
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, November 27, 2012 at 2:02 p.m.** at the Waterlefe Golf & River Club, 995 Fish Hook Cove, Bradenton, Florida.

Present and constituting a quorum were:

Ken Bumgarner	Board Supervisor, Chairman
John Brocki	Board Supervisor, Assistant Secretary
Rosalyn Warner	Board Supervisor, Assistant Secretary
Chris Hogan	Board Supervisor

Also present were:

Molly Syvret	District Manager, Rizzetta & Company, Inc.
Andy Cohen	District Counsel, Hankin, Persson, McClenathen, Cohen & Darnell
Joe Rassett	General Manager, Waterlefe Golf Club
Christine Brookfield	Property Management
Franklyn Dickson	MPOA President
Steve Sanborn	Golf Course Committee
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Syvret called the meeting to order and conducted the roll call. She advised the oath of office was administered to Mr. Hogan prior to the onset of the meeting. Ms. Syvret reviewed the provisions for board supervisor compensation asked Mr. Hogan if he wished to accept or waive compensation. Mr. Hogan elected to accept compensation. Mr. Cohen reviewed Sunshine laws applicable to the Board. Ms. Syvret distributed Supervisor Reference Guides to all Supervisors.

Mr. Bumgarner advised that there was a resident in attendance that has requested to address the Board relating to a concern about the newly installed traffic signs in the community. The resident addressed the Board, expressing concerns relating to the speed limit signs that were installed on his street, and inquiring why some streets have lower speed limits than others and how the speed limits for each street were determined. The resident requested that the Board consider reduction of the speed limit on his street to 20 mph, as other streets in the community, or provide him a reason as to why it has determined to leave it higher. The Board advised they would take the request into consideration and research the matter.

SECOND ORDER OF BUSINESS

**Consideration of Resolution 2013-01,
Reappointing Officers of the District**

Ms. Syvret advised that the Board is required by statute to address the designation of officers following each election, therefore it would be appropriate to reappoint the officers of the District as the Board deemed appropriate. Ms. Syvret noted that there was a request made by Mr. Kalish, who could not be present at this meeting, to postpone designations of officers until the next meeting so that he could participate. Discussion ensued.

On a Motion by Ms. Warner, seconded by Mr. Hogan, with all in favor, the Board tabled Consideration of Resolution 2012-01, Reappointing Officers of the District, until the next meeting, for Waterlefe Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2013-02,
Reappointing an Assistant Treasurer of the
District**

Ms. Syvret advised that due to a change in positions within Rizzetta & Company, it is requested that Mr. Wildermuth be removed as Assistant Treasurer and replaced by Mr. Joe Kennedy.

On a Motion by Ms. Warner, seconded by Mr. Bumgarner, with all in favor, the Board adopted Resolution 2013-02, appointing Mr. Joe Kennedy as Assistant Treasurer of the District, for Waterlefe Community Development District.

FOURTH ORDER OF BUSINESS

Discussion Concerning the Landings Wall

Mr. Cohen provided a review on the status of matters relating to the Landings wall. He advised they are still trying to set up a meeting with Landings owners to review the findings of the engineering consultant engaged to review the wall. The Landings owners came up with a lot of questions and issues relating to the consultant report. Mr. Cohen advised he has not been in contact with Forge Engineering yet to ascertain whether they will be willing to answer additional questions, and, if so, whether they are going to require additional compensation. A Landings representative stated he did not feel the report issued lived up to the scope of what they were hired to do. Discussion ensued. The Board directed staff to follow up with the consultant and find out if they are willing to respond further. Discussion ensued.

FIFTH ORDER OF BUSINESS

**Discussion Regarding Landscaping/Tree
Removal**

Ms. Syvret reviewed some estimates provided by Mr. Toborg relating to the cost to remove all unhealthy Laurel Oaks throughout the community as opposed to in conjunction with the phases of landscape improvements as designed by Simply Verde. Ms. Syvret advised that the County would require all trees removed to be replaced within thirty days. Ms. Syvret also noted that the estimates provided relate only to removal and replacement of the trees, and additional consideration would need to be given to other plants/shrubs under the trees being removed or damaged, irrigation

issues, and lighting, as well as hand watering the trees for several months. Discussion ensued. The Board decided to move forward with the first two phases of improvements as designed by Simply Verde once the projects have been re-bid as it determined at the August meeting.

SIXTH ORDER OF BUSINESS

Update Concerning Revision to DRB Procedures

Mr. Brocki provided an update concerning revisions to the DRB procedures as they relate to CDD property and distributed a copy of the forms that are to be used in the review process..

SEVENTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on October 23, 2012

Ms. Syvret provided an overview of the minutes of the Board of Supervisors' meeting held on October 23, 2012. She asked if there were any revisions to the minutes. It was noted that on page 3, in the third order of business, the 13 slip marina had not been purchased but was only in the process. It was also noted that on page 5, in the tenth order of business, the word "not" should be changed to "now" relating to the number of new members on the DRB. Ms. Syvret asked if there were any further revisions. There were none.

On a Motion by Ms. Warner, seconded by Mr. Brocki, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on October 23, 2012, subject to the revisions noted on the record, for Waterlefe Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of the Minutes of the Continued Board of Supervisors' Meeting held on November 5, 2012

Ms. Syvret provided an overview of the minutes of the continued Board of Supervisors' meeting held on November 5, 2012. She asked if there were any revisions to the minutes. There were none.

On a Motion by Mr. Bumgarner, seconded by Ms. Warner, with all in favor, the Board approved the Minutes of the Continued Board of Supervisors' Meeting held on November 5, 2012, for Waterlefe Community Development District.

NINTH ORDER OF BUSINESS

Consideration of the Minutes of the Golf Course Committee Meetings held on July 23, 2012 and September 24, 2012

Ms. Syvret presented the minutes of the Golf Course Committee meeting held on July 23, 2012 and September 24, 2012. She asked if the Board had any questions. There were none.

On a Motion by Mr. Brocki, seconded by Ms. Warner, with all in favor, the Board accepted the Minutes of the Golf Course Committee Meetings held on July 23, 2012 and September 24, 2012, for Waterlefe Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of the Operations and
Maintenance Expenditures for the Month
of October 2012**

Ms. Syvret provided an overview of the expenditures for the month of October 2012 advising that expenditures for the period of October 1 through 31, 2012 totaled \$106,049.11. Questions were entertained regarding various items of expenditure.

On a Motion by Mr. Bumgarner, seconded by Mr. Brocki, with all in favor, the Board approved the Operations and Maintenance Expenditures for the Month of October, 2012 totaling \$106,049.11, for Waterlefe Community Development District.

ELEVENTH ORDER OF BUSINESS

**Presentation of the Monthly Financial
Report**

Ms. Syvret presented the financial summary for the period ending October 31, 2012. Discussion ensued.

A resident inquired regarding the increase to the Operations and Maintenance budget this year and years past.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Cohen advised the District was successful on the third trademark matter and the domain will transfer by the close of business on November 29th if no appeal is received.

Mr. Cohen advised that, concerning the Shores matter, he has tried to get in touch with Scott Peterson but he has not gotten back with him yet. He further advised Fred Moore is now representing several homeowners. Mr. Cohen stated an answer and counterclaim has been filed by the homeowners, but they are still working toward mediation.

Mr. Cohen advised he has had discussion with Bond Counsel relating to options concerning the financial aspects of expanding the golf maintenance building and the possible tax ramifications of certain transactions. He stated he believes a workable option is for the CDD to construct the expansion and lease the space to the MPOA for a nominal amount, with the MPOA contributing to construction costs. Mr. Bumgarner updated the Board concerning the progress of preliminary plans for the renovation provided by the consultant.

Mr. Cohen advised that PNC dispute was still pending, with the last correspondence being a settlement proposal made on behalf of the District in the amount of \$10,000. He is awaiting a response to the offer from PNC.

Mr. Cohen advised Mr. Rasett has been working on lease agreements/financing for walk behind mowers through John Deere and golf carts through EZ Go. John Deere has extended the pricing as the previous lease and is offering a three year lease; two years would be with John Deere and the third would be with Show Turf. The EZ Go golf carts would be financed through Everbank, under a four year lease, warranted for a specific number of hours per cart, which if maintained properly, will last the length of the lease.

On a Motion by Mr. Hogan, seconded by Ms. Warner, with all in favor, the Board authorized the Chairman to execute all necessary documents for lease of the walking mowers, subject to staff review, for Waterlefe Community Development District.

On a Motion by Mr. Hogan, seconded by Ms. Warner, with all in favor, the Board authorized the Chairman to execute all necessary documents for lease of a golf cart fleet, subject to staff review, for Waterlefe Community Development District.

B. District Engineer

Mr. Bumgarner advised there was a window that opened up with the contractor under contract for the roadway work to start the project in the next day or two. He further advised that if District did not take advantage of the opportunity, the work likely would not be able to be completed until January some time. Accordingly, he advised that the contractor was given the okay, and that an e-mail blast will be sent out and door hangers placed on doors with contact information should there be issues.

Mr. Bumgarner advised inspections of the golf course bridges are complete and Mr. Schappacher is expected to receive the report in the near future.

C. Property Manager

Ms. Brookfield advised the installation of the new traffic signs was complete, with exception of a few signs that the vendor needs to come back and replace due to misspelled street names. Ms. Syvret advised that since all the signs were complete, the District can have the Sheriff's office start to issue citations for traffic infractions, but it will need to sign a contract with the Sheriff's Office first.

On a Motion by Ms. Warner, seconded by Mr. Hogan, with all in favor, the Board authorized the Chairman to execute a contract with the Sheriff's Office for Off-Duty Patrol Enforcement, for Waterlefe Community Development District.

Ms. Brookfield presented a proposal for installation of irrigation for the viburnum hedge along Port Side, to be drawn from the pond. Ms. Syvret suggested the District Engineer should first be consulted to confirm that the proposed irrigation to be drawn from the pond, along with the irrigation that was added during the south wall project that is being drawn from the pond, would be within allowance of any water use permits. The proposal was put on hold until the matter can be researched.

Ms. Warner reported that 10% of the plants planted along the south wall have declined, suggesting the irrigation should be checked and any plants requiring replacement to be replaced as a warranty item by Cornerstone.

Ms. Brookfield advised the carpet in the gatehouse is in terrible condition, and requested that the District replace the carpet with ceramic tile.

On a Motion by Ms. Warner, seconded by Mr. Bumgarner, with all in favor, the Board authorized replacement of the carpet in the guardhouse with ceramic tile, in an amount not to exceed \$300, for Waterlefe Community Development District.

D. Golf Course Manager

Mr. Rassett distributed revised golf course financials. Questions were entertained.

E. Golf Course Committee

Mr. Bumgarner provided an overview of correspondence with Michael Saunders & Associates regarding marketing materials for the golf course, which would be distributed in Toronto as well, at a discounted fee of \$1,200.

On behalf of the Committee, Mr. Sanborn presented Tony Maddaloni, with a framed Waterlefe Golf Course flag.

F. Erosion Committee

The Erosion Committee had no report.

G. Landscape Committee

The Landscape Committee had no report.

H. District Manager

Ms. Syvret advised the next regularly scheduled meeting of the Board of Supervisors will be held on Tuesday, December 18, 2012 at 2:00 pm.

THIRTEENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Syvret stated that the next item on the Agenda was Supervisor Requests and Audience Comments.

Ms. Syvret opened the floor to audience comments. There were none.

Ms. Syvret opened the floor to Supervisor Requests and Comments.

Mr. Bumgarner advised the Board that in conjunction with the pending purchase of the 13-slip marina, he took an opportunity to review the memo presented by Mr. Cox, of Rizzetta and Company, in June of last year when the Board inquired about allocating assessments to the 13-slip marina parcel. It was noted that, at that time, the Board had decided not to take any action. Mr. Bumgarner advised that after reviewing the memo again, it still does not appear that pursuing allocation of an assessment to the marina parcel would be beneficial to the District. Mr. Bumgarner further stated that, unless any of the other Board members disagreed, he would confirm to the purchaser that the District would not be taking any action to allocate and assessment to the 13-slip marina at this time.

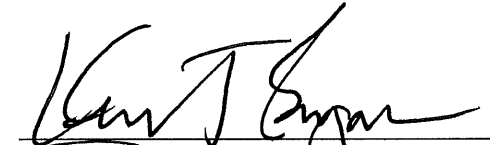
FOURTEENTH ORDER OF BUSINESS

Adjournment

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

On a Motion by Mr. Brocki, seconded by Ms. Warner, with all in favor, the Board adjourned the meeting at 4:23 p.m., for Waterlefe Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman