

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 **Monday, February 21, 2011 at 10:08 a.m.** at the Brevard County Government Center, located at 2725 Judge Fran Jamieson Way, Building C, Viera, FL 32940.

Oath of office was given prior to the start of this meeting to Joe Fulghum, Jay Williams and James Brown.

Present and constituting a quorum:

Walter Beeman	Board Supervisor, Chairman
Joe Fulghum	Board Supervisor, Vice Chairman
Paul Martell	Board Supervisor (<i>joined meeting in progress</i>)
Jay Williams	Board Supervisor
James Brown	Board Supervisor

Also present were:

Melissa Dobbins	District Manager, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping Green & Sams, P.A.
Hassan Kamal	District Engineer, BSE Consultants, Inc.
Darcie Madison	Representative, Leland Management

Audience Members

FIRST ORDER OF BUSINESS

Call to Order

Ms. Dobbins called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Administer Oath of Office to Newly
Elected Board Supervisors**

Oath of office was given prior to the start of this meeting to Joe Fulghum, Jay Williams and James Brown.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2011-01,
Canvassing and Certifying the Election
Results**

Ms. Dobbins reviewed Resolution 2011-01, Canvassing and Certifying the Landowner Election Results, which Joe Fulghum received 308 votes resulting in a four year term. She also stated the other two seats were certified by the County since they were handled through the General Election process.

On Motion by Mr. Williams, seconded by Mr. Brown, with all in favor, the Board approved Resolution 2011-01, Canvassing and Certifying the Landowner Election Results, which Joe Fulghum received 308 votes resulting in a four year term for Heritage Isle at Viera Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2011-02,
Redesignating Officers**

After Board discussion, the Board selected the following: Walt Beeman was appointed Chairman, Jay Williams was appointed Vice Chairman, James Brown, Joe Fulghum, Paul Martell as Assistant Secretary as well as Melissa Dobbins for signatory purposes.

On Motion by Mr. Brown, seconded by Mr. Fulghum, with all in favor, the Board approved Resolution 2011-02, appointing: Walt Beeman as Chairman, Jay Williams as Vice Chairman, James Brown, Joe Fulghum, Paul Martell and Melissa Dobbins as Assistant Secretary for Heritage Isle at Viera Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2011-03,
Reappointing Assistant Treasurer**

Ms. Dobbins noted that Shawn Wildermuth has replaced Steve Murman as Head Controller of Rizzetta and Company, Inc. and that this resolution states that Mr. Wildermuth would now be appointed Assistant Treasurer.

On Motion by Mr. Brown, seconded by Mr. Fulghum, with all in favor, the Board approved Resolution 2011-03, Reappointing Assistant Treasurer naming Shawn Wildermuth as Assistant Treasurer for Heritage Isle at Viera Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of the Minutes of the Board
of Supervisors' Meeting held on November
15, 2010**

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on November 15, 2010 for Heritage Isle at Viera Community Development District.

Paul Martell joined the meeting in progress.

SEVENTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures for December
2010, January 2011 and February 2011**

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board ratified the Operation and Maintenance Expenditures for December 2010 in the amount of \$24,880.42, January 2011 in the amount of \$32,949.75 and February 2011 in the amount of \$47,165.07 for Heritage Isle at Viera Community Development District.

EIGHTH ORDER OF BUSINESS

**Ratification of Special Assessment Revenue
Bonds, Series 2005, Requisitions #154-#156
(see recap)**

REQUISITION NO.	PAYEE	AMOUNT
154	B.S.E. Consultants	\$424.24
155	B.S.E. Consultants	\$391.67
156	B.S.E. Consultants	\$885.28

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board ratified the Special Assessment Revenue Bonds, Series 2005, Requisitions #154 - #156 for Heritage Isle at Viera Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Arbitrage Rebate Report for Special Assessment Revenue Bonds, Series 2005 and Arbitrage Rebate Report for Special Assessment Revenue Bonds, Series 2004A and Series 2004B

Ms. Dobbins stated that both items under Tab 8 and Tab 9 of the agenda package can be reviewed together. They are reports that ensure that the District does not earn more revenue from the trust estate funds than allowed under federal law. Both reports for Series 2005 and Series 2004A and 2004B indicate a negative rebate amount and nothing is due to the IRS in the form of a rebate.

Mr. Beeman explained to the audience that the reports help prevent any entity from earning more money on the bonds and help keep the District's tax exemption status.

The Board of Supervisors accepted both reports.

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board accepted the Arbitrage Rebate Report for Special Assessment Revenue Bonds, Series 2005 and Arbitrage Rebate Report for Special Assessment Revenue Bonds Series 2004A and Series 2004B for Heritage Isle at Viera Community Development District.

TENTH ORDER OF BUSINESS

Consideration of Proposal for Back Gate Lighting

Ms. Dobbins reviewed that the HOA has requested to place a light on District property that would illuminate the back (North) gates. Mr. Kamal updated the Board that this light proposal is not the same type of street lighting that he is still requesting bids for, but a much smaller resolution to provide lighting for visibility of the back gates. Mr. Kamal mentioned they approached five vendors for street lighting with two not being interested and three not responsive. He has since received interest from two additional vendors and hopes to have them ready for the next meeting. The Board agreed that the HOA request would give some lighting in the meantime, but will continue to review more street lighting bids for the front and back gate once received from Mr. Kamal.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board approved the HOA request to place a light on District property that would illuminate the back (North) gates but will continue to review more street lighting bids for the front and back gate once received from Mr. Kamal for Heritage Isle at Viera Community Development District.

ELEVENTH ORDER OF BUSINESS

**Discussion Regarding Project Related
Items**

Mr. Earlywine gave an update on the declarations issue. Per his prior report, the District Staff was working to finalize maps to accompany the declarations, and, as of today, the maps have been created, subject to a few final revisions. He also mentioned that there are several real estate related items that are being addressed as part of this overall review of the project. He anticipates that all items should be complete by the next meeting.

TWELVTH ORDER OF BUSINESS

**Consideration of CDD Common Area
Pressure Washing Proposals**

Ms. Dobbins reviewed that she has received three bids for pressure washing CDD sidewalks, bridges and swales (Exhibit A). The Board requested more information on the size of crew, the amount of time it would take to complete and if the sidewalk on the east side of the condominiums is also a CDD sidewalk that needs to be included. This item was tabled until the next meeting.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Earlywine reviewed the Sunshine Law, Public Records Law and Ethics Laws governing Public Officers for the new Board Members. He also updated the Board of Supervisors on the new Americans with Disabilities Act Federal Laws, which will be adopted March 15, 2011 and need to be in compliance by March 15, 2012. Mr. Earlywine explained the effect of the new ADA standards. Mr. Earlywine then provided a legislative update.

B. District Engineer

Mr. Kamal gave an update that sidewalk and curb repairs should be completed within the next couple of weeks. As mentioned before he should have a couple of bids for additional street lighting at both entrances. He also noted that he is cleaning up the St. John's permit transfers that should be in the District's name.

C. District Manager

Ms. Dobbins noted that the next regularly scheduled Board of Supervisors' Meeting is scheduled for Monday, March 21, 2011. She reviewed a request by a group of residents, who would like the Board to review and consider installing landscaping along the west side of the main (south) entrance since the east side is heavily planted. After discussion the Board requested the District Engineer to survey the area on both sides of the west pond to find out how much area there is to landscape. The board would consider reviewing different options after that point, but request Tropic-Care to show plans of a layout so they can visually see how it would look.

She also updated the Board of Supervisors that a night time inspection was completed to review the street lights on Legacy Blvd. FPL was called out to repair any lights that were not working.

Ms. Dobbins reviewed a request by a resident to remove the CDD disclosure off the CDD website, which informs anyone that the public has access to CDD improvements. Discussion ensued. Mr. Earlywine stated that there is no law or requirement to have this disclosure on a CDD website. The Board of Supervisors requested to remove the disclosure.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board approved removing the CDD disclosure from the CDD website for Heritage Isle at Viera Community Development District.

Ms. Dobbins reported that the two additional swales, which were authorized at the November meeting to begin maintenance, are now under contract with Tropic-Care and Aquatic Systems.

FOURTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Mr. Fulghum updated the Board of Supervisors that the Legacy Blvd. landscape replacement work, in the amount of \$16,971.00, was completed and approved by him. The Board authorized the District Manager to pay Tropic-Care for the Legacy Blvd. landscape replacement.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board authorized the District Manager to pay Tropic-Care for the Legacy Blvd. landscape replacement, in the amount of \$16,971.00, for Heritage Isle at Viera Community Development District.

An audience member had a concern regarding Park #1. This resident presented pictures of maintenance items and requested flowering plants.

A resident requested that contractors be held responsible for damage done to CDD sidewalks since they are seen driving on them with their vehicles.

A resident commented that many people felt misled when they purchased their homes regarding what would be planted on the west side of the main (south) entrance.

A resident requested procedural information on how to obtain meeting information. Mr. Beeman reminded the audience that that the District Manager posts the full agenda on the CDD website and suggests that residents communicate to resident Board Members of their concerns, but continue to contact Ms. Dobbins, as District Manager, for any maintenance items.

FIFTHTEENTH ORDER OF BUSINESS

Adjournment

On Motion by Mr. Beeman, seconded by Mr. Brown with all in favor, the Board adjourned the Meeting of the Board of Supervisors at 12:04 p.m. for Heritage Isle at Viera Community Development District.

Secretary/Assistant Secretary



Chairman/Vice Chairman

Exhibit A

Pressure's On Us 759 Starland Street SE
 Palm Bay, FL 32909
 321-951-1800
 Fax 321-951-1803



Estimate

E-mail
 Thepressuresonus@gmail.com

Date 1/24/2011
 Estimate # 11-024-6-C

Name / Address
 Rizzetta & Company
 C/O Bill Goudy
 2806 N Fifth St Unit-403
 St. Augustine, FL 32084
 904-669-7414

Service For:
 * Heritage Isles
 Rizzetta & Company
 C/O Bill Goudy
 2806 N Fifth St Unit-403
 St. Augustine 904-669-7414

P.O. #
 Terms: Ne...

Due Date... 1/24/2011
 Other

Description	Qty	Rate	Total
Initial Hot Water Pressure Washing of Entire "Heritage Isles" of Viera common area walkways Sidewalks to include cleaning of the Swales, (Gutters) between sidewalk and asphalt. Approx: 88,000 Lin. Ft of Concrete. (excluding Parks and Fountains) To include: 6- Neighborhood parks Walkways and other needed areas of parks (approx: 24,000 Lin Ft.) 5- Fountains Surrounding walkways 13- Ponds- walkways, sidewalks Total Lineal footage Approx: 112,000 Lin. Ft. (Breakdown to .06 cents per Lin Ft Cost)		6,863.26	<u>6,863.26</u>

ESTIMATE FOR RECOMMENDED SEMI-ANNUAL CLEANING OF ITEMS : 1,3 and 4 of legend
 Entire Community Sidewalks
 Guttering (Swales)
 6- Community parks
 The Semi Annual cost for touch up / maintenance of above items is \$2,352.63 (Annual Cost-\$4705.26 =.04 L.Ft)

References upon Request-
 Satisfaction Guaranteed

Thank you for considering us for your pressure washing needs. We hope to earn your business. Total \$6,863.26

Web Site
www.Thepressuresonus.com

- Iron Calcium

George 321-951-1800

PROPOSAL

Florida / Georgia Property
904-315-8663

PROPOSAL NO.

SHEET NO.

DATE

PROPOSAL SUBMITTED TO:

NAME	Heritage Isles
ADDRESS	Skyway Circle Melbourne
PHONE NO.	

WORK TO BE PERFORMED AT:

ADDRESS	Same
DATE OF PLANS	
ARCHITECT	

We hereby propose to furnish the materials and perform the labor necessary for the completion of _____

① 4850.00 - All CDD Sidewalks, awales & G paths

② 2670.00 - sidewalks only

③ 1750.00 - awales

④ 750.00 - Paths

⑤ Per Day Rate For spot cleaning 325.00 per day

one Machine 50 Hot / Cold water with 800 gals on Board

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of Above

Dollars (\$ _____)

with payments to be made as follows:

Respectfully submitted _____

Per _____

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Note - This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Date _____

Signature _____

Brevard Commercial Cleaning LLC.
 1880 Long Iron Dr.
 Unit 1326
 Viera, FL 32955

Estimate

Date 2/2/2011
 Estimate # 964-15

Name / Address
Bill Goudy

P.O. #
 Terms

Due Date 2/2/2011
 Other

Description	Qty	Rate	Total
Pressure washing of all sidewalks and parks in the Heritage Isle community. 400,000 Sq Ft	400,000	0.0475	19,000.00
Pressure washing of all curbing in the Heritage Isle community. 100,000 Sq Ft	100,000	0.05	5,000.00
Brevard Commercial Cleaning requires 20% down on all commercial contracts.	Subtotal		\$24,000.00
	Sales Tax (0.0%)		\$0.00
	Total		\$24,000.00

BrevardCommercialCleaning@gmail.com
 www.BrevardCommercialCleaning.com

321-507-4851