

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 30, 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:

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

Also present were:

Jeremy Needham	District Manager, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping Green & Sams, P.A.
Darcie Madison	Representative, Leland Management

Audience Members

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams 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 August 28,
2012**

Mr. Brown requested that the word "expanding" be changed to "realigning" in the eighth order of business. The Board of Supervisors approved the minutes as amended.

Mr. Martell noted that he has requested that he not be listed as Assistant Secretary in the past. *Notation: Per Resolution 2011-02 dated February 21, 2011 Mr. Martell was appointed as an Assistant Secretary.*

<p>On Motion by Mr. Martell, seconded by Mr. Brown, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held August 28, 2012, as amended, for Heritage Isle at Viera Community Development District.</p>

THIRD ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures for August 2012 and September 2012

On Motion by Mr. Martell, seconded by Mr. Brown, with all in favor, the Board ratified the operation and maintenance expenditures for August 2012 in the amount of \$148,483.04, and September 2012 in the amount of \$22,495.20 for Heritage Isle at Viera Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Aquatic Systems Renewal Proposal for Fountain Cleaning Services

The Board of Supervisors approved the Aquatic Systems renewal proposal for fountain cleaning subject to District Counsel preparing an agreement to be executed by the Chairman.

On Motion by Mr. Brown, seconded by Mr. Williams with all in favor, the Board approved the renewal proposal for Fountain Cleaning Services with Aquatic Systems subject to District Counsel preparing an agreement to be executed by the Chairman for Heritage Isle at Viera Community Development District.

FIFTH ORDER OF BUSINESS

Update on Sidewalk Pressure Washing

Mr. Needham updated the Board of Supervisors that the sidewalk pressure washing work has not been completed and at this time does not appear to be moving forward with the current vendor. He requested that the Board authorize him to obtain proposals to complete this work.

Discussion ensued.

Mr. Earlywine noted that the district would need to terminate the existing agreement with Pressure's On Us.

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor the Board approved terminating the existing sidewalk pressure washing agreement with The Pressure's On Us for Heritage Isle at Viera Community Development District.

It was recommended that a summary of work be drafted for the purpose of soliciting proposals for sidewalk pressure washing, and that a performance bond also be considered as part of the next contract.

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor the Board approved creating a statement of work to be considered by the Board for use in soliciting proposals for sidewalk pressure washing for Heritage Isle at Viera Community Development District.

It was also noted that there are areas within the community that may need immediate attention and the Board approved utilizing Tropic Care to perform spot cleaning for the areas that require immediate attention due to safety concerns at a cost not to exceed \$2,000.

On Motion by Mr. Martell, seconded by Mr. Williams, with all in favor the Board approved utilizing Tropic Care to perform spot cleaning for areas that require immediate attention due to safety concerns at a cost not to exceed \$2,000 for Heritage Isle at Viera Community Development District.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Earlywine updated the Board of Supervisors that the Phase 7B plat will need to be reviewed due to the fact that there is some dedication language to the CDD that will require approval. He did note that this may need to be reviewed prior to the January meeting and that a special meeting may need to take place. He also noted that the True Up is still pending at this time.

B. District Engineer

Mr. Earlywine noted that Mr. Kamal had contacted district staff earlier that day to let them know that he would not be able to attend and reviewed items that he had planned on discussing at the meeting. He noted that most of these items could wait for Mr. Kamal to present them at the next meeting.

- 1.) The Legacy Boulevard Lighting Update was tabled for Mr. Kamal to discuss at the next meeting.
- 2.) The North Entry Signage and Sidewalk Update was tabled for Mr. Kamal to discuss at the next meeting.
- 3.) The Sidewalk and Drainage Repair Review of Proposals was discussed with Mr. Earlywine sharing that Mr. Kamal recommended the lowest cost proposal but felt that this could also be reviewed at the next meeting. This item was tabled at this time.

It was then recommended that the Board of Supervisors move forward scheduling a special meeting prior to the next regularly scheduled meeting to discuss each of these items as well as the Phase 7B plat.

On Motion by Mr. Williams, seconded by Mr. Brown, with all in favor the Board approved setting a special meeting for December 4, 2012 at 10:30 a.m. at the Brevard County Government Center located at 2725 Judge Fran Jamieson Way, Viera, Florida for Heritage Isle at Viera Community Development District.

C. District Manager

Mr. Needham noted that the next meeting would now be held December 4, 2012 at 10:30 as a special meeting.

SEVENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Brown requested that a motion be made that the CDD authorize, at the minimum level required by Florida Laws, notification and recordation for meetings involving the Heritage Isle District, Villages, Condominium Association, Committees and special meetings at which as CDD Board member is likely to attend. He further requested that the CDD management coordinates with those Boards to establish Board meeting schedules for publication that reflect the process used by the CDD in establishing dates throughout the current year of their Board meetings.

Discussion ensued.

Mr. Earlywine briefly reviewed the Sunshine Laws; explained the steps that would need to occur in order to put the requested policy in place (e.g., obtaining consent from the HOA Boards, providing notices on a going forward basis, etc.); and recommended that, rather than authorizing the policy today, the motion involve authorization to instruct district staff to investigate the potential costs associated with the request, and the willingness of the HOA Boards to cooperate.

On Motion by Mr. Brown, seconded by Mr. Williams, with all in favor the Board authorized instructing District staff to investigate the cost and policies involved with CDD providing notification and recordation of HOA all meetings involving Heritage Isle at Viera for the Board of Supervisors to review at their next meeting for Heritage Isle at Viera Community Development District.

Mr. Brown also had a request that involved the CDD providing for routine weekly inspections and inventory of CDD owned street lights and that inventoried outages be fixed within 5 working days of the noted outage.

Discussion ensued.

Mr. Needham noted that he would need to research such a request further and review all factors involved with such a request with District Staff.

The Board of Supervisors authorized staff to investigate the CDD providing for weekly routine inspections and inventory of CDD owned street lights and that inventoried outages be fixed within 5 working days and report back to the Board at the meeting scheduled for December 4, 2012 with their findings.

On Motion by Mr. Brown, seconded by Mr. Fulghum, with Mr. Martell not in favor the Board authorized staff to investigate the CDD providing for weekly routine inspections and inventory of CDD owned street lights and that inventoried outages be fixed within 5 working days and report back to the Board at the meeting scheduled for December 4, 2012 with their findings for Heritage Isle at Viera Community Development District.

Mr. Brown also mentioned that he had received an email regarding the request to construct a gazebo on CDD property with the CDD funding the concrete pad. He noted that he sees this as an improvement and does not feel that the CDD should be funding improvements only operation and maintenance expenditures and feels that the District Association should be involved with such requests.

Discussion ensued.

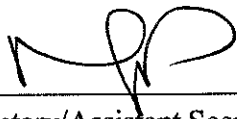
The Board requested that staff provide an explanation of the current policies regarding improvements on CDD property and explain how the District Association reviewing improvement requests would impact the existing policies to be reviewed at the meeting scheduled for December 4, 2012.

An audience member expressed their concerns regarding the sidewalks in need of pressure washing.

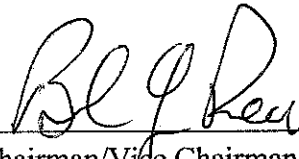
EIGHTH ORDER OF BUSINESS

Adjournment

On Motion by Mr. Brown, seconded by Mr. Fulghum, with all in favor, the Board adjourned the Meeting of the Board of Supervisors at 12:29 p.m. for Heritage Isle at Viera Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman