

**MINUTES OF MEETING**

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**HERITAGE PLANTATION  
COMMUNITY DEVELOPMENT DISTRICT**

A special meeting of the Board of Supervisors of the Heritage Plantation Community Development District was held on Thursday, February 18, 2016 at 5:08 p.m. (CDT) at the office of Carr Riggs & Ingram, 4502 Highway 20 East, Suite A, Niceville, FL 32578.

Present and constituting a quorum:

Dale "Chip" Jones	<b>Board Supervisor, Chairman</b>
David Jae	<b>Board Supervisor, Vice Chairman</b>
Michael Radford	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Chris Cleveland	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Matthew Huber	<b>District Manager, Rizzetta &amp; Company, Inc. (via phone)</b>
Michael Eckert	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Clark Gates	<b>Hopping Green &amp; Sams, P.A.</b>
Jason Osborn	<b>Osborn Group, LLC</b>
Steve Riggs	<b>Representative, Homeowners Association</b>
Brian Clapp	
Michael Riggle	
Ryan Phillips	
Rupert Phillips	
Joe Dobson	

Audience

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Cleveland called the meeting to order and read roll call.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were no audience comments.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the Board of Supervisors' Meeting held on December 2, 2015**

On a Motion by Mr. Jones, seconded by Mr. Jae, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisors' Meeting held on December 2, 2015, for the Heritage Plantation Community Development District.

**FOURTH ORDER OF BUSINESS**

**Ratification of Operation and Maintenance Expenditures for the Months of October 2014 – January 2015, November 2015**

On a Motion by Mr. Jones, seconded by Mr. Jae, with all in favor, the Board of Supervisors ratified the operation and maintenance expenditures for the months of October 2014 (\$1,465.68), November 2014 (\$239.16), December 2014 (\$1,074.71), January 2015 (\$708.66) and November 2015 (\$0) for the Heritage Plantation Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Board Member Resignation**

Mr. Jones presented a resignation letter from Adam Lerner to the Board.

On a Motion by Mr. Jones, seconded by Mr. Radford, with all in favor, the Board of Supervisors accepted the resignation of Adam Lerner for the Heritage Plantation Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Board Member Replacement and Oath of Office**

Mr. Eckert explained that the only requirements for an appointee are that they are a resident of Florida, a citizen of the United States and at least 18 years of age. Brian Clapp was nominated for the Board of Supervisors.

On a Motion by Mr. Jae, seconded by Mr. Jones, with all in favor, the Board of Supervisors appointed Brian Clapp to the Board of Supervisors for the Heritage Plantation Community Development District.

Mr. Cleveland administered the oath of office to Mr. Clapp who swore to and affirmed the oath.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Board Member  
Resignation**

Mr. Eckert presented a resignation letter from David Jae to the Board.

On a Motion by Mr. Radford, seconded by Mr. Jones, with all in favor, the Board of Supervisors accepted the resignation of David Jae for the Heritage Plantation Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Board Member  
Replacement and Oath of Office**

Michael Riggle was nominated for the Board of Supervisors.

On a Motion by Mr. Radford, seconded by Mr. Jones, with all in favor, the Board of Supervisors appointed Michael Riggle to the Board of Supervisors for the Heritage Plantation Community Development District.

Mr. Cleveland administered the oath of office to Mr. Riggle who swore to and affirmed the oath.

**NINTH ORDER OF BUSINESS**

**Consideration of Board Member  
Resignation**

Mr. Eckert presented a resignation letter from Chip Jones to the Board.

On a Motion by Mr. Clapp, seconded by Mr. Radford, with all in favor, the Board of Supervisors accepted the resignation of Chip Jones for the Heritage Plantation Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Board Member  
Replacement and Oath of Office**

Ryan Phillips was nominated for the Board of Supervisors.

On a Motion by Mr. Clapp, seconded by Mr. Radford, with all in favor, the Board of Supervisors appointed Ryan Phillips to the Board of Supervisors for the Heritage Plantation Community Development District.

Mr. Cleveland administered the oath of office to Mr. Phillips who swore to and affirmed the oath.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-03,  
Redesignating Officers**

Mr. Gates reviewed the Sunshine Law and Supervisor Notebooks for the newly appointed Board Supervisors and presented Resolution 2016-03 for their consideration.

On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors adopted Resolution 2016-03, designating Brian Clapp as Chairman, Michael Riggle as Vice Chairman, Ryan Phillips, Michael Radford, Glenn Gillyard and Chris Cleveland as Assistant Secretaries for the Heritage Plantation Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Discussion of Future Meeting Schedule**

Mr. Eckert discussed a future meeting schedule and inquired of the Board's availability for a March meeting. The Board decided to hold their next meeting on March 15, 2016 at 9:00 a.m. (CST).

**THIRTEENTH ORDER OF BUSINESS**

**Update on Bankruptcy Case of Majority Landowner**

Mr. Eckert stated that the Bankruptcy Plan was approved. The District received the funding that was required per the plan and has paid the outstanding invoices with the exception of the one that has been disputed. He stated that at this point, the District is implementing the provisions of the Bankruptcy Plan and helping to facilitate the restructuring of the property and the bond debt.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Budget Funding Agreement**

Mr. Eckert stated that as part of the Bankruptcy Plan, the O&M expenses were to be brought current (which has occurred) and that for the remainder of the 2015-2016 fiscal year, the District would enter into a budget funding agreement with the new Developer or Landowner. He noted that a form of this funding agreement was included in the agenda and asked that the Board take formal action to approve the agreement in substantial form and authorize the Chairman to execute the final version once it has been reviewed by the Developer. The final version of the budget funding agreement will then be presented to the Board for ratification at the next meeting.

On a Motion by Mr. Clapp, seconded by Mr. Radford, with all in favor, the Board of Supervisors approved the Budget Funding Agreement in substantial form and authorized the Chairman to execute the final version for the Heritage Plantation Community Development District.

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-04,  
Relating to Past O&M Assessments**

Mr. Eckert provided background information relating to the past O&M assessments, noting that the amount of the O&M assessment liens has been reduced to the amount of the payables, which deemed them satisfied by the actual payment that was made to the District.

On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors adopted Resolution 2016-04, relating to past O&M assessments for the Heritage Plantation Community Development District.

**SIXTEENTH ORDER OF BUSINESS**

**Discussion of Correspondence Received from  
Attorney James Painter Regarding Assessment  
Claims, LLC and Potential Settlement**

Mr. Eckert explained that there was a point in time that the District did not have the necessary funds to operate and therefore issued promissory notes to Assessment Claims, LLC. Mr. Painter believed that his client was owed a total \$51,512.50. Mr. Eckert stated that he has spent some time trying to convince Mr. Painter that the amount of funds being requested is inaccurate. After reviewing the numbers, the Settlement Agreement and Release included in the agenda states that should Assessment Claims, LLC be successful in a collection action against the District, the District would owe \$25,450.20 provided that the payment is tendered by the District Manager by February 20<sup>th</sup> (\$5.01 of interest will be applied every day thereafter).

On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors approved the Settlement Agreement and Release with Assessment Claims, LLC and authorized the Chairman to execute the document and directed the District Manager to issue the payment as soon as possible for the Heritage Plantation Community Development District.

**SEVENTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-05,  
Decelerating Special Assessments and  
Directing Staff to Take Certain Actions  
Relating to Foreclosure Judgment**

Mr. Eckert explained that part of the Bankruptcy Plan contemplated that the debt assessments on the property that was involved in the foreclosure would be decelerated. He stated that when the property was foreclosed on, the debt assessments were accelerated to the full amount that was to be paid over the next 20 plus years. It was put into a lump sum and the District received a foreclosure judgment based on that. This resolution states that the District will now go back to the court, try to vacate the foreclosure judgment, try to dismiss the foreclosure case and restore the assessments on an installment basis for the life of the bonds.

On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors adopted Resolution 2016-05, Decelerating Special Assessments and Directing Staff to Take Certain Actions Relating to Foreclosure Judgment for the Heritage Plantation Community Development District.

**EIGHTEENTH ORDER OF BUSINESS**

**Discussion of Steps Necessary to Bifurcate Existing Bonds**

Mr. Eckert stated that there was nothing to report at this time and that no formal Board action was needed.

**NINETEENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
No report.
- B. District Manager
  - 1. Discussion of Resident Correspondence and Request for Reimbursement (Mr. Smith)

It was noted that the next meeting would be held on March 15, 2016 at 9:00 a.m. (CDT) at the office of Carr Riggs & Ingram.

The resident correspondence and request for reimbursement was deferred until the next meeting as Mr. Smith was not in attendance and the new Board members have not seen his request.

**TWENTIETH ORDER OF BUSINESS**

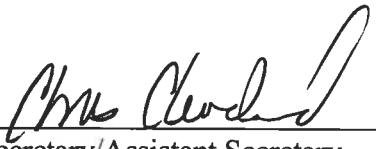
**Supervisor Requests**

Mr. Clapp requested clarification on which areas Mr. Smith is claiming to have landscaped and/or maintained for a better understanding of his request.

**TWENTY-FIRST ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors adjourned the meeting at 5:49 p.m. CDT, for the Heritage Plantation Community Development District.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman