

MINUTES OF MEETING  
VIERA EAST  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Viera East Community Development District was held on Wednesday, January 8, 2020 at 3:00 p.m. at the Faith Lutheran Church in the Multi-Purpose Room, 5550 Faith Drive, Viera, Florida.

Present and constituting a quorum were:

Paul McCarthy	Chairman
David Bedwell	Vice Chairman
William 'Bill' Oakley	Secretary
Jo Walsh	Treasurer
Melinda Thomsen	Assistant Secretary

Also present were:

Jason Showe	District Manager
Jack McElroy	Shutts & Bowen
Tim Melloh	General Manager
Bonnie Mitcheltree	Resident
Bill Burgess	Resident
Peter Carnesale	Resident
Tony Volpe	Resident

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. McCarthy called the meeting to order at 3:00 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. McCarthy: Would anyone like to speak? Please identify yourself and subdivision. You have three minutes and Jason will give you a 30 second warning.

Tony Volpe, IRCC: I want to share a couple of things. The first is that I was in Woodside Park yesterday which has a big open field. I don't know if we are planning of putting anything there but if you do, I would consider the operation and maintenance (O&M) costs before you do. One of the things that you can do is to put in very low maintenance materials. Soccer and lacrosse players can interchangeably use the same fields with some minor differences, but most importantly it's a revenue stream. Kids like coming down here to have lacrosse and soccer

tournaments. Little kids like to run around that field. People come from out of state to have lacrosse tournaments. They stay at the hotel on N. Wickham Road and I-95. So I welcome that because it's a revenue stream that paid for that park. Secondly, I wanted to comment about court yesterday. I know that you are disappointed that it didn't end up concluding yesterday for some very good reasons; however, I think that's positive. The reason why I think it's positive is it is to your advantage. Give this side the opportunity so that when you walk away and the decision is in your favor you don't have people saying, "Hey, give it a chance" or something like that. In addition, I think the Judge made the right decision because he doesn't want to make a decision on administrative issues, so at the end of this there will be a decision that nobody can dispute. Good luck. Thank you.

Mr. McCarthy: Thank you for your comments, Tony.

**THIRD ORDER OF BUSINESS**

**Recess Board of Supervisors Meeting**

The meeting was recessed for the Attorney-Client Session.

**Attorney-Client Session #1**

**A. Roll Call**

Mr. McCarthy called the Attorney-Client Session to order at 3:06 p.m. All Supervisors were present.

**B. Attorney-Client Session**

Mr. McCarthy: We are now going into the Attorney-Client Session to discuss the litigation titled, "Robert Dale and All, versus Viera East CDD, Case #2019CA041770." It is estimated that the Attorney-Client Session will last 30 minutes. Those in the session will be Paul McCarthy, David Bedwell, William Oakley, Jo Walsh, Melinda Thomsen, Jason Showe, Jack McElroy and a court reporter. Pursuant to Section 286.0018 of the Florida Statutes, all others shall be excluded. Upon conclusion of the Attorney-Client Session, we shall open the public meeting and I shall announce the termination of the Attorney-Client Session.

**C. Adjournment**

The Attorney-Client Session was adjourned.

**Attorney-Client Session #2**

**A. Roll Call**

Mr. McCarthy called the Attorney-Client Session to order at 3:36 p.m. All Supervisors were present.

**B. Attorney-Client Session**

Mr. McCarthy: We are now going into the Attorney-Client Session to discuss the litigation titled, "OSM-1 LLC., versus Viera East CDD, Case #05219CA057538." It is estimated that the Attorney-Client Session will last 30 minutes. Those in the session will be Paul McCarthy, David Bedwell, William Oakley, Jo Walsh, Melinda Thomsen, Jason Showe, Jack McElroy and a court reporter. Pursuant to Section 286.0018 of the Florida Statutes, all others shall be excluded. Upon conclusion of the Attorney-Client Session, we shall open the public meeting and I shall announce the termination of the Attorney-Client Session.

**C. Adjournment**

The Attorney-Client Session was adjourned.

**FOURTH ORDER OF BUSINESS**

**Reconvene Board of Supervisors Meeting**

Mr. McCarthy reconvened the Board of Supervisors meeting at 4:10 p.m.

Mr. Showe: The next step is to set up new shade meetings. Looking at your calendar, the next workshop for February is February 12<sup>th</sup>. Is there any reason, Jack, to hold it sooner?

Ms. Thomsen: Don't we meet every other month?

Mr. Showe: The next Board meeting is on January 22<sup>nd</sup>.

Mr. McElroy: I think you want to have it before the February 7<sup>th</sup> meeting.

Mr. McCarthy: So January 22<sup>nd</sup>, Jason?

Mr. Showe: Is two weeks enough time?

Mr. McElroy: If we are going to have anything, we should know in two weeks. If you are able to resolve the matter, then you want to vote on that, so I don't have to prepare for and go to that hearing.

Mr. Oakley: So have it on January 22<sup>nd</sup>?

Mr. Showe: I'm just making sure that we have enough time to advertise. We would like to get the ads to the newspaper, in the next day or two, but we should be okay.

Ms. Walsh: So we are having two shade sessions.

Mr. Showe: Yes. Do we want to have it at 3:00 p.m. again, so we can conduct the regular Board meeting at 2:00 p.m.?

Mr. Bedwell: I guess.


Mr. Showe: Then we need a motion to approve those shade sessions.

On MOTION by Ms. Walsh seconded by Mr. Bedwell with all in favor scheduling an Attorney-Client Session on January 22, 2020 at 3:00 p.m. at this location was approved.

**FIFTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Walsh seconded by Mr. Bedwell with all in favor the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman