

**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 ISLE AT VIERA  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Heritage Isle at Viera Community Development District was held on **Tuesday, October 24, 2017 at 10:34 a.m.** at the Brevard County Government Center, located at 2725 Judge Fran Jamieson Way, Building C, Viera, FL 32940.

Present and constituting a quorum:

Jay Williams	<b>Board Supervisor, Chairman</b>
Roger Teurfs	<b>Board Supervisor, Vice Chairman</b>
Kenneth Bonin	<b>Board Supervisor, Assistant Secretary</b>
William Rex Gieseler	<b>Board Supervisor, Assistant Secretary</b>
Bob Goldstein	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Anthony Jeancola	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Ana Saunders	<b>District Engineer, BSE Consultants</b>
Jere Earlywine	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Tony Romano	<b>Tropic-Care</b>
General Audience	<b>Present</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order and called the roll while Mr. Jeancola confirmed a quorum.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

Mr. Walter inquired about the new pump station installation. Mr. Jeancola indicated that due to hurricane Irma, FPL was seriously backlogged. FPL has recently gotten back to normal operations and Hoover was able to coordinate with them regarding the electrical needs for the new pump stations. There is not a set date yet. General discussion ensued.

Mr. Pitt thanked Mr. Earlywine for his recent conversation with the association's attorney regarding the irrigation agreement. Mr. Earlywine noted that he will discuss this further in his staff report.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Audit  
Committee Meeting held on August 18,  
2017**

Mr. Williams reviewed the minutes with the Board of Supervisors.

On Motion by Mr. Gieseler seconded by Mr. Teurfs, with all in favor, the Board of Supervisors approved the minutes of the Audit Committee Meeting held August 18, 2017, for Heritage Isle at Viera Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisors' Special Meeting held  
August 18, 2017**

Mr. Williams reviewed the minutes with the Board of Supervisors. Mr. Bonin made a request to further clarify line 189 regarding Resolution 2017-11, Designating Primary Administrative Office. This resolution designates Rizzetta & Company as the primary office for administrative purposes and Brevard County as the legal venue.

General discussion ensued regarding statute requirements.

On Motion by Mr. Teurfs seconded by Mr. Goldstein, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' Special Meeting held August 18, 2017, with noted changes by staff and final review by Chair, for Heritage Isle at Viera Community Development District.

**FIFTH ORDER OF BUSINESS**

**Ratification of the Operation and  
Maintenance Expenditures for August  
2017**

Mr. Jeancola reviewed the amount for the Operation and Maintenance Expenditures for August 2017 with the Board. He stated that he spoke with Mr. Sam Winkle, the claims adjuster, regarding a possible \$12,000.00 to \$13,000.00 reimbursement for the expenses under the District's insurance.

Mr. Teurfs inquired about the lights on Legacy that are tilted and not functioning. Mr. Jeancola re-stated that FPL has been severely backlogged but has recently indicated that a crew would come out on Friday in order to perform the repairs. It does not appear that they showed up on Friday but there is a truck located on the property at this time. He urged residents to call FPL as well in order to see a more proactive response from FPL as a result of being inundated with calls. He asked that residents specify safety issues.

General discussion ensued regarding various expenditures.

On Motion by Mr. Teurfs, seconded by Mr. Bonin, with all in favor, the Board of Supervisors ratified the operation and maintenance expenditures for August 2017 in the amount of \$50,559.71, for Heritage Isle at Viera Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Earlywine discussed the call that he had with the attorney regarding the irrigation agreement with The Villages' Association. A draft amendment is being drawn up for the Board's review. They discussed clarifying ownership and maintenance responsibilities of the sidewalks and driveway aprons. It was confirmed that the CDD owns the sidewalks and paths while the association owns the driveway aprons. Discussion ensued.

Mr. Gieseler asked Mr. Earlywine to provide him with any association documents regarding the above.

B. District Engineer

Ms. Saunders informed the Board that the 2017 infrastructure repairs, to be performed by Watson, are under way.

She requested two bridge inspection quotes but only received one back from East Coast Docks They have previously performed any repair work and bridge inspections for the community and their quote is contingent on the replacement of all of the bridge decking. The proposal is quoted at just over \$65,000.00 and is set to be included on the next agenda. They do not have availability for the next six to eight months which allows the District time to obtain additional quotes. Discussion ensued.

She updated the Board regarding the installation of the bollards at the north entrance and the installation of the fencing that will be installed at the south entrances in addition to the archways.

Ms. Saunders updated the Board regarding the stormwater system which is regulated by both state and local agencies (Brevard County and the St. Johns River Water Management District). It is illegal to dump excess water on neighboring properties. Predevelopment and post development conditions have been performed in order to determine how much water runs off of the property during each. She provided an overview of the general drainage basin system interconnectivity and flow path. The District is not permitted to discharge downstream as this could potentially flood other residents.

Mr. Walter asked if there were different elevations that would cause higher levels.

Mr. Patterson expressed concern about the drainage going into the District's ponds along Wickham Road and wanted to know the District's safety margin with regards to the new construction.

Ms. Saunders stated that the neighbor to the south is only allowed to discharge the amount it was previously draining prior to construction. The St. Johns River Water Management District confirms the design models for each.

C. District Manager  
No Report.

Mr. Teurfs expressed concern regarding a specific sidewalk condition at Carambola. Mr. Gieseler asked for an update on the fountains at the south entrance. He indicated that there is an electrical component (referring to FPL and electricians being seriously backlogged due to post-Hurricane Irma repairs).

Additional discussion ensued regarding various drainage issues.

Mr. Bonin commented on the three trees that were removed at 3072 Galindo Circle before the hurricane. It wasn't clear if this resident came before the Board but this work wasn't approved. Mr. Bonin wanted to know if this work was approved by the Board. Discussion ensued and it was confirmed that the work was not approved. Mr. Bonin said that the company who removed the trees was named Ron C. Trees, Inc. Mr. Romano will look into this matter.

Mr. Gieseler asked for an update on the monument sign painting. Mr. Jeancola did not have an update but will distribute information this coming week. Mr. Gieseler also asked about the replacement of the handicapped mats at the intersections. Those are being replaced by Watson as part of the 2017 infrastructure repairs.

A comment was made regarding the lamppost pressure washing/painting. Mr. Jeancola indicated that FPL should be responsible for maintaining the lampposts. The District has inquired with FPL and they will not come to paint but will permit the District to do so.

D. Tropic-Care

Mr. Romano updated the Board regarding hurricane related matters including approximately 95 CDD trees being down. There are about 40 stumps that need to be stump ground while there are other smaller trees than can be dug out. He would like some direction from the Board as far as the replacement of these trees. Mr. Gieseler requested an estimate for the removal of the trees and the stump grinding. Mr. Romano responded that each stump costs about \$100.00-\$125.00 apiece and he believes that the District has already been billed for the tree removal. Discussion ensued.

On a motion by Mr. Teurfs, seconded by Mr. Goldstein, with all in favor, the Board of Supervisors approved a not to exceed amount of \$4,500.00 for the removal of the stumps, for Heritage Isle at Viera Community Development District.

Mr. Williams requested a diagram listing locations and tree types.

Mr. Romano clarified that once the stumps are removed, they will not be sodding those areas.

Mr. Earlywine asked Mr. Romano to check the local requirements regarding the tree counts as part of their preparation.

Mr. Goldstein asked if some of the down trees were trees that have gone down in the past. He asked that those trees be indicated on the diagram as well.

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Mr. Romano will also have dead limbs to remove during the palm tree trimming. Mr. Gieseler said that it was suggested to him many times by Mike Boyd that the palm trees are being trimmed at the wrong time of year and that they should be trimmed prior to the hurricane season and not in the Fall. Mr. Romano said that trimming is typically done in the off season. Discussion ensued.

Mr. Romano indicated that this work will begin in about 2 weeks.

*Tab 6 - "Consideration of Updated Tropic-Care Contract" was taken out of order*

Mr. Romano stated that none of the services have been changed and now includes E & F and areas that the District has acquired. Discussion ensued.

Mr. Bonin commented on the daily work journal sheet and the "issues requiring attention" section. He believes that it is similar to what Rizzetta already does as far as reviewing and preparing an inspection report. He wants to know what the benefit is to the District. Mr. Jeancola stated that Tropic - Care is providing a third-party review and there is a level of oversight independent from the company in and of itself.

Mr. Gieseler wanted to confirm the contract term that was in place. Mr. Earlywine noted that it was a single year contact. Mr. Gieseler also wanted to confirm that Tropic - Care's fertilizer subcontractor (Blacks) will fertilize the area where there is a well-defined line between the homeowner lots which are fertilized and the CDD property that is not. Mr. Gieseler commented on page 17 of the contract regarding the pruning and trimming of the palm trees. Mr. Earlywine reiterated that the scope is the same.

Mr. Earlywine noted that the contract price is \$189,710.00 annually. The bid threshold is \$195,000.00. Public procurement law is in favor of public bidding and Counsel recommends that the District publicly bids this out the following year. Contracts are not supposed to be broken up into pieces to avoid the bid threshold. This is fine for this year, given that it's a single year contract, but if the District spends in excess of the \$195,000 this next year through "add-ons" such as mulch, annuals, etc. then the District should bid this for the next cycle. He covered a few more provisions with the Board.

<p>On Motion by Mr. Goldstein, seconded by Mr. Teurfs, with all in favor, the Board approved the updated Tropic-Care Contract in the amount of \$189,710.00, for Heritage Isle at Viera Community Development District.</p>
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The Board briefly discussed the contract's insurance requirements.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-01,  
Alternative Investment**

Mr. Jeancola presented and reviewed Resolution 2018-01, Alternative Investment with the Board. Due to certain SEC requirements and statute changes, this resolution reiterates that the District will abide by statute 218.415 which pertains to alternative investment guidelines for public funds in excess amounts needed to meet current expenses.

Mr. Earlywine added that the District would adopt the state's statutory standard also known as the alternative guidelines. The other option is to come up with the District's own investment guidelines. He stated that he is unaware of any other District that has done this.

On Motion by Mr. Teurfs, seconded by Mr. Gieseler, with all in favor, the Board accepted the Resolution 2018-01, Alternative Investment, for Heritage Isle at Viera Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of McDirmit Davis FY 2017-  
2019 Auditing Services Engagement  
Letter**

The Board previously reviewed the engagement letter received from McDirmit Davis in the amount of \$3,900.00 for the 2017-2019 auditing.

On a motion by Mr. Teurfs, seconded by Mr. Goldstein, with all in favor, the Board agreed to accept the engagement letter received from McDirmit Davis to provide Auditing Services 2017-2019 for Heritage Isle at Viera Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Updated Tropic-Care  
Contract**

*This agenda item was taken out of order and discussed under Tropic- Care's staff report*

**TENTH ORDER OF BUSINESS**

**Audience Comments and Supervisor  
Requests**

Mr. Glassburn thanked the Board for the installation of the bollards and suggested relocating the French drains. Discussion ensued.

Mr. Pitt commented and agreed that the drains may contribute to the lot drainage and sidewalk issues.

Mr. Walter commented that he joined the association meeting and is under the impression that they think that they own the sidewalks. Mr. Earlywine will follow up with them and confirmed that the sidewalks are owned and maintained by the District. Mr. Walter complimented Ms. Saunders for her work and for serving as the District's stormwater management expert.

Terry Rose stated that she will not walk on wet sidewalks at night because they are too dangerous. She expressed concern regarding the build-up of algae and mildew on the sidewalks; the missing signage in the ponds; and the need for dog waste stations.

Mr. Patterson wanted to know how long the sewer system would operate for if the lift station went offline. He wanted to know if the District owned the sewer system and if there was any type of emergency back up (generators). Ms. Saunders responded that the sewer system is a county system; the community is fed by a gravity system; and that the lift stations don't have generators on them but are in constant contact with the treatment plant and being monitored by Brevard County. She also noted that there is a significant amount of volume in the stations before they can pose a problem. Brief discussion ensued.

Mr. Goldstein asked about meetings being held at the clubhouse. Mr. Williams responded that the District is a governmental entity and should meet at the government center.

General discussion ensued.

Mr. Jeancola announced that the next meeting is scheduled for Tuesday, December 12, 2017 at 10:30 a.m.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On Motion by Mr. Teurfs, seconded by Mr. Gieseler, with all in favor, the Board of Supervisors adjourned the meeting at 1:00 p.m. for Heritage Isle at Viera Community Development District.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman