

**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 22, 2013 at 10:30 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:

Bernie Reed	<b>Board Supervisor, Chairman</b>
Jay Williams	<b>Board Supervisor, Vice Chairman</b>
Kenneth Bonin	<b>Board Supervisor, Assistant Secretary</b>
Joe Fulghum	<b>Board Supervisor, Assistant Secretary</b>
Roger Teurfs	<b>Board Supervisor</b>

Also present were:

Melissa Dobbins	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Chuck Bowen	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Hassan Kamal	<b>District Engineer, BSE consultants</b>
Darcie Madison	<b>Leland Management</b>
Tony Romano	<b>Tropic Care</b>
Ana Saunders	<b>Prager, Sealy &amp; Co. LLC</b>

Audience Members

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Reed called the meeting to order at 10:30 a.m. and read the roll call.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There were no audience comments.

**THIRD ORDER OF BUSINESS**

**Consideration of Appointment to Board of Supervisors**

Presentations were made by the following candidates: Barry Breen, Judith Gendreon, Robert Jespersen, Roger Teurfs and Linda Wright. Louis Viggiano and Steve Dvorshak were not in attendance.

The Board of Supervisors voted individually for their top two candidates. Mr. Reed voted for Roger Teurfs and Linda Wright. Mr. Williams voted for Judith Gendron and Linda Weight. Mr. Bonin voted for Roger Teurfs and Linda Wright. Mr. Fulghum voted for Judith Gendron and Roger Teurfs. The top two candidates with the most votes were Linda Wright and Roger Teurfs.

A second vote was taken. Mr. Reed voted for Roger Teurfs. Mr. Williams voted for Linda Wright. Mr. Bonin voted for Roger Teurfs. Mr. Fulghum voted for Roger Teurfs. The Board of Supervisors appointed Roger Teurfs to Seat 2 with a term that expires November 2014.

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board appointed Roger Teurfs to Seat 2 for Heritage Isle at Viera Community Development District.

*(Mr. Teurfs was given the Oath of Office at this time.)*

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors Regular Meeting held August 27, 2013**

On Motion by Mr. Reed, seconded by Mr. Bonin, with all in favor, the Board approved the Minutes of the Board of Supervisors' Regular Meeting held August 27, 2013 for Heritage Isle at Viera Community Development District.

**FIFTH ORDER OF BUSINESS**

**Ratification of the Operation and Maintenance Expenditures for August 2013 and September 2013**

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board ratified the Operations and Maintenance Expenditures for August 2013 in the amount of \$41,691.73 and September 2013 in the amount of \$73,136.04 for Heritage Isle at Viera Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Bowen updated the Board of Supervisors on the use of bicycles and golf carts on the sidewalks. He informed the Board that bikes are allowed and golf carts need to be authorized by the county; however, the county considers the Heritage Isle sidewalks to be private. After discussion and public comment, the Board of Supervisors authorized staff to research the matter further and present an option for a pathway that golf carts can legally use within the district.

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board authorized staff to research the matter further and present an option for a pathway that golf carts can legally use within the district for Heritage Isle at Viera Community Development District.

Mr. Bowen stated that Lennar received a letter from the District per the direction of the Board regarding the removal of the sediment in the lake within Phase 7A.

B. District Engineer

1.) Update Regarding the Inspection and Maintenance of Pedestrian Bridges

Mr. Kamal reviewed recommendations made by East Coast Docks for long term maintenance. He noted that handrails are not needed at this time and would be major construction to the bridges. The bridges currently are approximately 6-9 years old. Replacing the handrails would lengthen the life of the bridge between 12 and 15 years.

The Board of Supervisors requested that these items be added to the inspection scope and report back on estimated life expectancy remaining on each bridge.

2.) Update on Ongoing Construction Projects

Mr. Kamal updated the Board of Supervisors on the following issues: Lennar is getting prices on two sidewalk extensions; Phase 1 and Phase 3 underdrain was installed; Phase 6 pond expansion is completed and the final inspection will be scheduled; Regarding Phase 7A, Lennar would like to wait until the dry season to regrade the pond, approximately January; Phase 7B has been completed, the county inspection will be later this week and the conveyance process will start; Regarding Phase 8, earthwork is starting now and in early 2014 the clearing of the site and filling to proper elevation will begin; the sidewalks and curb repairs will be inspected one more time with Brewer.

3.) Update on Legacy Boulevard Street Lights

Mr. Kamal updated the Board of Supervisors the FPL's draft plan design to install the street lights at the north end will now cost \$198,000, which is much higher than the amount the District received from the True-Up for this project of \$138,000. After discussion and review of the design plan, the Board of Supervisors approved the removal of 3 lights that are already in place and 2 lights after relocating others for a total of five lights to be removed off the design plans.

The Board of Supervisors authorized the Chairman to approve the final design plan with an amount not to exceed \$155,000 for the total project.

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board authorized the Chairman to approve the final design plan with an amount not to exceed \$155,000 for the total project for Heritage Isle at Viera Community Development District.

C. District Manager

Ms. Dobbins noted that the next regularly scheduled meeting will be held January 28, 2014 at 10:30 a.m.

Ms. Dobbins updated the Board that Mr. Bonin withdrew his request to have the fountain spray reviewed.

The pressure washing of the curbs is still in process but should be completed in the next week or so.

D. Tropic Care

Mr. Romano updated the Board of Supervisors that the annuals are being replaced and the tree trimming is starting.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-01,  
Amending the Fiscal Year 2012/2013  
General Fund Budget**

On Motion by Mr. Williams, seconded by Mr. Fulghum, with all in favor, the Board approved Resolution 2014-01, Amending the Fiscal Year 2012/2013 General Fund Budget for Heritage Isle at Viera Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Quit Claim Bill of Sale**

- 1.) Consideration of Quitclaim Bill of Sale for Phases 1-6  
This item was tabled until a future Board of Supervisors meeting.
- 2.) Consideration of Developer Quitclaim Bill of Sale for Phases 1-6  
This item was tabled until a future Board of Supervisors meeting.

- 3.) Consideration of District Engineer Relating to Certain Bill of Sale  
This item was tabled until a future Board of Supervisors meeting.

**NINTH ORDER OF BUSIENSS**

**Selection of the Audit Committee and  
Setting the First Audit Committee Meeting  
Date**

The Board of Supervisors selected themselves as the Audit Committee and set the first Audit Committee Meeting for January 28, 2014.

**TENTH ORDER OF BUSINESS**

**Review of Gazebo Easement and Bill of  
Sale**

- 2.) Consideration of Quitclaim Bill of Sale for Gazebo

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board approved the Quitclaim Bill of Sale for the Gazebo for Heritage Isle at Viera Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Public Hearing on the District's Rules of  
Procedure**

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board opened the public hearing on the District's Rules of Procedure for Heritage Isle at Viera Community Development District.

It was noted for the record that there were no comments.

On Motion by Mr. Reed, seconded by Mr. Fulghum, with all in favor, the Board closed the public hearing on the District's Rules of Procedure for Heritage Isle at Viera Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-02,  
Adopting the Rules of Procedure**

On Motion by Mr. Williams, seconded by Mr. Fulghum, with all in favor, the Board approved Resolution 2014-02, Adopting the Rules of Procedure for Heritage Isle at Viera Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Audience Comments and  
Supervisor Requests**

There was a question regarding the election.

There was a request for a construction update.

Mr. Reed reviewed his direction to District Counsel not to respond to individual residents outside of a meeting. Resident questions should come to the Board at a meeting or be sent to the District Manager.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

On Motion by Mr. Reed, seconded by Mr. Williams, with all in favor, the Board adjourned the meeting of the Board of Supervisors at 12:50 p.m. for Heritage Isle at Viera Community Development District.

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman