

**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, April 16, 2026 at 10:00 a.m. at 19520 Heritage Oak Boulevard, Port Charlotte, Florida 33948.

Present and constituting a quorum were:

Paul Falduto, Jr.	Chairperson
Stephen Horsman	Vice Chairperson
Jeanne Teter	Assistant Secretary
Carmen Russo	Assistant Secretary
Vincent Scotto	Assistant Secretary

Also present either in person or via electronic communications were:

Michelle Egan	District Manager/Project Manager
Andrew Cohen	District Counsel
Terri Lusk	District Accountant (<i>via Teams</i>)
Hanna Yi	Accountant, Inframark
Audience Members	

This is not a certified or verbatim transcript but rather represents the context and summary of the meeting. The full meeting is available in audio format upon request. Contact the District Office for any related costs for an audio copy.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Falduto called the meeting to order, and Ms. Egan 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

Several residents expressed their opinions regarding the situation with water aerobics.

FOURTH ORDER OF BUSINESS

Approval of Agenda

Mr. Falduto requested an amendment to the agenda to move District Counsel to the beginning of the Agenda.

On MOTION by Ms. Teter, seconded by Mr. Russo, with all in favor, the Agenda for the Meeting was approved, as amended. (5-0)

SIXTH ORDER OF BUSINESS

Staff Reports

B. District Counsel

The District Attorney, Mr. Andrew Cohen explained that he has had several discussions with the District Manager as well as the Chairman, and it is his recommendation that any aerobics' instructors should be certified and insured and have the District named as an additional insured. Mr. Cohen explained that he has been asked by this District as well as other Districts about using waivers. He does not recommend waivers because it could still leave the District open to liability. Chairman Falduto stated that normally we do not allow questions during the meeting, but this is a special circumstance and invited residents to ask any questions. Prior to any resident questions, Supervisor Teter asked Mr. Cohen to advise why a liability waiver would or would not be effective in this case. Mr. Cohen explained that it is another good step, but will not provide total protection. He then explained that one of the bills that is currently passed through legislation and on the desk for the Governor to sign is a bill that would raise the sovereign immunity liability caps. If this should happen, we will have to wait to see how EGIS and other insurers will respond. Chairman Falduto double-checked that Mr. Cohen's suggestion that while a waiver would be helpful, it still would not provide total protection for the District. Mr. Cohen expressed that hiring a certified instructor and having them provide their insurance with the CDD as additional insured would be the best option. He expressed that he could never tell us that the District would have total protection, but he would advise to always take as many steps as possible to protect the District. Chairman Falduto mentioned that Charlotte County requires anyone that is instructing on their property is to be insured and certified. He also stated that our insurance company has already put us on notice that it would be negligent for us to allow this to happen. Chairman Falduto then asked the residents to ask questions.

A resident asked what would be done if there was a class that you would want to teach and there is not a specific certification for that particular class? Would a general dance certification be sufficient? Other residents came forward with many questions regarding the certifications, insurance and personality traits that could be considered. Mr. Cohen explained that at the end of

the day any person can bring litigation even if we have a certified instructor, but it is his recommendation to have a certified and insured instructor and have the District as an additional insured. He also explained that if the District offers a class with a certified instructor and people chose not to attend and do something on their own, the District would need to address it. A question was also asked if it is statutorily required for a District to have a certified instructor. Mr. Cohen explained that he is not aware of anything in Chapter 190 that governs water aerobics. There was a question whether someone could be grandfathered in, and any future person would have to be certified. Mr. Cohen stated that if there is someone that everyone is comfortable with, they should want to become certified. There were questions regarding what classifies it as aerobics or exercise and how to determine whether it is a class or activity. Mr. Cohen concluded that we need to use some common sense and understand that his recommendation for a certified and insured instructor is to protect the District. Chairman Falduto stated that we are looking for a solution, not enforcement of the problem.

FIFTH ORDER OF BUSINESS

Comments From the Chairman

Chairman Falduto explained that we are currently in mating season for alligators. He advised that we may see more alligators in the pond and to be cautious when walking around the pond.

He also stated that we are coming to the time in which our seasonal residents leave. He thanked them for coming and wished safe travels home.

SIXTH ORDER OF BUSINESS

Staff Reports (Continued)

A. District Accountant

There being no report, the third item followed.

C. District Engineer

Ms. Egan explained that there is no report, but that the District Engineer signed off on the Resolution to reimburse the District for \$9,936.00 for the installation of the CetaLok from the loan money.

D. Activities Coordinator

Ms. Curls explained that she is still talking with Kyle at the YMCA. She has been talking with the resident who currently instructs, and he is keeping her updated. Ms. Curls should have a

100 better solution within the next couple of weeks of finding an instructor who is certified and insured
101 and will be good for the clientèle.

102 Ms. Curls thanked everyone for attending the recent events. She asked the residents for any
103 suggestions they may want to see. She is also paying attention to the ticket sales to see what does
104 and does not work.

105 **E. District Manager/Project Manager**

106 **Gate Call Box:** The company is on site and installing the new call boxes. Ms. Egan also
107 explained that she asked the company to install new antennas for the gate remotes. She explained
108 there is nothing different on the user end of the new gate box. They will still have residents look
109 up their name by typing the letters of the person they are coming to see.

110 **Dead Fish:** The lake company tested the water and found no issues that would cause the
111 fish to die. They mentioned different things that could cause this, but the water and aeration are
112 good.

113 **Lake:** Ms. Egan stated that the lake company does not do any drudging, but they work
114 with an erosion company to get ideas for what we could do to correct the problem for the area
115 behind Waterside Club IV.

116 **Water Restrictions:** Ms. Egan explained that we are currently in Phase III of water
117 restrictions. She also mentioned that she has seen many County trucks drive through the park. She
118 stressed for people to be aware they could subject to fines.

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120 **SEVENTH ORDER OF BUSINESS**

Business Items

121 There being no business items, the next order of business followed.

122
123 **EIGHTH ORDER OF BUSINESS**

Old Business

124 **A. Request from Water's Edge Condo Association**

125 Ms. Egan explained that Waters Edge Condo Association selected a contractor to do their
126 roads. They have gone with Bonness. Bonness provided a quote, that was included in the Agenda
127 package. She stated that Waters Edge Condo Association is in contract negotiations. She invited
128 Mr. Jim Thompson to speak about their situation. He stated they are in contract negotiations and
129 that the contractor struck the part about no price increase. Chairman Falduto confirmed that the
130 contractor would not guarantee the price and could increase it. The Chairman asked for a motion.

Mr. Horsman stated that we need more time to discuss and look at the situation because the CDD has more roads to look at. The Chairman asked for a motion and no motion was made.

NINTH ORDER OF BUSINESS

Business Administration

A. Approval of the Minutes of the March 12, 2026 Workshop & Regular Meeting

There being no additions, corrections or deletions,

On MOTION by Mr. Horsman, seconded by Mr. Scotto, with all in favor, the Minutes of the March 12, 2026 Workshop & Regular Meeting were approved. (5-0)

B. Acceptance of the Fiscal Year 2025 Audit

Ms. Egan explained that the Fiscal Year 2025 audit has been completed and very few questions were asked. She stated that it explains how great Inframark's Accounting Department works with the auditors.

On MOTION by Mr. Russo, seconded by Ms. Teter, with all in favor, the Fiscal Year 2025 Audit was accepted. (5-0)

TENTH ORDER OF BUSINESS

New Business and Supervisor Requests

Chairman Falduto noted there was a discrepancy between the workshop and the advertised time of the workshop.

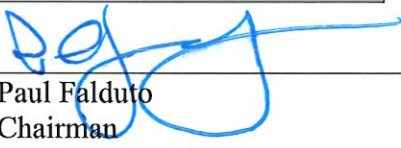
On MOTION by Mr. Horsman, seconded by Mr. Russo, with all in favor, the Budget Workshop shall commence at 9:30 a.m., with the Regular Meeting to follow at 10:00 a.m. (5-0)

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Ms. Teter, seconded by Mr. Russo, with all in favor, the meeting was adjourned. (5-0)


Paul Falduto
Chairman