keep you more up to speed as we go through this process.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any audience members present in person, on audio or video, with questions or comments; there were none.


EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 1:50 p.m.

On MOTION made by Ms. Nancy Lyons, seconded by Mr. Michael Fisher, and with all in favor, the Meeting was adjourned.


James P. Ward, Secretary

Heritage Harbour North
Community Development District

Nancy Lyons, Chairperson