

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 special meeting of the Board of Supervisors of Heritage Isle at Viera Community Development District was held on **Wednesday, August 3, 2011 at 10:00 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:

Walter Beeman	Board Supervisor, Chairman
Jay Williams	Board Supervisor, Vice Chairman
Paul Martell	Board Supervisor, Assistant Secretary
Joe Fulghum	Board Supervisor, Assistant Secretary
Jim Brown	Board Supervisor, Assistant Secretary

Also present were:

Melissa Dobbins	District Manager, Rizzetta & Company, Inc.
Robbie Cox	Financial Consultant, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping Green & Sams, P.A.
Hassan Kamal	District Engineer, BSE Consultants, Inc.
Darcie Madison	HOA Representative
Tony Romano	Representative, Tropic-Care

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

**Consideration of the Minutes of the Audit
Committee Meeting held May 16, 2011**

On Motion by Mr. Beeman, seconded by Mr. Brown, with all in favor, the Board accepted the Minutes of the Audit Committee Meeting held May 16, 2011 for Heritage Isle at Viera Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the Board
of Supervisors' Meeting held May 16, 2011**

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 May 16, 2011 for Heritage Isle at Viera Community Development District.

FOURTH ORDER OF BUSINESS

**Ratification of Operation and Maintenance
Expenditures for May 2011 and June 2011**

Mr. Brown had questions regarding replacements of the irrigation decoder, price for doggie station bags and service and cost of replacing annuals.

Mr. Brown also wanted on record that Counsel's invoice could be construed to mention a conversation with Mr. Brown and Mr. Fulghum under the same entry, but this was two separate conversations. He was not on a call with another Board Member.

On Motion by Mr. Beeman, seconded by Mr. Fulghum, with all in favor, the Board ratified the operation and maintenance expenditures for May 2011 in the amount of \$39,913.86 and June 2011 in the amount of \$42,961.09 for Heritage Isle at Viera Community Development District.

FIFTH ORDER OF BUSINESS

**Ratification of Special Assessment Revenue
Bonds Series 2005, Requisition #159-#160**

REQUISITION NO.	PAYEE	AMOUNT
159	B.S.E. Consultants	\$2,163.05
160	B.S.E. Consultants	\$4,692.63

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor, the Board ratified Special Assessment Revenue Bonds Series 2005, Requisitions #159 for BSE Consultants in the amount of \$2,163.05 and #160 for BSE Consultants in the amount of \$4,692.63 for Heritage Isle at Viera Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Matters Regarding
Irrigation Control System**

Mr. Romano stated that the master control system that controls each irrigation clock is not operational. The irrigation system works without the master control system, but must be checked and programmed manually.

Mr. Romano has requested a proposal to make the master controls updated and functioning again.

The manufacturer, Hunter, has extended a discount program until Friday, August 5th which reduces the package from the regular price of \$142,000.00 to approximately \$90,000.00. This includes \$5,000.00 for Tropic-Care to install the updated master control system.

Mr. Earlywine stated that there are pending items that the District needs to finalize with respect to the irrigation system. For example, the District Engineer is still reviewing the transfer of the consumptive water permit out of the Club's name and into the CDD's name. Also, the District would need to review and obtain any applicable real estate rights to own and operate the master control system because it would be located in the clubhouse, which is owned by the Club.

Board discussion ensued. The Board of Supervisors requested Mr. Romano to call the vendor to see if they could give a bit more time on the deadline to accept the reduced package.

The Board of Supervisors went on to agenda item D.

SEVENTH ORDER OF BUSINESS

Consideration of Matters Regarding Assessments

Mr. Cox reviewed the Preliminary Supplemental Special Assessment Allocation Report which was listed as an exhibit to Resolution 2011-05 (Exhibit "A").

The Developer has platted a new product type, a single family 60 foot lot/unit type, that was not part of the original 2005 methodology report and assessment allocation in the 2005 Bond Series.

The new product type is replacing some single family 50 foot lot/unit types within Phase 6. This is indicated by the shaded area on the map provided by the District Engineer, also an exhibit to Resolution 2011-05.

Board discussion ensued.

Ms. Dobbins stated this resolution would set a Public Hearing to consider the assignment of debt assessments to the single family 60 foot lot/unit type as well as direct staff to proceed with proper advertising for the Public Hearing. The Public Hearing date set would also be the same date/time for the budget Public Hearing for fiscal year 2011/2012.

On Motion by Mr. Beeman, seconded by Mr. Brown, with all in favor, the Board adopted Resolution 2011-05 and set a public hearing regarding the allocation of debt assessments to the single family 60 foot lot/unit type, and further rescheduled the hearings on the 2011/2012 Budget and Operations and Maintenance Assessments, for September 12, 2011 at 10:00 a.m. at the Brevard County Government Center, located at 2725 Judge Fran Jamieson Way, Building C, Viera, FL 32940 for Heritage Isle at Viera Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Matters Regarding Driveway Aprons

Mr. Earlywine stated that the Board requested more research to be done at the last meeting to determine who is responsible for the aprons.

He reviewed the Declarations with the HOA Counsel and both agree the aprons are not the CDD's responsibility.

After further Board discussion, Mr. Beeman stated if the HOA would like the CDD to oversee the maintenance of the aprons while another entity pays for the necessary maintenance and repairs the CDD will consider entering into an agreement.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board authorized District staff to negotiate with the HOA on entering into an agreement for the CDD to oversee the necessary maintenance and repairs while another entity pays for the work at Heritage Isle at Viera Community Development District.

The Board of Supervisors moved back to agenda item 3B at this time.

NINTH ORDER OF BUSINESS

**Consideration of Work Authorization #16,
Associated with the Legacy Boulevard
Street Lighting Project**

Mr. Kamal reviewed BSE's request of a not to exceed \$4,500.00 fee to handle the installation of additional street lights at both entrances.

Mr. Kamal did update the Board of Supervisors that before the street lights can be installed the Notice of Commencement needs to be signed by the owner of the property. Once the Declarations are signed the CDD will have the easement rights to execute this notice.

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board approved the work authorization #16, associated with the Legacy Boulevard street lighting project at a cost not to exceed \$4,500.00, subject to the District first obtaining the necessary real estate rights, for Heritage Isle at Viera Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of the Heritage Isle at Viera
CDD Infrastructure Inspection and
Maintenance Report dated June 2011**

Mr. Kamal presented the inspection report and stated that last year's report was able to identify many repairs, which were then fixed. Those results last year should conclude that this year's cost will be much lower.

The Board reviewed concerns about sidewalks in phase 6 that are being damaged due to construction. The Board of Supervisors requested for District Staff to review Developer sidewalks and send a letter regarding the areas that need repairs.

On Motion by Mr. Beeman, seconded by Mr. Brown, with all in favor, the Board authorized District staff to review the sidewalks potentially affected by construction and, if appropriate, to send a demand letter regarding the areas that need repairs for Heritage Isle at Viera Community Development District.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board accepted the Heritage Isle at Viera CDD 2011 Infrastructure Inspection and Maintenance Report dated June 2011 for Heritage Isle at Viera Community Development District.

The Board returned to Agenda Item 3A

*Consideration of Matters Regarding
Irrigation Control System*

Mr. Romano received confirmation that the final deadline for the discount is August 5, 2011.

Mr. Earlywine stated that if the Board of Supervisors would like to proceed, the motion should be to accept the not to exceed \$90,000.00 Hunter proposal pending review of a contract and any other related issues by District Counsel and District Staff with final authorization by the Chairman.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board approved the not to exceed \$90,000.00 Hunter proposal pending a review of a contract and related issues by District Counsel and District Staff with final authorization by the Chairman for Heritage Isle at Viera Community Development District.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Earlywine noted that there was no further update regarding payment for Phase 8. He recommended sending the landowner a final demand letter and proceed with the foreclosure process.

On Motion by Mr. Beeman, seconded by Mr. Brown, with all in favor, the Board authorized sending the landowner for Phase 8 a final demand letter and proceeding with the foreclosure process for Heritage Isle at Viera Community Development District.

B. District Engineer

Mr. Kamal updated the Board of Supervisors that the Developer is moving forward on Phase 7A, which is the southern half of Phase 7 construction and he will be reviewing the plat for Phase 7A in the near future.

C. District Manager

Ms. Dobbins noted that the next scheduled Board of Supervisors' Meeting is scheduled for Monday, September 12, 2011. She also updated the Board of Supervisors that the park enhancements were approved and should be completed in the near future.

TWELVTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

There were no Supervisor requests.

The Club and HOA Advisory Council presented themselves. They asked the CDD Board if the Board would want the Council to review and report upon items related to the CDD on behalf of the community. Mr. Earlywine advised that advisory committees may be subject to the same Sunshine Law requirements as the District itself. The consensus was not to have the CDD recognize an advisory council.

An audience member had a question regarding the replat assessments and the amount of increase.

An audience member mentioned a private property drainage concern.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board adjourned the Meeting of the Board of Supervisors at 12:00 p.m. for Heritage Isle at Viera Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman

Exhibit A

Will be attached as the
Preliminary Supplemental
Special Assessment Allocation
Report dated August 3, 2011