

**MINUTES OF MEETING
HUNTER’S RIDGE
COMMUNITY DEVELOPMENT DISTRICT NO. 1**

The Board of Supervisors of the Hunter’s Ridge Community Development District No. 1 held Public Hearings and a Regular Meeting on August 27, 2024 at 10:00 a.m., at the Flagler County Government Services Building, 1769 E. Moody Blvd., Building 2, Bunnell, Florida 32110.

Present were:

John Dockery, Jr.	Chair
Carolyn Herbert	Vice Chair
Howard Lefkowitz (via telephone)	Assistant Secretary
John Ford	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC
Antonio Shaw	Wrathell, Hunt and Associates, LLC
Mark Watts (via telephone)	District Counsel
Randy Hudak (via telephone)	District Engineer
Mike Fisher	Resident/HOA President

Residents present:

Stuart Mirsky Carol Hodak Wilbur Rourk Elmer Riggins Peter Marchenko

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:02 a.m. Supervisors Herbert, Dockery and Ford were present. The Oath of Office was administered to Supervisor Ford prior to the meeting. Supervisor Lefkowitz attended via telephone. Supervisor Weston was not present.

SECOND ORDER OF BUSINESS

Public Comments

Ms. Sanchez explained the protocols for public comments, which are heard at the beginning and the end of the meeting.

***Disclaimer:** These summary minutes are intended to highlight the topics discussed, items being considered and actions taken.*

Resident and HOA President Mike Fisher asked for a list of what the CDD is responsible for so he can correlate it with what homeowners are paying.

Resident Wilbur Rourk referred to the reserves and stated, if the reserves are only for roads, he thinks the CDD should wait to assess homeowners, since the roads have a 30-year lifespan.

Resident Stuart Mirsky voiced concern about the condition of Airport Road, insufficient lighting, speeding and debris.

Resident Peter Marchenko asked why his neighborhood assessments are increasing when they do not have a lift station. If the increase is due to the sewer, he thinks the new homes should be contributing to the CDD.

Ms. Cerbone stated the CDD issued municipal bonds to fund CDD improvements and assets. The role of the CDD is to ensure that the CDD improvements are maintained. The CDD assessments identified in the Mailed Notices are placed on the County tax bill, in the non-ad valorem section, which represent the assessments related to the General Fund Operation and Maintenance (O&M), Special Revenue Fund for the 14 properties in Deerfield Trace and the Debt Service Fund.

Ms. Cerbone stated that a reserve study was not done in 2023; a reserve study was prepared years ago for the CDD and the Huntington Village HOA. The CDD has a Maintenance Agreement and an Amended Agreement with the Huntington Village Residential Master Association to repair and maintain 100% of CDD-owned improvements and to collect costs as part of the HOA fees, to place in reserve, which are then submitted to the CDD to hold. The CDD received approximately \$131,000 from the HOA, which will not be released until the HOA submits a formal request to the CDD.

Ms. Cerbone stated the CDD has two lift stations; one was conveyed to the City or County, and they refused to accept the second lift station. The CDD funded construction of the lift station and, since the Hunter's Ridge Master HOA Association declined to enter into a Maintenance Agreement with the CDD, the CDD must budget and assess for it and engage a contractor to maintain the area. Only 14 properties participate in funding the lift station, via the Special Revenue Fund.

Mr. Watts stated that, originally, the portion of Airport Road heading west from the roundabout was dedicated to the Hunter's Ridge Oaks CDD in 2018, which has since been terminated and reconstituted under a new District. Ms. Cerbone stated that District

Management also represents the Ormond Station CDD and it is her understanding that it is the HOA’s responsibility, not the CDD’s responsibility. She will submit a formal request to District Counsel for both CDDs to confirm maintenance responsibilities.

A Board Member believes a new Reserve Study Report was published in 2023, in which the language did not change but the financial side changed. He will forward it to Ms. Cerbone and Ms. Sanchez.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to John Ford [Seat 5] (the following will also be provided in a separate package)

This item was discussed during the First Order of Business. Ms. Sanchez, Ms. Cerbone and Mr. Watts explained the following:

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FOURTH ORDER OF BUSINESS

Acceptance of Resignation of Howard Lefkowitz [Seat 1]; Term Expires November 2026

Ms. Sanchez presented Mr. Howard Lefkowitz’s resignation, which was received this morning. Ms. Herbert stated that she wants Mr. Lefkowitz to remain on the Board because of his knowledge of certain matters.

On MOTION by Mr. Dockery and seconded by Mr. Ford, with Mr. Dockery and Mr. Ford in favor and Ms. Herbert dissenting, the resignation of Mr. Howard Lefkowitz from Seat 1, was accepted. [Motion passed 2-1]

FIFTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 1

- **Administration of Oath of Office (the following to be also provided in a separate package)**

Ms. Sanchez and Ms. Cerbone reviewed the protocols regarding Board nominations and appointments. Ms. Sanchez was directed to ask both HOAs to send an e-blast directing interested candidates to submit a resume/letter of interest to Ms. Sanchez, in advance of the next meeting.

This item was deferred.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2024-08,
Electing and Removing Officers of the
District and Providing for an Effective Date**

Ms. Sanchez presented Resolution 2024-08. The following nominations were made:

John J. Dockery, Jr.	Chair
Carolyn S. Herbert	Vice Chair
Stuart Weston	Assistant Secretary
John Ford	Assistant Secretary

This Resolution removes the following from the Board:

Howard Lefkowitz	Assistant Secretary
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The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Cindy Cerbone	Assistant Secretary
Jamie Sanchez	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Ford and seconded by Ms. Herbert, with all in favor, Resolution 2024-08, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.
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SEVENTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget**

A. Proof/Affidavit of Publication

B. Consideration of Resolution 2024-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025, Authorizing Budget Amendments; and Providing an Effective Date

Ms. Sanchez stated the Fiscal Year 2025 budget is the same as the version approved at the last meeting. She highlighted any line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes, and reviewed the Assessment Summary Table on Page 13, depicting the assessment increases.

On MOTION by Mr. Dockery and seconded by Ms. Herbert, with all in favor, the Public Hearing was opened.

Mr. Rourk stated that his earlier stated belief about the reserves covering only two things, the roads and sidewalks, still stands. He asked how Deerfield Trace homeowners pay their reserve costs, since the HOA collects those funds and they are not a member of the HOA.

A resident asked how much his assessments will increase.

Mr. Marchenko asked if the \$300+ assessment increase includes the CDD assessment increase. Ms. Sanchez replied affirmatively.

A resident asked if the assessment amounts will be on the property tax bill. Ms. Cerbone replied affirmatively; the amounts are depicted on Page 13 of the Fiscal Year 2025 budget.

No other affected property owners or members of the public spoke.

On MOTION by Ms. Herbert and seconded by Mr. Dockery, with all in favor, the Public Hearing was closed.

Ms. Cerbone reviewed the "lift station project" budget line item, on Page 3 of the Fiscal Year 2025 budget. The intent is to obtain direction from the District Engineer as to what amount to budget each year; otherwise, the Board can decide to wait and obtain a bank loan to replace the lift, once it reaches the end of its lifespan.

Mr. Watts asked Ms. Cerbone and Ms. Sanchez to contact him with any follow-up questions, as he has to leave for another meeting.

Ms. Sanchez presented Resolution 2024-09.

On MOTION by Mr. Dockery and seconded by Mr. Ford, with all in favor, Resolution 2024-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025, Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**
- C. Consideration of Resolution 2024-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

On MOTION by Mr. Dockery and seconded by Mr. Ford, with all in favor, the Public Hearing was opened.

Resident Elmir Riggin voiced his opinion that there is a gray period in terms of the one-year turnover period, after February 2025, for the HOA to have the Developer incur costs for the pumps. He asked if it is true that, if the deficiencies in infrastructure are not resolved before the one-year period expires, the CDD will have the ability to impose special assessments to repair the infrastructure.

Mr. Fisher stated that the HOA just installed a well because of the drought conditions and another one is needed at Huntingtin Green, as the water source is not sufficient to irrigate all of Huntington Green. He voiced his opinion that this is infrastructure that the Developer should have had engineered properly at the front end, not the HOA. He asked how the CDD can address this.

Mr. Riggin asked why CDD reserves do not cover pumps and expressed his belief that Mr. Lefkowitz used CDD reserves to replace the pump that failed. Ms. Cerbone suggested these questions be directed to HOA Counsel, as the CDD cannot comment on HOA assets. She noted

that the Board approved Certificates of Completion from the District Engineer for each bond issue and its associated improvements, via Resolution. She suggested HOA Counsel review the Maintenance Agreement with the CDD and the Reserve Study to determine the validity of homeowner complaints and allegations about the Developer not completing CDD improvements and submit a formal letter to the CDD asking the CDD to research and respond.

No other affected property owners or members of the public spoke.

On MOTION by Mr. Ford and seconded by Ms. Herbert with all in favor, the Public Hearing was closed.

Ms. Sanchez presented Resolution 2024-10, known as the Assessment Levying Resolution. Asked if this relates to the O&M increase, Ms. Cerbone replied affirmatively.

On MOTION by Mr. Dockery and seconded by Ms. Herbert, with all in favor, Resolution 2024-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS**Presentation of Audited Financial Report
for Fiscal Year Ended September 30, 2023,
Prepared by Grau and Associates**

Ms. Sanchez presented the Audited Financial Statements for the Fiscal Year Ended September 30, 2023 and noted the pertinent information. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of noncompliance.

Mr. Dockery asked if it is typical for it to take this long to complete the audit. Ms. Cerbone reviewed the audit process which, per Florida Statute, the audit must be completed and submitted to the State each year by June 30th.

A. Consideration of Resolution 2024-11, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023

On MOTION by Mr. Dockery and seconded by Ms. Herbert, with all in favor, Resolution 2024-11, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

TENTH ORDER OF BUSINESS**Consideration of Goals and Objectives Reporting [HB7013 – Special Districts Performance Measures and Standards Reporting]**

Ms. Sanchez presented the Memorandum explaining the new requirement for special districts to develop goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives. Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability will be the key categories to focus on for Fiscal Year 2025. She presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, which explains how the CDD will meet the goals.

Ms. Cerbone stated that this is the first year completing this requirement, which can be further modified as needed, when it is presented in Fiscal Year 2025. Mr. Hudak stated that what is being presented is consistent to what he has seen the other CDDs are doing.

On MOTION by Mr. Dockery and seconded by Ms. Herbert, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

ELEVENTH ORDER OF BUSINESS**Consideration of Resolution 2024-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date**

Ms. Sanchez presented Resolution 2024-07. The following change will be made to the Fiscal Year 2025 Meeting Schedule:

POTENTIAL/DISCUSSION/FOCUS, November 22, 2024 Meeting: Add "& Regular Meeting" after "Landowners' Meeting"

On MOTION by Mr. Dockery and seconded by Mr. Ford, with all in favor, Resolution 2024-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025, as amended, and Providing for an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS**Ratification of Lawn Enforcement Agency, Inc. Landscape Management Program**

Ms. Sanchez presented the Lawn Enforcement Agency, Inc. Agreement for Landscape Maintenance Program at the lift station.

On MOTION by Mr. Dockery and seconded by Mr. Ford, with all in favor, Lawn Enforcement Agency, Inc. Landscape Management Program, was ratified.

THIRTEENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of July 31, 2024**

Ms. Sanchez presented the Unaudited Financial Statements as of July 31, 2024. Asked what happens if CDD expenditures exceed the budget, Ms. Cerbone stated a budget amendment would most likely be presented in November.

On MOTION by Mr. Ford and seconded by Mr. Dockery, with all in favor, the Unaudited Financial Statements as of July 31, 2024, were accepted.

FOURTEENTH ORDER OF BUSINESS**Approval of Meeting Minutes**

- A. August 22, 2023 Public Hearings and Regular Meeting**
- B. May 28, 2024 Regular Meeting**

On MOTION by Mr. Dockery and seconded by Mr. Ford, with all in favor, the August 22, 2023 Public Hearings and Regular Meeting Minutes and the May 28, 2024 Regular Meeting Minutes, both as presented, were approved.

FIFTEENTH ORDER OF BUSINESS**Other Business**

Ms. Sanchez shared an email from resident Tom Comenole, of Deerfield Trace, asking to install shrubs around the Hunter's Run lift station, which would be consistent with the other lift

stations, and distributed photographs of the area. Mr. Hudak stated that the City required only minimal landscaping, which was installed; it did not include shrubbery or a screen.

Due to inconsistencies, Ms. Sanchez read the following email between her and Mr. Hudak:

“Ms. Sanchez: I had someone from our firm, Antonio Shaw, go out to Hunter’s Ridge No. 1 lift station and take pictures. Based on the attached pictures, would you say that plantings still need to be placed to ensure compliance with the plans.

Mr. Hudak: Yes, it does not look like any of the required planting were installed.”

Mr. Hudak stated that what was installed was not what was approved.

As approval would require modifying the permit, Staff was directed to work with District Counsel and the District Engineer and report their findings and present proposals at the next meeting.

Asked how the development of Airport Road will impact the CDD, Ms. Cerbone stated she was unaware of this. She suggested contacting the City or County Public Works Department and asked for Mr. Shaw to be kept in the loop.

SIXTEENTH ORDER OF BUSINESS**Staff Reports**

A. District Counsel: Cobb Cole

B. District Engineer: Zev Cohen and Associates, Inc.

There were no District Counsel or District Engineer reports.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **429 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

SEVENTEENTH ORDER OF BUSINESS**Board Members’ Comments/Requests**

Mr. Dockery asked for an update on Mr. Watts asking the Develop BADC to complete installation of the missing sections of sidewalk and noted he is concerned about safety, as there are pipes protruding from the ground. The Board agreed with the recommendation that Ms. Sanchez schedule a conference call with the Chair, Mr. Watts and Mr. Hudak, if needed, in order to resolve this matter. Mr. Watts will provide the update at the next meeting.

Public Comments

Mr. Fisher asked for clarification of an earlier comment that the HOA is responsible for Airport Road because it is outside the boundaries of the CDD. He asked who is responsible for repairing the sunken drainage structure on Huntington Place.

Mr. Riggin thinks that due diligence on the Engineer's Report was not done before the turnover, as, in his opinion, the majority of the issues are in the Engineer's Report.

Mr. Mirsky stated that he received a letter and email about Mr. Lefkowitz's resignation and about the CDD seeking candidates to fill the seat. He questioned why the Board is waiting until the next meeting to fill the seat when there is an interested party in attendance today.

Mr. Marchenko asked if there is a requirement for the property owner to install the sidewalk, when three more lots are to be built sometime in the future.

Regarding Airport Road, Ms. Cerbone stated she will contact District Counsel and Counsel for the Ormand Station CDD to determine CDD and road responsibilities. This CDD has an Agreement with the HOA to repair and maintain 100% of the CDD-owned improvements and to reserve funds for future remediation, restoration and replacement of the assets. She noted the process of the Huntington Village HOA reserve funds collected as part of the HOA assessments to the CDD. If the HOA does not fulfill its obligation it is the CDD's responsibility to do so.

Ms. Cerbone stated that, regarding turnover, the \$720 quote relates to HOAs and not CDDs; there is no turnover between a Developer and a CDD. The Certificate of Completion for CDD improvements is linked to a bond issuance and only applicable to CDDs.

Ms. Cerbone suggested residents contact the HOA and HOA Counsel if they believe there is something under \$720, as she believes that amount applies to CDDs.

Ms. Cerbone stated that the CDD did not mail information about Board Seats or Mr. Lefkowitz but an email was sent several months ago by the Property Manager's office at Huntington Village.

Ms. Cerbone stated the CDD does not set sidewalk, road or stormwater requirements; it is done by other governing agencies, like the City or County Public Works Department.

NINETEENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Ms. Herbert and seconded by Mr. Dockery, with all in favor, the meeting adjourned at 12:09 p.m.</p>
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Secretary/Assistant Secretary


Chair/Vice Chair