

**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 23, 2010 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
T. Dorsey Yawn	Assistant Secretary
Christine Nelson	Co-Vice Chairperson
Adam Tanenbaum	Assistant Secretary
Michael Lozicki	Co-Vice Chairman

Also present were:

John Ricciardi	District Manager
Tracy Robin	District Attorney
Harve Turner	General Manager
Audience Members	

The following is a summary of the minutes and actions taken at the August 23, 2010 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Approval of the Minutes of the July 19, 2010 Meeting

Mr. Brickley stated each Board member received a copy of the minutes of the July 19, 2010 meeting and requested any additions, corrections or deletions.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the minutes of the July 19, 2010 meeting were approved.

THIRD ORDER OF BUSINESS

Approval of the July 31, 2010 Financial Statements

Mr. Brickley reported on the August 19, 2010 Budget Workshop noting the following:

- Our revenue was at 100.67% of budget, 75.25% of expenses and 100% of assessments. The budget was reviewed.

The record will reflect Mr. Lozicki joined the meeting.

- The financial statements for the end of July, 2010 were recommended for approval.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the financial statements as of July 31, 2010 were approved.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of the Budget for Fiscal Year 2011 (Resolution 2010-4) and Levy of Non Ad Valorem Assessments (Resolution 2010-5)

Mr. Ricciardi was asked to give an overview of the fiscal year 2011 budget.

Mr. Ricciardi welcomed the Board, Mr. Robin and thanked resident's for their attendance.

The public hearing and budget process procedure was explained noting the following:

- The Board has been working on the budget along with the General Manager beginning in March, 2010.
- A tentative draft budget was approved in May, 2010. The associated assessments were received by residents with the Budget Notice letters. At that time the levy was \$1,760,517, which produced an assessment increase to residents ranging from 1% to 3%. Subsequent to the approval of the draft budget, back in May, the Board continued each month with staff reviewing the budget, analyzing line items and arrived at the budget presented today.
- This budget has a total assessment revenue of \$1,671,146 and a decrease in assessments from what you currently have this year of 1% to 2% (a drop in assessments from what residents paid for the 2010 budget).
- The budget being considered for adoption is for fiscal year 2011 for the period October 1, 2010 thru September 30, 2011.

- The approval of the draft budget set the high water mark, the Board cannot go any higher than that. If the Board adopts the budget presented tonight, it would then indicate a decrease in assessments.

Mr. Brickley noted we spent well over \$100,000 a year ago on the stormwater waste system because of pipes breaking, problems within the lakes, the drought, and reinforcing a large amount of that work. There is still a significant amount of that to be done, but we were not able to work on it this year because of the water levels.

We continue to keep money in the budget for that particular line item. Looking at that specific line item as an example we looked where we could spend money as productively this year instead of waiting for next year and the first element that came up was the Estuary/Enclave Fountain. The permit has been received and we budgeted for the work to be completed, which is anticipated to be completed in two weeks.

Mr. Ricciardi explained the format of the budget for the benefit of residents.

The public hearing was opened.

Mr. Bracken from Avalon inquired about the \$61,000 amount in discounts.

Mr. Ricciardi explained there is a 4% discount if assessments are paid on time; since we are at 100% collected the amount is as indicated.

Mr. Mike Cook from Heather Sound asked about the communication expenditures; there are several accounts listed.

Mr. Turner explained what the different communication details include.

Mr. Ricciardi noted Mr. Turner does a good job of keeping track of these billing items trying to get the best economy we can.

Mr. Brickley noted one of the issues we will look at going forward in fiscal year 2011 will be looking for efficient ways to upgrade the clubhouse communication system.

A resident asked about clubhouse maintenance services, \$11,000 plus.

Mr. Turner noted it was previously recorded someplace else. For next year we are moving it up to where several contracts are lumped in to where all the contracts are.

Mr. Brickley noted we had a lot of contracts and repair and maintenance together and we figured it might be better to recognize they are separate issues.

There being no other questions from residents, the discussion was opened to Board members. There not being any,

The public hearing was closed.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor Resolution 2010-4 relating to the annual appropriations of the District and adopting the budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 and referencing the maintenance and benefit special assessments to be levied by the District for said fiscal year was adopted.

Mr. Ricciardi reported Resolution 2010-5 is the resolution levying and imposing a non ad valorem maintenance special assessment for the District for fiscal year 2011.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor Resolution 2010-5 was adopted.

Mr. Brickley suggested that at this time the Board discuss and consider the approval of the meeting schedule for fiscal year 2011 as listed on the agenda under the Manager's Report.

A brief discussion ensued regarding the meeting schedule.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor the meeting schedule for fiscal year 2011 was approved as presented.

Mr. Brickley asked the Board for permission to change the order of agenda items to allow members of the audience to address the Board at this time. The Board concurred.

TENTH ORDER OF BUSINESS

Audience Comments

Ms. Christine Worley asked for permission to hold a non-partisan voter registration at the clubhouse.

The consensus of the Board was to approve the activity as coordinated with Mr. Turner.

Mr. Steve Corcoran explained an issue with the hours of operation of the fitness center. He requested that the attendant on duty at the fitness center let residents in around 5:40 a.m.

On MOTION by Ms. Nelson seconded by Mr. Tanenbaum with all in favor opening the work-out room/fitness center at 5:30 a.m. was approved.

Ms. Lilian Sanchez requested permission to hold a charity event on October 2nd for the Susan B. Komen Foundation. Zumba.com is sponsoring the Komen Foundation. All the proceeds from the event will go to the foundation.

Mr. Turner reported the foundation office in St. Petersburg is not aware of any arrangements with Zumba On Wheels.

A discussion on whether the event was officially granted by the foundation's authorities ensued.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with Mr. Brickley, Ms. Nelson, Mr. Lozicki and Mr. Tanenbaum voting AYE and Mr. Yawn abstaining the request from Ms. Sanchez to host the Party In Pink Zumbathon for the benefit of the Susan B. Komen Foundation charity event at the District's facility was approved.

Mr. Ricciardi indicated it is his understanding that Florida Statutes do not allow a Supervisor to abstain from voting and he deferred to District Counsel for guidance on this matter.

Mr. Robin talked about the statute and a memo he is preparing for another district regarding abstaining from a Board vote and he allowed the abstention made by Mr. Yawn on the above motion.

Ms. Julia Lamb, the swim team coach, thanked the Board for allowing the team to use the pool facilities. She requested permission to use 2 pool lanes on Mondays, Wednesdays and Fridays between 5:30 a.m. and 7:00 a.m.

The consensus of the Board was to approve the request and open the pool at 5:30 a.m. on Mondays, Wednesdays and Fridays as requested by Ms. Lamb for the use of 2 pool lanes until the winter, when the cover goes on the pool.

Mr. Rick Sapiro, Assistant Engineer for Niscayah Security Company offered to answer questions on the proposal submitted regarding card readers.

The Board asked questions and discussed the card reader system and proposal.

Mr. Sapiro suggested that the engineering firm of SSR be contacted to provide additional information on mechanisms for security systems. Their expertise is communications and low voltage engineering.

A lengthy discussion ensued and the Board decided to work on gathering ideas on what is needed.

FIFTH ORDER OF BUSINESS

District Manager's Report

Mr. Ricciardi noted he gave Mr. Turner the article that the Board asked him to draft regarding the vacant Board seat. He suggested that a deadline of October 1st be set for receiving interest applications or resumes and the submittals can be discussed at the October 25th meeting. The candidates can be asked to attend that meeting, but the Board cannot take action on an appointment until after the November meeting.

The Board was asked if they wish to receive applications for the vacant seat in October and decide on the appointment at the November meeting or the December meeting and they concurred.

SIXTH ORDER OF BUSINESS

Attorney's Report

Mr. Robin noted he is prepared to address a few items in the General Manager's Report.

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 referred to item 1a and recommended approval of the Zumba on Wheels contract.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the Zumba on Wheels contract was approved.

Item 1b – Flying the National Flag at Half-Staff

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the recommendation to fly the flag at half-staff for fallen police and fire personnel for the City and County Officers was approved.

Item 1c – Community Center Security

(1) Consensus of the Board was to follow the recommendations to check ID tags and extend the additional staff past the summer period.

(2) Deferred

(3) Close back gate at 10:00 P.M. effective October 1, 2010.

Item 1d – Covenant Violation – Blocking Drainage Easement – Lake Maintenance Access

Mr. Turner presented a flip chart showing some of the easement blockages.

District Counsel addressed the issue described in Item 1d and recommended that a survey needs to be done if the Board decides to take action to move the fence.

A lengthy discussion on this item ensued.

Mr. Yawn suggested that Mr. Robin formulate a letter from the Board to the individual homeowner's stating that the District is intending to have the property surveyed unless they agree to look at their plat; giving them an out to determine that they are encroaching on the District's easement and that they have X number of days to remove their encroachment or litigation will ensue.

Mr. Robin suggested as an alternative, better communication with the HOA to stop this problem before it gets bigger.

Mr. Brickley will attend an HOA meeting to discuss this matter.

Mr. Robin reported, in the future the District will be making changes with the way pond maintenance is done. The State of Florida is changing the regulatory laws with respect to nutrient loading. The goal is to reduce or eliminate nutrient loading in the state's waters; they are targeting phosphate and nitrogen. The rules are in draft form and already being vetted in different areas of the state. We all will see a change in the way we handle landscaping throughout the state.

Mr. Brickley recommended that he take the list of 10 issues that the HOA/DRB has not acted on, some involving Lake Masters performing their service, fences blocking easements, etc. to the HOA meeting for discussion.

Mr. Robin suggested that all fence and landscaping DRB applications for resident's rear yards should be reviewed by the CDD Board before approval by the HOA.

General Manager's Report (continued)

Item 2a – Trimmers Holiday Lights Contract

On MOTION by Mr. Yawn seconded by Mr. Nelson with all in favor the contract with Trimmers Holiday Décor for holiday lights with the suggested payment schedule in the amount of \$9,750 was approved.

The record will reflect Ms. Nelson left the meeting.

Item 2b – Trim Street Trees in Villages

Mr. Yawn expressed his opinion regarding his request for trimming the low hanging tree branches and the manner in which this service should be paid for; if the owner's do not have the trees trimmed on their own, the CDD should have the authority to assess them for the service.

Mr. Robin offered his opinion that it would be less objectionable if the District loaded the cost of trimming the trees as part of the annual assessment; load it into your budget.

Mr. Yawn recommended that the street tree trimming issue be discussed at a workshop meeting.

Item 2c – Park Benches and Picnic Tables Repairs

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the park bench and picnic table repairs as listed in the General Manager's repair/replace list, at a cost of \$2,221.36 was approved.

Item 2d – Additional Umbrella Tables for the Resort Pool

It was recommended to delay the purchase of additional umbrella tables to 2011.

Item 2e – This item was previously discussed.

Item 2f – Non-Resident Membership

Mr. Robin suggested the fee structure recommended in the General Manager's Report under this item (2f) can be used, but it must equally apply to everyone on the waiting list. The membership criteria should be on a first-come first-served basis.

Requiring a non-refundable membership application was not supported by the Board.

Item 2g – Patch, Seal Coat and Re-stripe Community Center Parking Lot

On MOTION by Mr. Lozicki seconded by Mr. Yawn with all in favor the contract with Coull's Striping and Asphalt, Inc. for seal coat and striping of existing asphalt in the amount of not to exceed \$5,355 was approved.

Item 2h – Tree Root Pruning

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor the contract with Valley Crest Landscape Maintenance for tree root pruning in the amount of not to exceed \$11,366.80 was approved.

Item 2i – Yoga Contract Extension

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor the Concession Agreement Extension with Ruben Vasquez for the purpose of conducting a Yoga program and the Concession Agreement Extension with Fast Splits Coaching, Dough Kugley for the purpose of conducting triathlon swim training was approved.

Item 2K – Broken Mirror in the Weight Room

Board consensus was to suspend community center use privileges and Mr. Robin advised setting up due process and allowing the resident to attend a Board meeting to discuss this matter. He will send a letter to the resident's in question.

Item 3a – HOA Indemnification Agreement with the CDD

This agreement still needs time lines.

Item 3b – Cross Creek Gazebo Maintenance Concern

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the discussion on this issue was tabled.

The record will reflect Mr. Robin left the meeting.

Mr. Turner reported SWFWMD is requiring the augmentation wells to be capped. They said they will pay part of the costs to close the wells because the wells were put in originally to augment the water in the conservation areas. Once the conservation areas were established, there was no need for the wells to be in use.

Mr. Yawn inquired if the information from SWFWMD regarding paying for part of/majority of the capping costs was received in writing.

Mr. Turner responded no, it is not in writing, but we have been working with them and they informed him over the telephone.

NINTH ORDER OF BUSINESS

Supervisors' Requests

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

Audience Comments

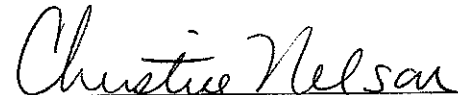
There not being any, the next item followed.

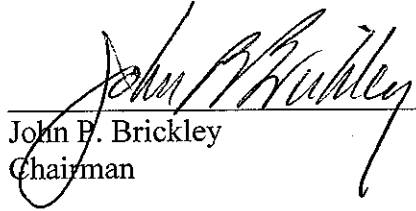
ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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


~~John Ricciardi~~
Secretary
Christine Nelson


John F. Brickley
Chairman