

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 regular meeting of the Board of Supervisors of the Heritage Plantation Community Development District was held on **Thursday, May 12, 2016 at 10:00 a.m. (CDT)** at the office of Carr Riggs & Ingram, 4502 Highway 20 East, Suite A, Niceville, FL 32578.

Present and constituting a quorum:

Brian Clapp	Board Supervisor, Chairman
Michael Riggle	Board Supervisor, Vice Chairman
Kenneth Spivey	Board Supervisor, Associate Secretary
Michael Radford	Board Supervisor, Associate Secretary
Glenn Gillyard	Board Supervisor, Associate Secretary

Also present were:

Chris Cleveland	District Manager, Rizzetta & Company, Inc.
Pete Williams	Vice President, Rizzetta & Company (via speaker phone)
Michael Eckert	District Counsel, Hopping Green & Sams PA
Nancy Shue	
Mr. and Mrs. Don Timpson	

Audience

FIRST ORDER OF BUSINESS

Call to Order

Mr. Cleveland called the meeting to order at 10:02 a.m. and conducted roll call confirming a quorum for the meeting.

SECOND ORDER OF BUSINESS

Audience Comments

There were no audience comments.

THIRD ORDER OF BUSINESS

**Consideration of Board Supervisor
Resignation.**

Mr. Cleveland presented the resignation of Board Supervisor, Ryan Phillips, 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 Board Supervisor, Ryan Phillips, for the Heritage Plantation Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Supervisor Replacement

Mr. Clapp made a motion to appoint Mr. Kenneth Spivey to the Board of Supervisors, and Mr. Riggle seconded the motion.

On a Motion by Mr. Clapp seconded by Mr. Riggle, with all in favor, the Board of Supervisors approved the appointment of Kenneth Spivey to the Board of Supervisors for the Heritage Plantation Community Development District.

FIFTH ORDER OF BUSINESS

Administration of Oath of Office

Mr. Cleveland administered the Oath of Office to the new Board member, Kenneth Spivey.

SIXTH ORDER OF BUSINESS

**Review of Form 1 and Ethics Law
Requirements**

Michael Eckert reviewed Form 1 and explained the Ethics, Sunshine Law, and public records as applicable to the new Supervisor, Mr. Spivey.

SEVENTH ORDER OF BUSINESS

**Consideration of Minutes of the Board of
Supervisors' Special Meeting Held on
February 18, 2016**

Mr. Cleveland presented the Minutes of the Board of Supervisors Special Meeting that was held on February 18, 2016 for approval.

On a Motion by Mr. Gillyard, seconded by Mr. Radford, with all in favor, the Board of Supervisors approved the Minutes from the February 18, 2016 Board of Supervisors' Meeting for the Heritage Plantation Community Development District.

EIGHTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures for the
Months of January 2016 - March 2016**

Mr. Cleveland presented the Operation and Maintenance Expenditures for the months of January 2016 – March 2016 to the Board for ratification. Mr. Eckert explained the expenses have already been paid, as well as expenses that were accrued due to the foreclosure and bankruptcy. Discussion ensued about the approval process of Maintenance Expenditures.

On a Motion by Mr. Spivey, seconded by Mr. Gillyard, with all in favor, the Board of Supervisors ratified the Operation and Maintenance Expenditures for January 2016 (\$328,259.00), February 2016 (\$53,712.37), and March 2016 (\$1,891.67) for the Heritage Plantation Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Board Member
Compensation**

Chris Cleveland opened a discussion on compensation of board members. Ken Spivey, Brian Clapp, and Michael Riggle will receive compensation. Glenn Gillyard and Michael Radford waived the compensation.

TENTH ORDER OF BUSINESS

**Continued Discussion and Consideration
of Resolution 2016-06, Revising FY
2015/2016 Meeting Schedule**

Mr. Cleveland presented Resolution 2016-06, Revising the Fiscal Year 2015/2016 Meeting Schedule to the Board for adoption.

It was agreed that the next regular meetings will be monthly on the second Thursday of the month through September 2016. The next meeting will be **Thursday, June 9, 2016 at 10:00 a.m. Central Time at the office of Carr, Riggs & Ingram, 4502 Highway 20 East, Suite A, Niceville, FL 32578.**

On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors adopted Resolution 2016-06, revising the Fiscal Year 2015/2016 meeting schedule for the Heritage Plantation Community Development District.

TWELFTH ORDER OF BUSINESS

**Ratification of Fiscal Year 2015/2016
Budget Funding Agreement**

Mr. Eckert discussed the Board approval at the last meeting. Subject to review by the developer, District Staff has not heard back from the developer. This creates a lien if O& M expenses are not paid. Developer needs to sign off because assessments are cancelled for the rest of the year. Authority to allow the Chairman to sign off on the Budget Funding Agreement.

On a Motion by Mr. Radford, seconded by Mr. Gillyard, with all in favor, the Board of Supervisors ratified FY 2015/2016 Budget Funding Agreement for the Heritage Plantation Community Development District.

THIRTEENTH ORDER OF BUSINESS

**Discussion of Matters Related to Bond
Bifurcation**

Mr. Eckert discussed this agenda item but no action was required or taken at this time

FOURTEENTH ORDER OF BUSINESS

**Presentation of Fiscal Year 2016/2017
Proposed Budget**

Mr. Williams presented the Fiscal Year 2016/2017 to the Board for approval. Discussion ensued regarding several of the line items. The board also discussed using the 2008 original budget for the anticipated cost to maintain the infrastructure.

FIFTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2016-07
Approving Fiscal Year 2016/2017
Proposed Budget and Setting Public
Hearing on Final Budget.**

Mr. Cleveland presented Resolution 2016-07, approving the Fiscal Year 2016/2017 Proposed Budget and Setting the Public Hearing on the Final Budget for approval.

On a Motion by Mr. Riggle, seconded by Mr. Spivey, with all in favor, the Board of Supervisors adopted Resolution 2016-07, approving the Fiscal Year 2016/2017 Proposed Budget and Setting the Public Hearing on the Final Budget for **August 11, 2016 at 10:00 a.m. Central Time at the office of Carr, Riggs & Ingram, 4502 Highway 20 East, Suite A, Niceville, FL 32578** for the Heritage Plantation Community Development District.

SIXTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2016-08,
Setting a Date for a Public Hearing to
Adopt Rules of Procedure**

Mr. Cleveland presented Resolution 2016-08, setting a date for a Public Hearing to adopt Rules of Procedure for Heritage Plantation CDD. Mr. Eckert discussed the revised rules from 2008 and updated rules from 2012/13.

On a Motion by Mr. Riggle, seconded by Mr. Clapp, with all in favor, the Board of Supervisors adopted Resolution 2016-08, Setting the date Public Hearing to adopt Rules of Procedure for **August 11, 2016 at 10:00 a.m. at the office of Carr, Riggs & Ingram, 4502 Highway 20 East, Suite A, Niceville, FL 32578** for the Heritage Plantation Community Development District.

SEVENTEENTH ORDER OF BUSINESS

**Review of Public Notices on Public
Hearing to Adopt Rules of Procedure**

Mr. Cleveland presented for review the Public Notices on Public Hearing to Adopt Rules of Procedure to the Board.

EIGHTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2016-09,
Revising the District's Policy and
Procedure for Public Comment**

Michael Eckert discussed a new statute regarding the Public's right to speak at meetings, with guidelines for no more than a 3-minute time limit.

On a Motion by Mr. Radford, seconded by Ken Spivey, with all in favor, the Board of Supervisors adopted Resolution 2016-09, revising the District's Policy and Procedure for Public Comment for the Heritage Plantation Community Development District.

NINETEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Michael Eckert discussed that all contracts with service providers after July 1st have to include bold-face, 14-point type, stating who is the district records custodian. There is an eight-day waiting period so that the contractor can comply with Public Records requests. Additionally, certain Web Site documents must be kept posted on the website for a year, and staff is working with the Developer on the O& M, budget restructure, bonds and assessments.

B. District Engineer

The District Engineer was not present.

C. District Manager

Mr. Cleveland continued the discussion from the May 12 meeting regarding resident correspondence and a request by an owner, Mr. Smith, for mowing reimbursement. The counsel recommends the District not provide compensation to Mr. Smith out of assessment revenues paid by others. Discussion ensued with Supervisors to have counsel discuss issue with the developer.

TWENTIETH ORDER OF BUSINESS

Presentation of the Number of Registered Voters as of April 15, 2016

Mr. Cleveland presented the number of registered voters to the Board. The number of registered voters for Heritage Plantation as of April 15, 2016 is seven.

TWENTY-FIRST ORDER OF BUSINESS

Consideration of Arbitrage Engagement Letter for Period September 1, 2009 through August 31, 2015 for LLS Tax Solutions, Inc.

Mr. Williams presented the Arbitrage Engagement Letter for September 1, 2009 through August 31, 2015 for LLS Tax Solutions, Inc. to the Board for approval of \$3500.

On a Motion by Mr. Radford, seconded by Mr. Riggle, with all in favor, the Board of Supervisors approved the Arbitrage Engagement Letter for Period September 1, 2009 through August 31, 2015 for LLS Tax Solutions, Inc. for the Heritage Plantation Community Development District.

TWENTY-SECOND ORDER OF BUSINESS

Appointment of an Audit Committee

A discussion ensued regarding the prior 2012/2013 audit that ended September 30 2013. Audits for the following years were not performed, because the 2012/2013 audit was not paid for work completed. Audits for 2013/2014, 2014/2015 and 2015/2016 will be done at the end of this Fiscal Year. Board will need to appoint an audit committee. Board will appoint themselves as the audit committee.

On a Motion by Mr. Riggle, seconded by Mr. Clapp, with all in favor, the Board of Supervisors approved the Board as the Audit Committee for the Heritage Plantation Community Development District.

TWENTY-THIRD ORDER OF BUSINESS

Set Date for Audit Committee Meeting


On a Motion by Mr. Clapp, seconded by Mr. Riggle, with all in favor, the Board of Supervisors set the Audit Committee Meeting for **August 11, 2016 at 10:00 a.m. Central Time at the office of Carr, Riggs & Ingram, 4502 Highway 20 East, Suite A, Niceville, FL 32578** for the Heritage Plantation Community Development District.

TWENTY-FOURTH ORDER OF BUSINESS Supervisor Requests

Kenneth Spivey requested a printed copy of the Budget.

TWENTY-FIFTH 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 10:59 a.m. CDT, for the Heritage Plantation Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman