

**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, August 28, 2012 at 10:35 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:

Walt Beeman	<b>Board Supervisor, Chairman</b>
Jay Williams	<b>Board Supervisor, Vice Chairman</b>
Paul Martell	<b>Board Supervisor, Assistant Secretary</b>
Jim Brown	<b>Board Supervisor, Assistant Secretary</b>
Joe Fulghum	<b>Board Supervisor, Assistant Secretary (via speaker phone)</b>

Also present were:

Melissa Dobbins	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Jere Earlywine	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Hassan Kamal	<b>District Engineer, BSE Consultants, Inc.</b>

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 Board of Supervisors' Meeting held May 22, 2012**

On Motion by Mr. Williams, seconded by Mr. Brown, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held May 22, 2012, for Heritage Isle at Viera Community Development District.

**THIRD ORDER OF BUSINESS**

**Ratification of Operation and Maintenance Expenditures for May 2012, June 2012 and July 2012**

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor, the Board ratified the operation and maintenance expenditures for May 2012 in the amount of \$90,824.15, June 2012 in the amount of \$40,304.21 and July 2012 in the amount of \$70,033.42 for Heritage Isle at Viera Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Tropic Care Proposal for Legacy Blvd. Round-about Improvements**

The Board of Supervisors approved the proposal found under Tab 3 of the agenda package, which will remove palms at the round-about and replace them with a lower plant material at a cost not to exceed \$945.

On Motion by Mr. Williams, seconded by Mr. Brown with all in favor, the Board approved the Tropic Care proposal for Legacy Blvd. Round-about Improvements removing the palms at the round-about and replacing them with a lower plant material at a cost not to exceed \$945 for Heritage Isle at Viera Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Aquatic Systems Renewal Proposal for Waterway Management Services**

The Board of Supervisors approved the renewal at the same terms for one year.

On Motion by Mr. Beeman, seconded by Mr. Williams, the Board approved the Aquatic Systems renewal proposal for Waterway Management Services at the same terms for one year for Heritage Isle at Viera Community Development District.

**SIXTH ORDER OF BUSINESS**

**Acceptance of Financial Report for Year  
Ended September 30, 2011**

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board accepted the Financial Report for Year Ended September 30, 2011 for Heritage Isle at Viera Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing on Fiscal Year 2012/2013  
Budget**

On Motion by Mr. Beeman, seconded by Mr. Brown, with all in favor, the Board opened the Public Hearing on Fiscal Year 2012/2013 Budget for Heritage Isle at Viera Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2012-04,  
Adopting the Budget for Fiscal Year  
2012/2013**

Ms. Dobbins presented the resolution and exhibits. Audience members had questions regarding sidewalk repairs vs. infrastructure inspections as well as the street lighting cost (along Legacy Blvd.) to continue the lights to the north end of the development. There was also a request to review realigning the sidewalk to the north end of Legacy Blvd. after the gate.

On Motion by Mr. Beeman, seconded by Mr. Brown, with all in favor, the Board closed the Public Hearing on Fiscal Year 2012/2013 for Heritage Isle at Viera Community Development District.

On Motion by Mr. Beeman, seconded by Mr. Williams, with all in favor, the Board approved Resolution 2012-04, Adopting the Budget for Fiscal Year 2012/2013 for Heritage Isle at Viera Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2012-05,  
Imposing Special Assessments and  
Certifying the Roll**

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor, the Board approved Resolution 2012-05, Imposing Special Assessments and Certifying the Roll for Heritage Isle at Viera Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2012-06,  
Designating the Dates, Time and Location  
of Regular Meetings**

Ms. Dobbins distributed a revised schedule, now switching the November meeting to October and evenly spreading out the meeting dates throughout the fiscal year.

Board discussion ensued.

The new revised meeting schedule will be October 30, 2012, January 22, 2013, March 26, 2013, May 28, 2013 and August 27, 2013.

On Motion by Mr. Williams, seconded by Mr. Beeman, with all in favor, the Board approved Resolution 2012-06, Designating the Dates, Time and Location of Regular Meetings for Heritage Isle at Viera Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Earlywine updated the Board of Supervisors that Lennar Homes sent the Trustee a proposal regarding the True up to which the Trustee raised some follow-up questions. At this time Mr. Earlywine still recommends waiting until the Trustee says to move forward or not with prosecuting a foreclosure action against the undeveloped lands.

B. District Engineer

Mr. Kamal reported that the repair and maintenance contract by Brewer was completed. He also noted that Lennar is moving forward with expanding the pond between Phase 5 and Phase 6. This will provide additional storm water capacity when there are heavy rains.

Mr. Kamal stated that the Phase 7 sidewalks are completed and are being reviewed and inspected before being transferred to the CDD to maintain.

The Consumptive Use Permit (CUP) transfer documents were completed and submitted to the Water Management District for approval. It will be reviewed if more allocation is needed since the back phases will be added for irrigation.

C. District Manager

Ms. Dobbins noted that the next regularly scheduled Board of Supervisors meeting is October 30, 2012 at 10:30 a.m.

Ms. Dobbins updated the Board of Supervisors that the irrigation upgrade is 70% completed. Once finished and inspected the CDD will invoice other entities for their share in the cost.

Ms. Dobbins also requested the Board to confirm if fishing should be allowed and/or if the current signs that were posted that state no fishing should remain in place. The Board of Supervisors gave consensus to keep signs for a deterrent and the CDD will not authorize fishing or any recreational activity off of the pond banks or in the ponds. However, since the CDD does not have police powers, any resident should call the police (or CDD staff who can contact the police) to have someone removed for trespassing.

Ms. Dobbins updated the Board of Supervisors that per the Board's request at the last meeting, staff reviewed all parks for empty slabs. There are an additional 13 empty slabs. There are 15 benches needed. The Board of Supervisors approved ordering benches for all empty slabs.

<p>On Motion by Mr. Williams, seconded by Mr. Beeman, the Board approved ordering benches for all empty slabs for Heritage Isle at Viera Community Development District.</p>
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**TWELVTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

There were no supervisor requests.

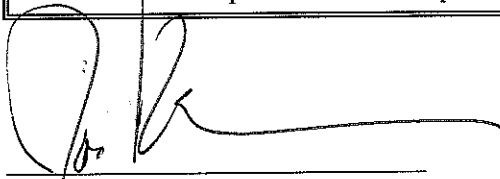
An audience member had a question regarding dirty sidewalks and requested an update on the pressure washing progress.

An audience member had a question regarding Phase 7 lake maintenance.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor, the Board adjourned the Meeting of the Board of Supervisors at 12:30 p.m. for Heritage Isle at Viera Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman