

## 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, March 22, 2011 at 2:01 p.m.** at the Waterlefe River Club, 995 Fish Hook Cove, Bradenton, Florida.

Present and constituting a quorum were:

Ken Bumgarner	<b>Board Supervisor, Chairman</b>
Tony Maddaloni	<b>Board Supervisor, Vice Chairman</b>
Mark Kalish	<b>Board Supervisor, Assistant Secretary</b>
Rosalyn Warner	<b>Board Supervisor, Assistant Secretary</b>
John Brocki	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Molly Syvret	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Andy Cohen	<b>District Counsel, Hankin, Persson, Davis, McClenathen &amp; Darnell</b>
Doug Egly	<b>Property Manager</b>
Joe Rasset	<b>Golf Course Manager</b>
Franklyn Dickson	<b>President, MPOA</b>
Steve Sanborn	<b>Representative, Golf Course Committee</b>
Dick Hall	<b>Representative, MPOA &amp; Erosion Committee</b>
Marty Schuler	<b>Representative, Erosion Communications</b>
Don McFadden	<b>Representative, Golf Course Committee</b>
Audience	

#### **FIRST ORDER OF BUSINESS**

#### **Call to Order**

Ms. Syvret called the meeting to order and conducted the roll call. Ms. Syvret advised that due to a marketing event being held that afternoon in which members of the golf course committee and general manager were involved, she would like to move Staff Reports to the first item on the agenda. The Board agreed.

**SECOND ORDER OF BUSINESS**

**Staff Reports**

A. Golf Course Committee

The Golf Course Committee provided an update regarding the 15<sup>th</sup> Hole erosion.

On a Motion by Mr. Kalish, seconded by Mr. Bumgarner, with all in favor, the Board approved a Not To Exceed amount of \$75,000 for repair of erosion on the 15<sup>th</sup> hole, with \$50,000 being contributed from the Golf Course and \$25,000 from the general fund, and authorizing the Golf Course Committee to receive proposals and select a contractor, and authorizing the Chairman to executed the contract on behalf of the District, for Waterlefe Community Development District.

The Golf Course Committee provided background relating to the staffing changes relating to the general manager's position and recommended the approval of Mr. Joe Rassett as the new general manager of the course.

On a Motion by Mr. Maddaloni, seconded by Mr. Kalish, with all in favor, the Board approved Mr. Joe Rassett as the new general manager of the golf course, for Waterlefe Community Development District.

Mr. Egly provided an overview of the financials for the month of February.

B. Property Manager

Mr. Egly provided a work order report.

C. District Counsel

Mr. Cohen advised that an Associate in his office is pursuing the renewal of trademarks that are expiring this year. Mr. Brocki provided a status update regarding negotiations relating to responses received from trademark infringement letters that were sent out.

In relation to the erosion remediation being conducted by BioMass, Mr. Cohen advised that all required bond and insurance documents were provided by the contractor prior to commencing work.

Mr. Cohen also advised that the MPOA and CDD are proceeding forward with an agreement relating to Shores matters. Discussion ensued.

Discussion ensued regarding Marina Assessments. The Board inquired if it is possible to determine what the possible assessments and benefits might be without proceeding totally with revising the methodology. Ms. Syvret advised she would speak with the firms' financial consulting department.

D. District Engineer

Mr. Schappacher was not present and did not have a report.

E. Erosion Committee

Ms. Warner advised that BioMass has commenced work on the shoreline on Maritime; they are approximately 20% complete. BioMass is expecting to complete the Maritime shoreline work by April 1<sup>st</sup>. Written authorizations were received from all residents whose property needs to be utilized for access.

F. District Manager

Ms. Syvret advised that the Clive Burnett water meter issue has been resolved. The Board had previously approved a Not to Exceed amount to reimburse Mr. Burnett. The total amount due is more than approved and new payment authorization is necessary.

On a Motion by Mr. Kalish, seconded by Mr. Brocki, with all in favor, the Board authorized payment to Mr. Burnett, at 743 Foggy Morn Ln., in amount of \$3,723.25 for reimbursement of irrigation water utilized by the District, for Waterlefe Community Development District.

Ms. Syvret advised, after confirming with Mr. Cohen, it was determined that it is not necessary to put out an RFP under the Consultant's Competitive Negotiation Act for a Landscape Architect because the anticipated amount is below the threshold for planning activity. Discussion ensued regarding the scope of the proposals.

The Board advised that they want to ensure that the canopy along Waterlefe Boulevard is maintained. Other areas to be included are from the entrance north Upper Manatee to the back gate, south Upper Manatee to the guard house, and across the bridge to the tee box at Hole 12.

Ms. Syvret advised that Mr. Brocki had prepared a budget schedule for the Fiscal Year 2011/2012 budget process. She stated that she has calendared a workshop for May 3 at 2:00 pm, the proposed budget meeting is calendared for May 24 at 2:00 pm, and the final budget public hearing is calendared for August 23 at 6:00 pm.

Ms. Syvret advised that to resolve the issue with the service fee charged by Wachovia on the CDD account, the online service capability was removed from the debit card account, which is what the fee was associated with. The District can still transfer funds on-line to the debit card account.

Ms. Syvret announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, April 26, 2011 at 2:00 p.m.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisors Meeting held on February  
22, 2011**

Ms. Syvret stated the next item on the agenda was the consideration of the Minutes of the Board of Supervisors Meeting held on February 22, 2011. She stated that the spelling of Mr. Stasiuk's last name was corrected per an e-mail from Mr. Dickson. She then asked if there were any revisions to the Minutes. There were none.

On a Motion by Ms. Warner, seconded by Mr. Kalish, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on February 22, 2011, for Waterlefe Community Development District.

**FOURTH 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 February 1-28, 2011 and total \$58,248.41. Questions and comments were entertained.

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.

**FIFTH ORDER OF BUSINESS**

**Presentation of Monthly Financial Report**

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

**SIXTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Erosion Committee Meetings held on  
August 17, 2010 and January 18, 2011**

Ms. Syvret presented the minutes of the of the Erosion Committee Meetings held on August 17, 2010 and January 18, 2011 noted that changes were made to the January 18, 2011 minutes per e-mails received from Mr. Schappacher. She asked if there were any questions relating to the Erosion Committee meeting minutes. There were none.

On a Motion by Mr. Kalish, seconded by Ms. Warner, with all in favor, the Board accepted the Minutes of the Erosion Committee Meetings held on August 17, 2010 and January 18, 2011, for Waterlefe Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Golf Course Committee Meetings held on September 27, 2010, October 25, 2010, December 13, 2010, and January 24, 2011**

Ms. Syvret presented the minutes of the Golf Course Committee Meetings held on September 27, 2010, October 25, 2010, December 13, 2010, and January 24, 2011. She asked if there were any questions relating to the Golf Course Committee meeting minutes. There were none.

On a Motion by Mr. Bumgarner, seconded by Mr. Kalish, with all in favor, the Board accepted the Minutes of the Golf Course Committee Meetings held on September 27, 2010, October 25, 2010, December 13, 2010 and January 24, 2011, for Waterlefe Community Development District.

**EIGHTH 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.

Ms. Warner advised that the Erosion Committee has changed the time of their meetings to 2:00 pm. Ms. Syvret advised she would run the appropriate advertising.

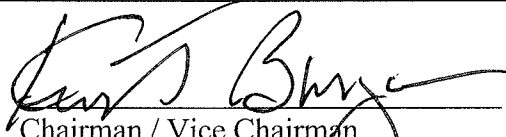
**NINTH ORDER OF BUSINESS**

**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 4:48 p.m. for Waterlefe Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman