

**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, May 2, 2024, at 1:00 P.M. at the River Strand Golf and Country Clubhouse, 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

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. James P. Ward called the meeting to order at approximately 1:10 p.m. He called roll and all Members of the Board were present constituting a quorum.

SECOND ORDER OF BUSINESS

Notice of Advertisement

Notice of Advertisement of Public Hearing

THIRD ORDER OF BUSINESS

Consideration of Minutes

February 1, 2024, Regular Meeting Minutes

Mr. Ward asked if there were any additions, corrections, or deletions to the Minutes.

A couple of corrections were made.

On MOTION made by Michael Fisher, seconded by Louise Buckley, and with all in favor, the February 1, 2024, Regular Meeting Minutes were approved as corrected.

Ms. Lyons indicated she met with four HOA Board members on February 15, 2024 to explain the CDD never said it could sell River Strand property to the HOA; the CDD could not sell property to a non-governmental agency. She stated she provided the HOA Board members with the contact information for the CDD's engineers.

FOURTH ORDER OF BUSINESS

Public Hearing

PUBLIC HEARINGS – FISCAL YEAR 2025 BUDGET AND SPECIAL ASSESSMENTS

Mr. Ward explained the Public Hearing process noting there were two public hearings, the first related to the Budget itself.

a) FISCAL YEAR 2025 BUDGET

I. Public Comment and Testimony

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

On MOTION made by Louise Buckley, seconded by Michael Fisher, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present via audio or video with any comments or questions with respect to the Fiscal Year 2025 Budget; there were none. He noted there were no members of the public present in person. He called for a motion to close the Public Hearing.

Ms. Lyons asked where this public hearing was advertised.

Mr. Ward responded the public hearing was advertised in the Bradenton Herald Tribune.

On MOTION made by John Wisz, seconded by 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 or comments from the Board. He noted the assessment rate went down to \$60.33 per unit this year, a little lower than last year, and debt service assessments remained the same.

III. Consideration of Resolution 2024-4, a resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2025

Mr. Ward called for a motion to approve the budget beginning October 1, 2024 and ending on September 30, 2025.

On MOTION made by Louise Buckley, seconded by Nancy Lyons, and with all in favor, Resolution 2024-4 was adopted, and the Chair was authorized to sign.

b) FISCAL YEAR 2025 IMPOSING SPECIAL ASSESSMENTS; ADOPTING THE 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 for the general fund, it certified the assessment roll and approved the general fund assessment methodology related to the Fiscal Year 2025 budget.

I. Public Comment and Testimony

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

On MOTION made by Michael Fisher, seconded by John Wisz, and with all in favor, the Public Hearing was opened.

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

On MOTION made by Nancy Lyons, seconded by Louise Buckley, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward explained this Resolution imposed the special assessments which were \$60.33, certified the assessment roll enabling the assessments to be included on the tax bills, and approved the special assessment methodology which indicated each lot paid the same rate irrespective of the size of the unit. He asked if there were any questions or comments from the Board.

Mr. Fisher asked for confirmation that the assessment rate was going down for Fiscal Year 2025.

Mr. Ward confirmed this was the case. He explained the budget last year was \$126,308 dollars; this was reduced to \$113,379 dollars for Fiscal Year 2025. He explained there were some cost savings due to the operating reserve last year being utilized.

III. Consideration of Resolution 2025-5, a resolution of the Board of Supervisors imposing special assessments, adopting an assessment roll, and approving the General Fund Special Assessment Methodology

Mr. Ward called for a motion.

On MOTION made by Michael Fisher, seconded by Louise Buckley, and with all in favor, Resolution 2024-5 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-6

Consideration of Resolution 2024-6, a resolution of the Board of Supervisors designating dates, time, and location for regular meeting of the Board of Supervisor’s for Fiscal Year 2025

Mr. Ward indicated this Resolution set the dates, time, and location of Board Meetings, but did not bind the Board to these dates, time, and location. He stated the meeting dates were basically the same as the current year, which was the first Thursday of each month at 1:00 p.m. at the River Strand Golf and Country Club. He noted the meeting on January 2 and July 3 would not be held. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by John Wisz, seconded by Nancy Lyons, and with all in favor, Resolution 2024-6 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-7

Consideration of Resolution 2024-7, a Resolution of the Board of Supervisors Approving the assignment of the Engineering Services Agreement from Banks Engineering to Atwell, LLC; Authorizing the Chairperson to execute the Assignment; Providing general authorization; and addressing conflicts, severability, and an effective date

Mr. Ward: The engineering company we have had for this District since its inception is Banks Engineering. The firm Atwell, LLC has recently acquired Banks Engineering. All we are really doing is assigning the existing Banks Engineering contract to Atwell, LLC, under the same terms and conditions. The people are not changing, it's just the name on the wall is just Atwell, LLC. We call these continuing contracts; they continue on unless you otherwise terminate them. It does not bind us to the use of them. We can always hire someone else for special jobs. This just gives us a regular engineering company, which is required under the statute.

Ms. Lyons: Do we have the agreement itself? We have the Banks Engineering agreement, and then we have the assignment. So, that's all we need because there's no new one?

Mr. Ward: Yes. No new agreement. Once they sign the reassignment and we sign it, the certificates of insurance will be sent to us.

On MOTION made by Nancy Lyons, seconded by Michael Fisher, and with all in favor, Resolution 2024-7 was adopted, and the Chair was authorized to sign.

SEVENTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

a) New performance reporting requirements for CDD's

Mr. Ward: There is only one piece of legislation that's come out this year that affects Community Development Districts. It's an amendment of Chapter 189 of the statute which carries a lot of the reporting requirements in the statute, not only for CDDs but also for all kinds of special districts. He discussed the legislation which affected the CDD by requiring the CDD to set goals, objectives, and performance measures which the CDD was then required to report on at the end of the Fiscal Year. He explained the report was required to be posted on the CDD's website but was not required to be sent to any other entity. He noted he and Mr. Greg Urbancic would create a simple system for measuring goals and objectives and this would be presented to the Board for adoption. He noted he felt this would be a very simple process.

Ms. Lyons asked if anything else applied to the CDD in the legislation.

Mr. Ward responded in the negative. He explained it was a very long document and only one paragraph applied to the CDD for which he was very thankful.

II. District Engineer

No report.

III. District Manager

a) Florida Law changes to Form 1 Filings

b) Important Board Meeting Reminders for Fiscal Year 2024 Meetings

1) June 10 – June 14, 2024 – Candidate Qualifying period (Seats 2&4)

c) Supervisor of Elections Qualified Elector Report dated April 15, 2024

d) Financial Statement for period ending January 31, 2024 (unaudited)

e) Financial Statement for period ending February 29, 2024 (unaudited)

f) Financial Statement for period ending March 31, 2024 (unaudited)

Mr. Ward reminded the Board to file the Form 1 by July 1, 2024. He explained the Form 1 was now required to be filed online, but this was a simple process. He explained the process of filing Form 1. He noted this year's Form 1 was the 2023 Form 1 and the Board would not be required to check the box indicating completion of the ethics training; however, next year, when filing the 2024 Form 1, this box would need to be checked. He discussed the automatically charged late filing fee at \$25 dollars per day after September 1, which maxed out at \$1,500 dollars. He stated he would send an email with instructions on how to file the Form 1 after the meeting.

Mr. Ward discussed the ethics training requirement due by the end of this calendar year. He noted he would send an email with three links to access free training sessions to fulfill this requirement. He noted one session was a 2 hour ethics training session, one was a 1 hour Sunshine Law session, and one was a 1 hour public records session. He explained this was a self-reporting requirement, meaning the Board Members did not have to file any forms, no certificates of completion were needed. He encouraged the Board to finish the ethics training sooner rather than later.

Ms. Tasler noted she saw a charge of \$35 dollars to complete the training.

Mr. Ward explained there were training sessions being offered by entities for fees; however, this was not necessary, the free sessions would suffice.

Mr. Fisher indicated the attorney for CDD Heritage Harbor South informed the Board it did not need to do the ethics training.

Mr. Ward noted Mr. Urbancic just joined the meeting and could comment as well. He stated the attorney for Heritage Harbor South CDD was wrong. He stated the ethics training must be completed. He noted perhaps the HHS CDD attorney meant the ethics training did not need to be completed for the 2023 Form 1. He stated the ethics training was required for the 2024 Form 1 which would be filed by July 1, 2025.

Mr. Urbancic agreed 100 percent.

Discussion ensued regarding the 2023 Form 1.

Mr. Ward invited the Board to call him with any questions while filing the 2023 Form 1.

Mr. Ward indicated Statute required the Supervisor of Elections to report the number of registered voters within the District as of April 15th of each year. He indicated the number of registered voters was 2,048. He explained the HHN CDD Board transitioned to a fully qualified elector board a number of years ago, so there was no action required of the Board, but Statute still required this number to be reported annually. He noted Mike Fisher and Pauline Tasler's seats were up for election this year. He noted the qualifying period was June 10 through June 14. He indicated he would send an email soon with all of the information regarding qualifying for the election.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

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

NINTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 1:35 p.m.

On MOTION made by Michael Fisher, seconded by Louise Buckley, and with all in favor, the Meeting was adjourned.

Heritage Harbour North
Community Development District

James P. Ward, Secretary

Nancy Lyons, Chairperson

