MINUTES OF MEETING
HERITAGE OAK PARK
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Heritage Oak Park Community Development District was held Thursday, September 18, 2025 at 10:00 a.m. at 19520 Heritage Oak Boulevard, Port Charlotte, Florida 33948.

Present and constituting a quorum were:

Paul Falduto, Jr.	Chairperson
Steve Horsman	Vice Chairperson
Carmen Russo	Assistant Secretary
Jeanne Teter	Assistant Secretary

Also present were:

Sandra Demarco	District Manager
Andrew Cohen	District Counsel (via Teams)
Michelle Egan	Project Manager
Several Residents	

The following is a summary of the discussions and actions taken.

FIRST ORDER OF BUSINESS **Call to Order and Roll Call**

Mr. Falduto called the meeting to order, and Ms. Demarco called the roll. A quorum was established.

SECOND ORDER OF BUSINESS **Pledge of Allegiance**

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS **Audience Comments on Agenda Items**

Ms. Cameron wanted to comment on the trespassing rules. She was told those comments should be made during the public hearing for adopting rules on trespassing, which is later in the meeting.

FOURTH ORDER OF BUSINESS **Approval of Agenda**

Mr. Falduto noted Mr. Cohen will be arriving shortly, and therefore, the Seventh Order of Business will be addressed when he arrives.

On MOTION by Mr. Horsman seconded by Mr. Russo with all in favor, the agenda was approved as presented. 4-0

FIFTH ORDER OF BUSINESS **Comments from the Chairman**

- Mr. Falduto noted they are close to the seasonal residents coming back and there will be more traffic. He suggested residents be careful.

SIXTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel

None.

B. District Engineer

None.

C. Project Manager

i. Landscape Issues

- Ms. Egan expressed concern of agronomy with Joya Tree Service and Lawn Care. They are not performing well in this regard. She requested permission to obtain proposals to contract someone more experienced to handle the agronomy.

> Mr. Russo MOVED to authorize Ms. Egan to enter into a contract with an agronomist, and was Ms. Teter seconded the motion.

- Discussion ensued and Mr. Horsman stated that Joya should either remove the agronomy portion from of the contract or pay the agronomist directly.

> On MOTION by Mr. Russo seconded by Ms. Teter, with all in favor the previous motion was amended to authorize Ms. Egan to obtain proposals for an Agronomist, and have Joya pay the agronomist directly or have it deducted from their monthly invoice. 4-0

Ms. Egan reported on the following:

- The big 30-horsepower pump will be delivered to the vendor's shop either Friday or Saturday. ITS will be at the Lodge early next week to install it. She requested residents stay away from the area they are working in for their safety.
- The board for the doors at the Lodge was struck by lightning. New ones will be installed on Monday. They will work on the one in the back of the building and move to the one on the side of the building. Discussion ensued, and Ms. Egan asked whether a backup system could be used. She will determine whether or not there are other options. They can be unlocked if they need anything out of them.

- Ms. Egan reminded everyone that resumes for the vacant Seat are due on September 26, 2025.

D. District Manager

- None.

EIGHTH ORDER OF BUSINESS Old Business

A. Golf Carts

Ms. Egan stated Cart City has a new cart with a lithium battery, which comes with a five-year warranty. The batteries have a two-year warranty, but would be prorated after the five-year warranty. The cost is $6,500 and it goes up to 20 mph. She would like permission to purchase it, and either trade in the two old golf carts or sell them to offset the cost.

> Ms. Teter MOVED to approve the purchase of a new golf cart and Mr. Russo seconded the motion.

Mr. Horseman thinks there are more important items for which money should be spent.

> On VOICE VOTE Ms. Teter, Mr. Russo, and Mr. Falduto voting AYE, and Mr. Horsman voting NAY, the purchase of a new golf cart was approved. 3-1.

> On MOTION by Ms. Teter, seconded by Mr. Russo, with all in favor, the two current golf carts shall be declared as surplus equipment. 4-0.

NINTH ORDER OF BUSINESS Business Administration

A. Approval of the Minutes of the August 21, 2025 Regular Meeting

> On MOTION by Mr. Horsman seconded by Mr. Russo, with all in favor, the minutes of the August 21, 2025 meeting were approved as presented. 4-0

TENTH ORDER OF BUSINESS New Business and Supervisor Requests

Mr. Falduto requested a motion to temporarily recess the meeting until District Counsel joins the meeting.

> On MOTION by Mr. Russo seconded by Ms. Teter, with all in favor, the meeting was recessed. 4-0

On MOTION by Mr. Horsman seconded by Ms. Teter, with all in favor, the meeting was reconvened. 4-0

SEVENTH ORDER OF BUSINESS **Business Items**

A. Public Hearing for Rulemaking Process for Tresspass/Rules

- Ms. Demarco requested a motion to open the public hearing for comments and reminded the public they would have three minutes to speak.

On MOTION by Mr. Horsman seconded by Mr. Russo, with all in favor, the public hearing was opened. 4-0

- Ms. Demarco noted Ms. Cameron sent several emails which were provided to the Board and are entered into the public record.
- Ms. Cameron commented that she does not want trespass rules. She claims Mr. Falduto misrepresented what happened and believes he should be suspended. She also claimed Mr. Russo should resign from the Board.
- Ms. Benkoczy asked how it is legal to trespass and the parameters. Mr. Falduto responded he checked with the Sheriff's Department, and he was told he had the right to trespass if rules were violated or anyone was acting irrationally.
- Mr. Cohen stated that just because someone pays in their assessments to be part of the amenities, those rights can be revoked if someone is being disruptive or if they disobey the law, by suspending those privileges.

On MOTION by Ms. Teter seconded by Mr. Russo, with all in favor, the public hearing was closed. 4-0

- Board discussion ensued.
- Ms. Teter inquired whether there were only two options: suspending someone for 30 days or for one year. Mr. Falduto responded no, the Board can choose what they believe is appropriate timing of suspension.
- Mr. Russo inquired if someone could be permanently trespassed. Mr. Falduto responded only if the situation is severe,

- Mr. Horsman believes the scope is too broad, and he only agrees with the first three items on the list. The police should be called first, and the Board can make a decision at a meeting.
- Ms. Teter and Mr. Russo agree with the rules as presented.
- Ms. Teter inquired about the pool rules that no one can swim in the pool after dark. She questioned the District's liability if someone breaking those rules drowns. Mr. Cohen responded the rules are there for a reason, and if a rule is clearly posted, but someone still breaks it, the Board may be subject to a lawsuit, but it is ultimately the person's responsibility. There is no way of knowing how a court would rule. He also noted the District's rules can be changed at any time by going through the same rulemaking process.

i. Consideration of Resolution 2025-10, Adopting Revised Rules, Policies and Procedures

> Mr. Russo MOVED to adopt Resolution 2025-09, Adopting Revised Rules, Policies and Procedures, and Ms. Teter seconded the motion.

- Mr. Horsman agrees Rules need to be adopted, he believes this situation is *out of hand.*

> On VOICE VOTE with all in favor, Resolution 2025-09 was adopted.

TENTH ORDER OF BUSINESS **New Business and Supervisor Requests (Continued)**

- There were no new business and supervisor requests.

ELEVENTH ORDER OF BUSINESS **Adjournment**

There being no further business,

> On MOTION by Mr. Horsman seconded by Ms. Teter, with all in favor the meeting adjourned at 11:09 a.m. 4-0

Secretary/Assistant Secretary

Chairperson/Assistant Chairperson

192

193