

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

The Regular Meeting of the Heritage Harbour North Community Development District's Board of Supervisors was held on Thursday, September 1, 2016, at 2:00 p.m., at the River Strand Golf and Country Club (Clubhouse), 7155 Grand Estuary Trail, Bradenton, Florida 34212.

Present and constituting a quorum were:

Terrence Kirschner	Chairperson
William Riley	Vice Chairperson
John Wisz	Assistant Secretary
Nancy Lyons	Assistant Secretary

Absent was:

David Negip	Assistant Secretary
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Also present were:

James P. Ward	District Manager
Shane Cooper	District Engineer
Greg Urbancic	District Counsel

Others present were:

Residents

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 2:00 p.m., and roll call determined that all members of the Board were present with the exception of David Negip.

Mr. Ward addressed the audience with information concerning the agenda and the making of comments for items on the agenda. He stated that after completion of the agenda items, the audience could comment or bring up issues not on the agenda.

2. Consideration of the Minutes

a) April 7, 2016 – Regular Meeting

Mr. Ward asked if there were any additions, corrections, or deletions to the minutes. There being none, he asked for a motion.

Motion was made by Ms. Lyons and seconded by Mr. Wisz, to approve the April 7, 2016 minutes, and with all in favor, the motion was approved.

3. Public Hearings

a. Fiscal Year 2017 Budget

Motion was made by Mr. Riley and seconded by Ms. Lyons to open the Public Hearing, and with all in favor, the motion was approved.

i. Public Comment and Testimony

Mr. Ward stated that no written or oral communications had been received regarding the 2017 budget. Mr. Ward asked the audience for questions on the proposed Operating or Debt Services Fund Budget. He had not planned to make a presentation, but Mr. Ward offered to do so if requested. One member asked if the budget was posted somewhere, and Mr. Ward stated that the budget was posted on the District website and has been since April.

Motion was made by Mr. Riley and seconded by Mr. Kirschner to close the Public Hearing as described above, and with all in favor, the motion was approved.

ii. Board Comment and Consideration

No questions or comments from the Board.

iii. Consideration of Resolution 2016-2 relating to the annual appropriation and adopting the Budget for Fiscal Year 2017.

Motion was made by Mr. Kirschner and seconded by Mr. Riley to approve Resolution 2016-2 as described above, and with all in favor, the motion was approved.

b. Fiscal Year 2017 Imposing Special Assessments; Adopting an Assessment Roll and Approving the General Fund Special Assessment Methodology

Motion was made by Mr. Riley and seconded by Mr. Wisz to open the Public Hearing, and with all in favor, the motion was approved.

i. Public Comment and Testimony

Mr. Ward provided some general information regarding how the district levies the assessment only for the General Operations of the district, explaining that the Debt Service assessments are set in place and have been for a number of years based on, essentially, lot size and where an individual lives. He stated that the General Assessment is an equal assessment across all lots regardless of ownership, and is approximately \$64 per unit per year for Fiscal Year 2017. He said that it has remained low for the last few years.

Questions from the public were requested. A question was asked if the amount would decrease as more properties are added. The answer was no because Lennar already pays on undeveloped property as if it were a built unit; properties not in the CDD boundaries do not pay a CDD assessment.

Motion was made by Mr. Kirschner and seconded by Mr. Riley to close the Public Hearing, and with all in favor, the motion was approved.

ii. Board Comment and Consideration

No discussion by the Board.

iii. Consideration of Resolution 2016-3

Motion was made by Mr. Kirschner and seconded by Mr. Wisz to approve Resolution 2016-3 as described above, and with all in favor, the motion was approved.

4. Consideration of Resolution 2016-4 designating the dates, time and location for regular meetings of the Board of Supervisors of the District

Mr. Ward informed the Board that the law requires regular meeting times, dates and locations to be set. He stated that for Heritage Harbor North they are scheduled for the first Thursday of every month for Fiscal Year 2017, which covers the period October 1, 2016 through September 30, 2017, and will be held at 2:00 p.m. at the River Strand Golf and Country Club (Clubhouse), 7155 Grand Estuary Trail, Bradenton, Florida 34212. He explained that the Board does not meet every month, and the agendas for all meetings will be posted on the district website.

Motion was made by Mr. Riley and seconded by Ms. Lyons to adopt Resolution 2016-4, and with all in favor, the motion was approved.

5. Staff Reports

- a) **Attorney** – Mr. Urbancic, speaking on a cell phone, reported that there is a new law regarding public records, which says if someone is hired that is going to work on behalf of the district, the district must make sure the contracts have a certain statutory disclosure.

He reported that for members running unopposed in the election, the Attorney General has stated that those members are not subject to the Sunshine Law until the actual election date. Mr. Ward explained that the Sunshine Law precludes elected public officials from talking to each other outside of an open notice public meeting about a matter which may foreseeably appear before the Board. He stated that the official may not use a member of their staff nor a member of the public to communicate to another member on a matter which may appear before the Board. After the date of the election, which is November 8, these members will not be able to discuss with each other matters pertaining to the Board. The only discussion allowed is at the Board meetings. If there are questions concerning issues to be brought to the Board, members may call Mr. Ward or Mr. Urbancic.

Mr. Ward further stated that violations of the Sunshine Law are considered ethics violations under the statute. He explained that the directors' and officers' liability policies that are carried for Board members do not apply in the event of a violation of an ethics law because it assumes the member is acting outside of spoken authority. He stated that the member would have to defend himself personally in an ethics violation.

- b) **Engineer** – No report.
- c) **Manager** - Mr. Ward had nothing further to report.

7. Supervisor's Requests and Audience Comments

Nancy Lyons commented on legal notices that were posted that have upset some people in the community. She stated that the notices speak of increases in charges for the residents. Ms. Lyons asked if something could be added to these notices to waylay concerns, possibly projecting a cap on the amount of the increase. Mr. Ward responded that some language could be added with respect to what the current rate is for operations and maintenance, what the proposed rate is going to be, and what the cap rate is, but that, legally, nothing can be put in the notices with regard to the Debt Services. Mr. Ward noted that he would upgrade that language for next year.

An audience member requested clarification on what was encompassed in the north CDD. His understanding was that it was 1800 + or – 3 units. Mr. Ward stated that there are 1800 units within the River Strand area, and that Stoneybrook is a separate community and not related to this whatsoever. He stated that there is a third CDD, Heritage Harbour Marketplace, which is the commercial area on the east side that is also not related to Heritage Harbour North, and there is also a Heritage Harbour South.

Another audience member asked if a CDD fee is a 30 year bond, and if some people pay this fee in total. Mr. Ward said that is correct. The member asked how that affects the rest of the owners. Mr. Ward responded that it does not affect them. He explained that there is a fixed amount of debt on a lot, and owners pay an annual assessment that remains relatively consistent for the term of the bond.

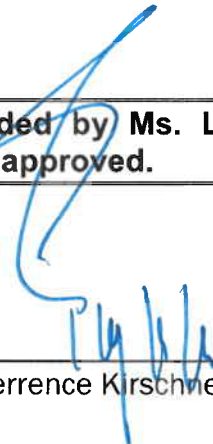
8. Adjournment

Motion was made by Mr. Wisz and seconded by Ms. Lyons to adjourn the meeting, and with all in favor, the motion was approved.

The meeting was adjourned at 2:20 p.m.



James P. Ward Secretary



Terrence Kirschner, Chairman