

**MINUTES OF MEETING  
ARBOR GREENE  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Arbor Greene Community Development District was held on Monday, April 20, 2009 at 6:30 p.m. in the Gathering Room, Arbor Greene Community Center, 18000 Arbor Greene Drive, Tampa, Florida.

Present and constituting a quorum were:

John P. Brickley	Chairman
Michael Lozicki	Co-Vice Chairperson
T. Dorsey Yawn	Assistant Secretary
Christine Nelson	Co-Vice Chairperson

Also present were:

John Ricciardi	District Manager
Harve Turner	General Manager
Neil Unruh	Shinn & Company, P.A.

*The following is a summary of the minutes and actions taken at the April 20, 2009 Arbor Greene Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Brickley called the meeting to order and Supervisors identified themselves at roll call.

**SECOND ORDER OF BUSINESS**

**Discussion and Consideration of  
Acceptance of the Fiscal Year Ended  
September 30, 2008 Audit Performed by  
Shinn & Company, P.A.**

Mr. Ricciardi briefly explained the financial highlights of the audit. He indicated that from the financial highlight point of view the District is in very good shape.

*The record will reflect Ms. Christine Nelson has joined the meeting.*

Mr. Ricciardi reported the auditor provides the Board with two different letters. The first letter begins on page 25 of the audit. The issue of Internal Control over Financial Reporting is addressed in this letter along with Compliance and Other Matters.

On the second page of this letter, the last sentence of the first paragraph indicates they did not identify any deficiencies in internal control over financial reporting that they consider to be material weaknesses, which is a positive statement.

Under Compliance and Other Matters, the last sentence of the first paragraph indicates the results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards and this is a positive finding.

The next letter in the audit report is written to the Board of Supervisors and is called the Management Letter. It basically goes through all of the various statutes that CDD's are held to in terms of compliance and rules of the Auditor General. If you read through each one of these findings, the District has complied in all areas there are no such matters that need to be reported. Most importantly, the District did not meet any of the conditions of Statute 218.503. This sentence looks like it is a negative finding because we have not met any of the conditions, but this is a positive finding because if we met any of them we would be in the state of financial emergency and we are not. This is a positive audit.

Mr. Unruh reported on an additional letter dated March 18, 2009, distributed to the Board regarding the audit.

*A copy of the additional letter dated March 18, 2009 is attached hereto and made part of the public record.*

Mr. Yawn asked several questions regarding the audit and Mr. Unruh sufficiently answered the questions.

Mr. Yawn complimented Mr. Ricciardi on his immense help with getting the Board straightened out with things they felt they needed to see and what Severn Trent was not doing under the prior District Manager. We are currently very comfortable with the management now.

Mr. Brickley explained to Mr. Unruh that he will see a difference in the revenue side of the house, in terms of interest next year as the Board has decided to authorize Severn Trent to begin a ladder-type investment in CD's.

The issue of budget reserve accounts was briefly discussed.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the Fiscal Year Ended September 30, 2008 Financial Audit performed by Shinn & Company, P.A. was accepted.

Mr. Unruh indicated the cost for the Fiscal Year 2009 audit will be \$12,500.

*The record will reflect Mr. Unruh left the meeting.*

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the March 23, 2009 Meeting**

Mr. Brickley stated each Board member received a copy of the minutes of the March 23, 2009 meeting and requested any additions, corrections or deletions.

Ms. Nelson requested that her name be listed on the first page under the heading Present and constituting a quorum were. She also requested a change to page 7, requesting that the word *not* be included between the words *Saint Augustine grass and be used in communities*, correcting the sentence to read as follows: *Mr. Yawn asked if Mr. Woods heard that in view of the current drought circumstances, the legislature was considering requiring that Saint Augustine grass not be used in communities such as Arbor Greene.*

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the minutes of the March 23, 2009 meeting were approved as amended.
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**FOURTH ORDER OF BUSINESS**

**Approval of the March 31, 2009 Financial Statements**

Mr. Brickley reported on the April 16, 2009 Budget Workshop.

- Revenue as of the end of March was 90.82% of budget, 46.19% of expenses, with the assessments at 92.45%. We are looking good through the first six months of the fiscal year.
- The stormwater drain issue in several ponds, primarily drought damage was discussed. Expenses could amount to approximately \$15,000.
- Proposed budget figures for fiscal year 2010 were reviewed and refining the budget continues.
- It was decided the budget was on track for the first half of fiscal year 2009 and approval of the financial statements through March 31, 2009 was recommended.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor, the Financial Statements for the period ending March 31, 2009 were approved.

Mr. Ricciardi reported the assessment trend is up to 96%. It was at 95% as of April 8<sup>th</sup> of last year.

Mr. Brickley suggested amending the order of the agenda allowing Ms. Julia Lamb of Wharton High School to present her swim team proposal. Enclosure 1 of Mr. Turner's General Manager's Report explains the proposal.

It was also noted that a proposal was requested from Ms. White but it has not been received yet.

Ms. Lamb gave her presentation regarding Board consideration of allowing the Tampa Bay Aquatics swim team to implement a summer league and year-round swim program utilizing the Arbor Greene pool.

It was decided to revisit the consideration of a year-round program when the summer league program concludes.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the swim team summer program proposal from Tampa Bay Aquatics (TBAY) subject to review of District Counsel and authorizing the Chairman to execute upon District Counsel's review was accepted.

Mr. Lozicki reported he received a phone call from Ms. White and she informed him that she will not be submitting a proposal.

**FIFTH ORDER OF BUSINESS**

**District Manager's Report**

Mr. Ricciardi reported on the following follow up items:

- Insurance Carrier – The carrier was alerted that a claim may be submitted from the Wells, gate incident. There has not yet been any information from Mr. and Mrs. Wells submitted to Mr. Ricciardi or Mr. Turner.
- A conference on possible stimulus funds will be held and a representative will be sent to obtain pertinent information.

- The landscape maintenance bid – Based on the way the current contract terms are written, the District is not obligated to go out for bid when the current contract expires in November, 2009. The contract can be rolled from month to month at the same rate if the Board wishes to do so. Mr. Turner is satisfied with Greenview Landscape's performance.

The consensus of the Board was to continue with the current contract on a month to month basis beyond November, 2009. OLM will be advised not to go out for RFP at this time.

- Changes to some of the budget items were discussed.

It was noted that based on the budget before the Board today, there will be an additional assessment of approximately \$140. Last year some of the carry forward surplus was used to reduce the assessments down a little. It is conceivable that you could throw some of the carry forward surplus towards reducing this year's assessment. Caution was advised as once that is done, the money is gone.

The changes discussed by Mr. Ricciardi will be incorporated in the preliminary 2010 budget and will be discussed further at future budget workshops.

**SIXTH ORDER OF BUSINESS**

**Attorney's Report**

There not being any, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**Engineer's Report**

There not being any, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**General Manager's Report**

Mr. Turner highlighted his report as follows:

- FDLE Background Clearance – Severn Trent Services does this on new hires. Currently there are 22 employees who have not had background checks. The cost for the background check is \$32.50 per employee.

It was recommended not to have the background checks done.

Mr. Ricciardi recommended that going forward background checks should be done for any new hires.

Board consensus was to comply with the recommendation made by Mr. Ricciardi.

- Repairs to Stormwater Drain Inlets – Board consensus was to approve the recommendation made by Mr. Turner regarding repairs to the inlet at Lake #70 and repairs to two inlets to the Landing Lake #20 as noted in his report.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the stormwater inlet repairs at a cost of not to exceed \$15,000 were approved.

- Community Center Building Termite Treatment – It was recommended to approve an expenditure of not to exceed \$2,000 for an initial treatment and no more than \$550 for annual termite service from Advance Termite Bait System. Board consensus was to defer this item to the next meeting and Mr. Turner will inquire about a warranty.
- Contract for Davida Constant, Personal Trainer – Board consensus was to proceed with a contract. Mr. Turner will contact Ms. Constant.
- Financial data from Concessionaires - As requested by the Board, concessionaires have submitted their financial data except Mr. Alan Messing of SwimKids USA. He will not be submitting financial data as it is not his policy to do so. If it is the Board's wish, his services can be terminated with a 90 day notice. Board consensus was to proceed with the 90 day termination notice unless Mr. Messing complies with the Board's request for financial data on his earnings from the SwimKids USA program at Arbor Greene.
- Increased Teen Activity in the Community – Increasing security from June 4 to the start of school in August will be considered.
- Request to SWFWMD for Modification to Water Use Permit – Mr. Turner is awaiting additional information from WilsonMiller that was requested by SWFWMD.
- Lake Master Contract – No change in contract cost for fiscal year 2010. The contract services are algae, aquatic weed control, border grass and brush control, water testing management report and aquatic consultation with 52 inspections per year with treatment as necessary.

On MOTION by Mr. Lozicki seconded by Mr. Yawn with all in favor extending the current Lake Master contract through May, 2010 was approved.

- Repair Gate House Damage – The insurance company of the resident who caused the damage has not submitted payment for the damage, but it was recommended that the damages be repaired now as the gate house does not look good. The damage and insurance information will be sent to Mr. Ricciardi and he will forward it to Ms. Davis of Severn Trent to be submitted to the District’s insurance carrier.

On MOTION by Mr. Lozicki seconded by Mr. Yawn with all in favor the bid from Odersness Construction Company to repair the damage to the gate house in the amount of \$4,485, subject to approval of the District’s insurance carrier was accepted.

Going forward with the gate house repairs will be held in abeyance pending approval from the District’s insurance company.

**NINTH ORDER OF BUSINESS**

**Supervisors’ Requests**

Mr. Lozicki reported broken sprinkler heads at the entrance to the Estuary. There being no other Supervisor comments, the next item followed.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

A representative from Protential Sports Aquatics apologized for being late and missing the swim team discussion.

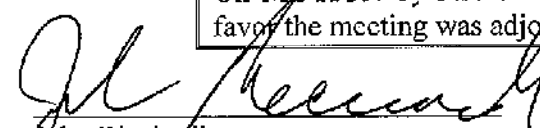
Mr. Brickley thanked the representative for coming and explained that a swim team proposal was approved earlier in the meeting.

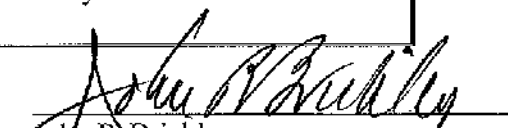
**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the meeting was adjourned.

  
John Ricciardi  
Secretary

  
John P. Brickley  
Chairman