

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.

**WATERLEFE
COMMUNITY DEVELOPMENT DISTRICT**

A regular meeting of the Board of Supervisors of the Waterlefe Community Development District was held on **Tuesday, February 22, 2011 at 2:04 p.m.** at the Waterlefe River Club, 995 Fish Hook Cove, Bradenton, Florida.

Present and constituting a quorum were:

Ken Bumgarner	Board Supervisor, Chairman
Tony Maddaloni	Board Supervisor, Vice Chairman
Mark Kalish	Board Supervisor, Assistant Secretary
Rosalyn Warner	Board Supervisor, Assistant Secretary
John Brocki	Board Supervisor, Assistant Secretary (joined meeting in progress)

Also present were:

Molly Syvret	District Manager, Rizzetta & Company, Inc.
Andy Cohen	District Counsel, Hankin, Persson, Davis, McClenathen & Darnell
Doug Egly	Property Manager /Golf Course Manager
Franklyn Dickson	President, MPOA
Steve Sanborn	Representative, Golf Course Committee
Herb Krasow	Representative, Golf Course Committee
Tom Davidson	Representative, Ft. Hamer Bridge Committee
Jack Ritchie	Representative, MPOA Communications
Bill Stasiuk	Representative, MPOA
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Syvret called the meeting to order and conducted the roll call.

SECOND ORDER OF BUSINESS

**Consideration of the Minutes of the Board
of Supervisors Meeting held on January
25, 2011**

Ms. Syvret stated the next item on the agenda was the consideration of the Minutes of the Board of Supervisors Meeting held on January 25, 2011. She asked if there were any revisions to the Minutes. There were none.

On a Motion by Ms. Warner, seconded by Mr. Bumgarner, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on January 25, 2011, for Waterlefe Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of the Operation and
Maintenance Expenditures for February
2011**

Ms. Syvret presented the operation and maintenance expenditures for the month of February 2011 which cover the period of January 1-31, 2011 and total \$106,195.13. Questions were entertained.

Mr. John Brocki joined the meeting in progress.

On a Motion by Mr. Maddaloni, seconded by Ms. Warner, with all in favor, the Board approved the Operation and Maintenance expenditures totaling \$106,195.13 for the Month of February 2011, for Waterlefe Community Development District.

FOURTH ORDER OF BUSINESS

Presentation of Monthly Financial Report

Ms. Syvret provided an overview of the January 2011 financial report. Discussion ensued.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2011-03, Re-
Appointing an Assistant Treasurer**

Ms. Syvret advised that the next item on the Agenda is Consideration of Resolution 2011-03, Re-appointing an Assistant Treasurer; she stated that previously the Board had appointed a Treasurer and Assistant Treasurer of the District. She stated that due to a change in personnel within Rizzetta & Company; Management is requesting that the Board re-appoint an Assistant Treasurer.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board Adopted Resolution 2011-03, Re-Appointing Mr. Shawn Wildermuth as Assistant Treasurer of the District, for Waterlefe Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Property Management
Contract with the MPOA**

Mr. Cohen provided an overview of the revisions that were made to the previous year agreement. He stated that section 8 of the agreement now provides for automatic renewal of the contract. Additionally, in Section 5 of the agreement, the language regarding overtime was removed, but the flat fee amount will increase to \$78,500. Mr. Maddaloni explained how the increased fee was calculated.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board Approved the contract for property management services with the MPOA as presented, in the amount of \$78,500.00, for Waterlefe Community Development District.

SEVENTH ORDER OF BUSINESS

**Discussion Concerning Fort Hamer
Bridge**

Mr. Cohen advised that a special meeting is scheduled for February 23 between the Chairman, Special Counsel, and County representatives. He stated that special counsel is in the process of making a records request of the County.

Mr. Bumgarner provided an overview of the status of the project and scope of information to be sought at tomorrow's meeting. Discussion ensued.

EIGHTH ORDER OF BUSINESS

Discussion Regarding Shores

Mr. Cohen advised that attempts to resolve matters have continued with the same basic proposed structure. Discussion ensued.

NINTH ORDER OF BUSINESS

**Discussion Concerning Sale of 13 Slip
Marina**

Mr. Paul Lang, of the MPOA Strategic Planning Task Force, reviewed the information relating to the sale of the marina slips by WCI and advised that the task force felt it was an amenity that may be better served being owned by the community or member thereof. Accordingly, the committee inquired whether the CDD would or could entertain such a purchase.

Discussion ensued regarding whether the CDD could own and operate the slip marina from the legal standpoint, the fact that the CDD is a public entity and, therefore, would have to have the facility open to the public, and other costs and implications to the CDD from a tax, revenue and insurance standpoint. Through an informal pole of the Board, it was determined that the majority of the Supervisors did not wish to further entertain the possibility of purchasing the marina slips.

TENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Cohen advised that he received a check for the cost of the judgment from the tax challenge. He stated he has completed research and title work relating to the retaining wall along the marina and determined that if a dock does need removed in order to effect the repairs, it would be the homeowners' responsibility.

- B. District Engineer
Ms. Syvret provided an update on progress by Mr. Schappacher with respect to the Hole 15 erosion, the retaining wall bids, and start of shoreline remediation by BioMass.

The Golf Course Committee indicated they believe they could contribute \$50,000 towards the repair on Hole 15.

- C. Property Manager
Mr. Egly advised that he only received one work order request this month.

- D. Golf Course Manager
Mr. Egly provided a financial report for January. He also provided an update on membership, marketing, and course maintenance.

- E. Golf Course Committee
No Report.

- F. Erosion Committee
Ms. Warner discussed two homeowners who have made inquiry of erosion concerns in the back of their lots. One has been determined to be homeowner responsibility. Ms. Warner has requested assistance with respect to the homeowner responsibility issue. Ms. Warner also asked if the erosion report and map from BioMass could be uploaded to the District website. Ms. Syvret advised she would try to arrange to have the file uploaded.

- G. District Manager
Ms. Syvret and Ms. Warner reviewed the findings of three arborist reports that relating to deteriorated laurel oak trees along the entry area of Waterlefe Boulevard and Upper Manatee River Road. The three reports consistently opined that the trees are infected with carpenter worm, as well as identified planting techniques and locations as contributors to the demise of the trees. All indications were that chemical treatment is cost prohibitive and not likely to be effective. Accordingly, the recommendation is to remove the affected trees and replace with different species more suitable for such locations. Discussion ensued.

On a Motion by Mr. Kalish, seconded by Mr. Maddaloni, with all in favor, the Board authorized Staff to proceed with CCNA process for landscape architect services for Waterlefe Community Development District.

Ms. Syvret advised that the budgeting process for Fiscal Year 2011/2012 would be commencing in the near future and the Board would need to determine when it would like to hold the respective workshops and budget meetings. It was determined that Mr. Brocki and Ms. Syvret would come up with a proposed schedule to be presented to the Board at the next meeting.

Ms. Syvret announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, March 22, 2011 at 2:00 p.m.

ELEVENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Syvret stated that the next item on the Agenda was Supervisor Requests and Audience Comments. There were no audience comments or questions.

Mr. Maddaloni provided an update regarding e-mail; he stated that e-mails are no longer going to the general address, rather copies of all email are going to District Management.

Mr. Brocki confirmed with Mr. Cohen that the CDD/MPOA joint letter previously drafted regarding trademark infringement was okay to send out to offending parties.


TWELFTH ORDER OF BUSINESS

Adjournment

Ms. Syvret stated that there was no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board adjourned the meeting at 4:34 p.m. for Waterlefe Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman