

**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, August 25, 2008 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
Christine Nelson	Co-Vice Chairperson
T. Dorsey Yawn	Assistant Secretary
Michael Lozicki	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Tracy Robin	District Counsel
Harve Turner	General Manager
Numerous Residents	

*The following is a summary of the minutes and actions taken at the August 25, 2008 Arbor Greene Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Brickley called the meeting to order and all Supervisors identified themselves at roll call, with the exception of Ms. Nelson who was expected shortly.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the July 21, 2008 Meeting**

Mr. Brickley stated each Board member received a copy of the minutes of the July 21, 2008 meeting and requested any additions, corrections or deletions.

Corrections were requested to be made on pages 3, 9, 14 and 21. Changes were made and are made part of the public record.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor, the minutes of the July 21, 2008 meeting were approved as amended.
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**THIRD ORDER OF BUSINESS**

**Approval of the July 31, 2008 Financial Statements**

- Mr. Brickley discussed the August 21, 2008 Budget Workshop.
  - We are at 99.9% of budget for the year in terms of income.
  - We are at 75.3% of budget for revenue and we are in very good shape for the last two months of the fiscal year and the fiscal year ends at the end of September. We will end the year with some type of excess revenue over expenses.

Mr. Brickley noted that going into the fiscal year 2009 budget there was a solid balance in the Operations and Maintenance gate item and asked Mr. Ricciardi if those dollars can be used for other things in the Operations and Maintenance budget besides gate maintenance?

Mr. Ricciardi recommended using the balance as a carry forward; whatever you do not use, you carry forward. The carry forward can be used to reduce the assessments the same as is done with the regular budget and Mr. Brickley noted we will remember that as we get closer to starting the budget process for next year.

On MOTION by Mr. Lozicki seconded by Mr. Yawn with all in favor, the Financial Statements for the period ending July 31, 2008 were approved.

**FOURTH ORDER OF BUSINESS**

**Consideration of Agreement Between the District and OLM, Inc.**

Mr. Brickley gave an overview of OLM noting the following:

- OLM is the company the District had last year for the first time and they put together the contract specifications for the overall landscaping maintenance of the community.
- They evaluate the progress and performance of the landscape contractor monthly.
- We have had two instances this year where the landscape contractor did not meet the standards set by OLM and they lost 25% of their fee.

*The record will reflect Supervisor Nelson joined the meeting.*

Mr. Brickley continued by noting OLM has submitted another contract for the next year, which includes less than a 3% increase. He felt that contracting with OLM has been money well spent.

He continued, we have put some money in the budget this year to start to beautify the community starting from Cross Creek in through the main entrance and as far as we can go with the amount of money put in the budget. OLM will be consulted to give us the best plan for the District's money.

Comments from other Board members were requested.

Mr. Lozicki reported that he has received positive feedback and in some cases it pays for itself. It has helped to avoid getting caught where landscape maintenance might be running down hill and it would be too late to save. OLM can keep us ahead of running into problems and Mr. Turner agreed.

Mr. Brickley also noted that the Board and staff do not have the expertise to make the decisions and recommendations for our District's landscaping.

Mr. Ricciardi explained that the contract with OLM is a performance based contract. This means that every month there is an inspection by OLM, if the landscaper does not perform to a certain level, 25% of the contract rate for that month is automatically deducted and saved by the District. This type of contract is very productive because it keeps the landscaper performing to the level that you want. A landscaper will not sign a performance based contract unless it is with a company like OLM (licensed horticulturists).

A resident, Mr. Steve Corcoran, questioned the landscape performance in his community.

Mr. Turner noted in his opinion, OLM is well worth their fee.

A resident, Mr. Daga, inquired about a road sign obstruction and Mr. Brickley asked him to discuss the issue with Mr. Turner, as the issue is a safety issue.

<p>On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the new contract with OLM was approved subject to the District Attorney's review.</p>
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There being no report, the next item followed.

**SIXTH ORDER OF BUSINESS**

**Attorney's Report**

Mr. Robin noted he looked at the Tennis Reservation Subscription Agreement and there is nothing in the agreement he has any objections to on the part of the District. Given the size of the contract, the District's recourse would be to terminate it if the services being provided are not acceptable.

**SEVENTH ORDER OF BUSINESS**

**Engineer's Report**

There not being any, the next item followed.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

- Mr. Corcoran inquired about street sweeping noting that when walking his dogs, he frequently sees broken glass in the streets of his community.  
Mr. Turner responded by stating the District is responsible for cleaning the streets and in addition to mowing and trimming, the landscaper is responsible for cleaning portions of the street, excluding in front of homes. When the maintenance crew patrols the streets debris is picked up.  
Mr. Brickley noted the Board will look into the street sweeping matter.
- Ms. Nelson asked what ever happened with the tree trimming issue; are we waiting on the HOA attorney?  
Mr. Brickley responded by noting it has to be done by the HOA and letters are being sent regarding that matter.  
Mr. Turner reiterated that the HOA has agreed to send letters to residents on the tree trimming issue.  
Ms. Nelson suggested that the HOA research tree trimming companies and put the information in the newsletter for resident use.
- Mr. Daga noted regarding a wash-out issue, he is willing to repair his property but not the CDD common property.  
Mr. Turner explained if a wash-out appears to be on a residents property, the HOA is notified to contact the resident that there is a wash-out on their property and they should take care of it. The affected lake bank cannot be repaired until the resident repairs their portion on their property.

Mr. Yawn noted there should be some kind of communication between the maintenance people and the property owners concerning repairs that need to be done.

Mr. Brickley suggested taking up this issue again in October when the rainy season is over.

Mr. Thomson reported on an issue with the small parking lot next to the tennis courts. He noted that when there is a tennis event people park on the grass and when it is wet, ruts are made in the ground. *Mr. Yawn replied by noting we need a larger maintenance facility and we intend to build a structure, near the tennis courts, near the driveway that goes to nowhere and the area in question may or may not be paved but we will not cover it with St. Augustine grass.*

**EIGHTH ORDER OF BUSINESS**

**General Manager's Report**

Mr. Turner discussed the following issues with highlights as follows:

- The AED device has been received and training will begin
- Vandalism of Boardwalk fence, newsletter article included in GM report. *Mr. Brickley noted that unfortunately there is no choice but to fix the fence because it will be a safety and security issue. The Board reviewed and approved the newsletter article presented by Mr. Turner and recommended the sentence "Do you know where your children were that evening?" be stricken from the article.*
- Retreat Village-Some transponders not working. Mr. Turner recommended replacing the remotes at cost and the cost to be reimbursed by the residents. It was the consensus of the Board to approve the sale of a new transponder to the residents at the cost to the District.
- Letter from SWFWMD regarding resident's request to eliminate weeds along the fence.
- Gate Procedures. A separate log is now being used to notate only the people entering the community as visitors as opposed to being noted on the big log. There are usually 5 to 10 visitors per night, from 10 p.m. to 6 a.m. The visitor provides the resident's phone number to the guard and the guard calls the residents for approval. *Mr. Lozicki suggested changing that to having the visitor*

*call the resident on their cell phone and have the resident go to the guard giving their personal approval.*

Mr. Turner noted the procedure for expected visitors is for the residents to pre-notify the guard of the name of the expected guests. If residents allow unexpected visitors, they are to give the guard a phone number where they can be reached and if they do not provide a telephone number to the guard, it is assumed they do not want visitors and they will not be called. *Mr. Brickley questioned the current procedure and suggested that until there are resident complaints, the current procedure should continue.*

- Tennis court reservation system is still being refined and it should be usable within the next week.
- Solar Film – Mr. Turner recommended Solar Tek for the Community Center windows at a cost of \$3,555.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor the bid submitted by Solar Tek for the installation of Hurricane Film for the Community Center windows in the amount of \$3,555 contingent upon billing for the Fiscal Year 2009 budget was accepted.

- Overnight Parking in the Community Center Club Parking Lot. Board consensus was to approve the recommendation that signs be put up stating “No Overnight Parking Permitted” and this notification will be included in the newsletter.
- Possession of weapons on CDD Property. It was requested that the Board approve a policy that prohibits customers (residents or their guests) from having or locking firearms or other weapons in their vehicles or in their possession while using CDD facilities, including basketball courts, tennis courts, pools and playgrounds. *The Board questioned the need for this policy since it is already State Law and noted they would not address this issue at this time.*
- Biological Research Associates (BRA) Proposal to Monitor Wetlands for \$3,770 for Mitigation Monitoring. It was recommended that the Board approve the BRA proposal in the amount of \$3,770 which includes the fee of \$890 for the first year

inspection in 2008 and \$720 for the inspection in each of the remaining four years.

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor the BRA proposal for site review of mitigation areas for five years commencing in Fiscal Year 2009 was accepted.

- Swimming in Ponds. The policy will be revised to include a “No Swimming” sign and will be advertised in the newsletter.
- Proposal from Timothy Garcia-Personal Trainer. This item was deferred to the next meeting. The Board noted the proposal is interesting and requested that Mr. Garcia attend the next Board meeting.  
*The record will reflect Mr. Robin left the meeting.*
- Standing Water in Heather Sound. The District Engineer has looked at this and a survey to determine property lines must be done. At a cost of \$8,685 a survey for the swale and cost to grade the swale was recommended by Mr. Turner.

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor step 1, the proposal to perform the first survey of the homes on lots 2 through 8 on Heather Sound Drive in the amount of \$1,950 was approved.

- Unresolved Issues. These issues are included in the General Manager’s Memorandum which is attached hereto and made part of the public record.

**NINTH ORDER OF BUSINESS**

**Supervisor’s Requests**

Ms. Nelson clarified the statement she made on page 14 of the July 21, 2008 minutes regarding the fees for ads, noting she recommended the three month rate as of January 1<sup>st</sup> to be \$300 and not \$310.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

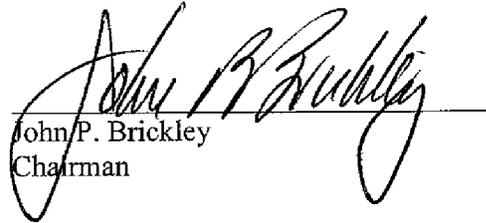
August 25, 2008

Arbor Greene C.D.D.

There being no further business,

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

  
John Ricciardi  
Secretary

  
John P. Brickley  
Chairman

**MINUTES OF MEETING ARBOR GREENE  
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John P. Brickley Chairman

Christine Nelson Co-Vice Chairperson T. Dorsey Yawn Assistant Secretary Michael Lozicki  
Assistant Secretary

Also present were:

John Ricciardi District Manager Tracy Robin District Counsel Harve Turner General Manager  
Numerous Residents

*The following is a summary of the minutes and actions taken at the August 25, 2008  
Arbor Greene Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS Roll Call**

Mr. Brickley called the meeting to order and all Supervisors identified themselves at roll call, with the exception of Ms. Nelson who was expected shortly.

**SECOND ORDER OF BUSINESS Approval of the Minutes of the July 21, 2008 Meeting**

Mr. Brickley stated each Board member received a copy of the minutes of the July 21, 2008 meeting and requested any additions, corrections or deletions.

Corrections were requested to be made on pages 3, 9, 14 and 21. Changes were made and are made part of the public record.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor, **the minutes** of the July 21, 2008 meeting were approved as **amended**.

August 25, 2008 Arbor Greene C.D.D.

**THIRD ORDER OF BUSINESS Approval of the July 31, 2008 Financial Statements**

- Mr. Brickley discussed the August 21, 2008 Budget Workshop.
  - We are at 99.9% of budget for the year in terms of income.
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Mr. Ricciardi recommended **using** the balance as a carry forward; whatever you do not use, you carry forward. The carry forward can be used to reduce the assessments the same **as is** done with the regular budget and Mr. Brickley noted we will remember that as we get closer to starting the budget process for next year.

On MOTION by Mr. Lozicki **seconded** by Mr. Yawn with all in favor, **the Financial Statements** for the period **ending** July 31, 2008 **were approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Agreement Between the District and OLM, Inc.**

Mr. Brickley gave an overview of OLM noting the following:

- OLM is the company the District had last year for the first time and they put together the contract specifications for the overall landscaping maintenance of the community.
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August 25, 2008 Arbor Greene C.D.D.

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On MOTION by Mr. Yawn **seconded** by Mr. Lozicki with all in favor **the new contract** with OLM **was approved subject** to the District Attorney's review.

FIFTH ORDER OF BUSINESS **District Manager's Report**

August 25, 2008 Arbor Greene C.D.D.  
There being no report, the next item followed.

**SIXTH ORDER OF BUSINESS Attorney's Report**

Mr. Robin noted he looked at the Tennis Reservation Subscription Agreement and there is nothing in the agreement he has any objections to on the part of the District. Given the size of the contract, the District's recourse would be to terminate it if the services being provided are not acceptable.

**SEVENTH ORDER OF BUSINESS Engineer's Report** There not being any, the next item followed.

**TENTH ORDER OF BUSINESS Audience Comments**

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August 25, 2008 Arbor Greene C.D.D.

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Arbor Greene C.D.D.

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- Unresolved **Issues**. These issues are included in the General Manager's Memorandum which is attached hereto and made part of the public record.

#### **NINTH ORDER OF BUSINESS Supervisor's Requests**

Ms. Nelson clarified the statement she made on **page** 14 of the July 21, 2008 minutes regarding the fees for **ads, noting** she recommended the three month rate as of January V to be \$300 and not \$310.

#### **ELEVENTH ORDER OF BUSINESS Adjournment**

August 25, 2008

There being no further **business**,  
Arbor Greene C.D.D.

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

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