

**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 24, 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
Christine Nelson	Co-Vice Chairperson
Michael Lozicki	Co-Vice Chairman
T. Dorsey Yawn	Assistant Secretary
Adam Tanenbaum	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Harve Turner	General Manager

The following is a summary of the minutes and actions taken at the August 24, 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

Approval of the Minutes of the July 20, 2009 Meeting

Mr. Brickley stated each Board member received a copy of the minutes of the July 20, 2009 meeting and requested any additions, corrections or deletions.

Corrections to pages 2 and 4 were requested and will be made part of the final public record.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the minutes of the July 20, 2009 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Approval of the July 31, 2009 Financial Statements

Mr. Brickley reported on the August 20, 2009 Budget Workshop noting the following:

- Revenue was at 99.2%, expenses at 77.2% and the assessment income was at 100%.
- Some issues and adjustments were discussed at the workshop and it was indicated we would be reviewing the proposed budget at the public hearing and an error was made noting that nothing could be done with the budget, which was clarified by Mr. Ricciardi noting that the budget can be reduced, but it could not be added to at that time. After the workshop that point was clarified in an email, which sets the ground work for this evening's budget meeting and it is the last opportunity to review the proposed fiscal year 2010 budget before action is taken at this meeting to adopt the budget.
- At the conclusion of the budget workshop there was consensus to recommend to the Board the approval of the financial statements as of July 31, 2009.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the financial statements as of July 31, 2009 were approved.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of the Budget for Fiscal Year 2010 (Resolution 2009-3) and Levy of Non Ad Valorem Assessments (Resolution 2009-4)

The public hearing was opened.

Mr. Ricciardi explained the budget status. He noted the budget being considered for adoption this evening runs from October 1, 2009 to September 30, 2010. If the Board were to adopt the current budget as presented, it would cause an increase in the maintenance and operations budget of 5% over 2009.

It was explained the Retreat shows a significant reduction because of the significant reduction in the individual gate assessment for that community.

The procedure for conducting the public hearing was explained.

Mr. Brickley asked the Board for any comments, questions or recommendations they have for discussion.

The Board's budget discussion included the following:

- The budgeted expenditures were reviewed first.
- Under Administrative the proposed 2010 budget indicates \$236,775; this is 14% of the proposed 2010 budget.
- Mr. Tanenbaum proposed cutting the Engineering line item from \$10,000 to \$5,000.
- Mr. Ricciardi noted the District is facing the potential of having the engineer involved on a more regular basis because of the various problems being found with the erosion, pond banks and what may be done regarding sidewalks; \$5,000 does not give much room for engineering.

On MOTION by Mr. Tanenbaum seconded by Mr. Lozicki with Mr. Tanenbaum, Mr. Yawn, Mr. Lozicki and Mr. Brickley voting Aye and Ms. Nelson voting Nay, cutting the Engineering line item of the proposed fiscal year 2010 from \$10,000 to \$7,500 was approved.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor reducing the Legal Services line item from \$10,000 to \$8,000 was approved.

- **Water-Sewer Comb Services**

The amount proposed for this category is \$41,800, which is about 2.4% of the overall budget and an increase of about \$1,600 from last year.

Mr. Turner noted the Electricity-Entry Fountain item can be cut by 1/3; it can be cut to \$16,400. Board consensus was to cut this item to \$16,400.

- **Flood Control/Stormwater Mgmt**

The Contracts-Fountain item will be reduced from \$1,200 to \$500 (on consensus)

R&M-Fountain item will be reduced from \$3,000 to \$2,000 (on consensus)

Increase R&M Stormwater to \$44,047 and eliminate contingency trim \$34,047.

On MOTION by Mr. Brickley seconded by Mr. Yawn with Ms. Nelson, Mr. Yawn, Mr. Lozicki and Mr. Brickley voting Aye and Mr. Tanenbaum voting Nay, increasing the R&M-Lake expense item under Flood Control/Stormwater Mgmt. from \$12,360 to \$25,000 was approved.

• **Landscape**

Total Landscape is at \$355,480, which is a slight rise from 2009; overall landscape is 21% of the budget, it is a 1% increase from fiscal year 2009. There is no increase for the contract for the year.

Mr. Tanenbaum MOVED to reduce R&M Renewal & Replacement from \$50,000 to \$30,000 and Mr. Yawn seconded the motion.

Ms. Nelson MOVED to amend the above motion to \$40,000 and Mr. Yawn seconded the motion.

On VOICE vote with all in favor reducing the R&M Renewal and Replacement Landscape line item to \$40,000 was approved.

Mr. Tanenbaum MOVED to reduce the R&M Irrigation Equipment line item from \$10,000 to \$7,500 and Mr. Yawn seconded the motion.

Mr. Yawn questioned Mr. Turner on whether the District is in the process of going from sprinkler irrigation to a drip form of irrigation.

Mr. Turner explained how he arrived at the need for \$10,000 on this line item and responded it is based on cost proposals from Greenview Landscaping and the cost for converting from the current spray irrigation to the drip irrigation system. This is for the shrubbery and not on the grass at all.

On VOICE vote with Mr. Tanenbaum voting Aye and Mr. Brickley, Ms. Nelson, Mr. Lozicki and Mr. Yawn voting Nay, the motion to reduce the R&M Irrigation Equipment line item from \$10,000 to \$7,500 failed.

Mr. Tanenbaum MOVED to reduce R&M Reserve line item from \$2,000 to zero. There being no second the motion died.

- **Gatehouse**

One of the District's bigger contracts is Security Services. The gatehouse costs are 9.4% of the District's proposed budget for fiscal year 2010. The total proposed for this item is approximately \$8,000 less than last year.

Mr. Tanenbaum MOVED to reduce the Gatehouse, R&M Contingency line item from \$1,250 to zero. There being no second, the motion died.

- **Road and Street Facilities**

This item is approximately 6% of the District's proposed budget for fiscal year 2010.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor reducing the R&M Road Cleaning line item from \$3,000 to \$1,500 was approved.

Mr. Tanenbaum MOVED to reduce the R&M Street Signs line item from \$5,000 to \$3000. There being no second, the motion died.

- **Parks and Recreation – General**

This item is approximately \$30,000 more than last year. It reflects the costs associated with staff to include taxes, insurance benefits and full time/part time, plus other areas. This item is approximately 19.6% of the proposed budget for fiscal year 2010.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor reducing the R&M-Parks line item from \$5,000 to \$3,000 was approved.

- **Clubhouse**

A slight reduction from 2009 to 2010 is noted in this item. The clubhouse is approximately 12% of the proposed fiscal year budget for 2010 and is down approximately 1% from last year.

The Misc. Holiday Lighting line item was discussed.

The consensus of the Board was to reduce the Misc. Holiday Lighting item from \$16,000 to \$14,000.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor reducing the Clubhouse, Misc. Contingency line item from \$3,000 to \$1,500 was approved.

- **Swimming Pool**

The total for this item is down this year.

Consensus of the Board was to reduce the Swimming Pool, Op Supplies-Pool and Fountain line item from \$5,000 to \$1,000.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with Mr. Brickley, Mr. Yawn, Mr. Lozicki and Ms. Nelson voting Aye and Mr. Tanenbaum voting Nay increasing the Swimming Pool, Contracts Gas-Pool Heater line item from \$1,000 to \$2,500 was approved.

- **Tennis Court**

A discussion ensued regarding the Tennis Court, R&M Reserves line item.

Mr. Tanenbaum MOVED to reduce the Tennis Court, R&M Reserves line item from \$5,000 to \$2,000. There being no second, the motion died.

The Tennis Court, Op Supplies-General line item was discussed.

Consensus of the Board was to reduce the Tennis Court, Op Supplies – General line item from \$3,000 to \$1,000.

- **Newsletter**

This item is approximately 1.5% of the proposed budget for fiscal year 2010. This includes payroll as well as postage and printing and binding. This has not been broken down in this manner before.

Consensus of the Board was to reduce the Newsletter-Printing and Binding line item from \$14,000 to \$12,000.

Mr. Yawn suggested doing away with the printing and mailing of the Newsletter since the Newsletter is posted on the web and every home in Arbor Greene probably has a computer. The residents would be given a lengthy time frame notice before this action would be taken.

Obtaining each resident's email address was discussed.

- **Physical Environment**

Mr. Ricciardi noted we eliminated the Misc Contingency (TRIM) line item; it went to zero.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with Mr. Tanenbaum voting Aye and Mr. Brickley, Mr. Lozicki, Mr. Yawn and Ms. Nelson voting Nay the motion to reduce the Physical Environment-Capital Outlay line item from \$25,000 to \$15,000 failed.

The changes to the proposed fiscal year 2010 budget were reviewed by Mr. Ricciardi. After the review it was noted the net impact of the changes is a reduction in the assessment by \$25,260.

There will be no change in the Debt Service Budget and there will be no changes to the individual fund budgets.

The budget public hearing was closed.

It was noted that the assessment is up approximately 3% instead of 5%.

Mr. Ricciardi explained Resolution 2009-3 is the resolution that adopts the budget for fiscal year 2010, beginning October 1, 2009 and ending September 30, 2010.

On MOTION by Mr. Brickley seconded by Mr. Lozicki with Mr. Yawn, Mr. Lozicki, Mr. Brickley and Ms. Nelson voting Aye and Mr. Tanenbaum voting Nay, Resolution 2009-3 relating to the annual appropriations of the District and adopting the budget for Fiscal Year 2010 and referencing the maintenance and benefit special assessments to be levied by the District was adopted.

Mr. Ricciardi explained Resolution 2009-4 authorizes the tax collector to collect the assessments relating to the budget as discussed at today's meeting.

On MOTION by Mr. Yawn seconded by Mr. Brickley with Mr. Lozicki, Ms. Nelson, Mr. Yawn, and Mr. Brickley voting Aye and Mr. Tanenbaum voting Nay Resolution 2009-4 a resolution levying and imposing a non ad valorem maintenance special assessment for the District for Fiscal Year 2010 was adopted.

FIFTH ORDER OF BUSINESS

**District Manager's Report-Meeting
Schedule for Fiscal Year 2010**

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the annual meeting schedule including regular meetings to be held on the third or fourth Monday of each month and workshop meetings to be held on the third Thursday of each month was approved as presented.

A copy of the annual meeting schedule is attached hereto and will be made part of the public record.

Mr. Doug Kugley of Fast Splits Coaching gave a presentation on his triathlon coaching business to the Board. He requested permission from the Board to conduct swim instruction classes for triathlon training at the District pool.

Mr. Yawn expressed the District's concern regarding insurance and concern regarding taking pool time away from regular resident swimmers.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor allowing Mr. Kugley to conduct swim instruction classes for the purpose of triathlon training contingent upon meeting Arbor Greene requirements was approved.

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

On MOTION by Mr. Brickley seconded by Mr. Lozicki with all in favor the expenditure of \$9,850 for stormwater system repairs was approved and ratified.

Item #2b included in the General Manager's report dated August 19, 2009 was discussed. The issue, resident request to advertise personal fitness training on the Arbor Greene website was deferred for discussion at a future meeting.

Item #2c of the General Manager's report was discussed.

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum with all in favor Phase II of the tree trimming project at a cost of not to exceed \$10,000 to start no sooner than October 1, 2009 was approved.

Item #2d of the General Manager's report was discussed.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor the expenditure of not to exceed \$2,700 for the fitness pool cover to be applied to the fiscal year 2009 budget was approved.

Item #2e of the General Manager's report was discussed; request to advertise in the Newsletter for fund raiser at Fisher House at the VA hospital.

Consensus of the Board was not to change what has been the policy in the past; the request was denied.

Item #2f was discussed; Tampa Police Department Patrols.

Consensus of the Board was to leave the schedule at five times per week.

Item #2g was discussed; lightning and thunder policy. Mr. Turner recommended extending the lightning/thunder policy to 30 minutes.

Mr. Ricciardi will ask other CDD's how long they vacate pool areas for thunder and lightning; ask if they evacuate their tennis courts and ask if they have warning devices. Action on this issue was deferred until responses are collected regarding this matter.

Item #3a of the General Manager's report was discussed. Mr. Turner will speak with the HOA board requesting that they send letters to residents whose pools have automatic drains to prevent pool over fill and the excess rainwater drains from their pools causing their grass to die, which increases the water flow and is contributing to lake bank washouts.

A discussion regarding the missing streetlight pole ensued.

Item #3g of the General Manager's report was discussed.

Item #3h was discussed and the Board was informed that the coffee table in the gathering room will be replaced at a cost of not to exceed \$895 to be applied to the fiscal year 2010 budget.

A copy of the General Manager's Report dated August 19, 2009 is attached hereto and will be made part of the public record.

Mr. Ricciardi updated the Board on the oak trees and easements and the question of can they be replaced with another type of tree. Trees that are removed must be replaced with the same size tree and the permit process must take place. A policy for replacing trees in an easement is still unclear.

It was also reported that signage would have to be DOT approved and the speed limit in the villages can be changed to 20 MPH. The engineer noted without a traffic study, enforcement of the speed limit could be disputed. This issue will be discussed at a future meeting.

NINTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Tanenbaum stated it is a privilege to be on this Board, it is an upstanding Board and he appreciates everyone having an opportunity to discuss important things and the opportunity to

be heard even if in the minority. He congratulated the Board on doing everything they did at this meeting in three hours.

Mr. Brickley noted if there is one characteristic of this Board, it is basically that we are a resident Board and are concerned as residents.

TENTH ORDER OF BUSINESS

Audience Comments

There not being any comments at this time, the next item followed.


ELEVENTH ORDER OF BUSINESS

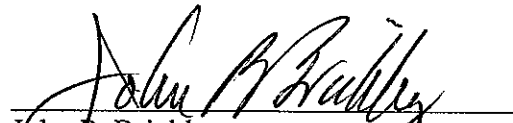
Adjournment

Mr. Brickley announced the next meeting is scheduled for September 21, 2009 at 6:30 P.M.

There being no further business,

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


John Ricciardi
Secretary


John P. Brickley
Chairman