

**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 22, 2011 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 Brickley	Chairman
Christine Nelson	Vice Chairperson
T. Dorsey Yawn	Assistant Secretary
Adam Tanenbaum	Assistant Secretary
Toby Thomson	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Tracy Robin	District Counsel
Bob Farrell	General Manager
Audience Members	

The following is a summary of the minutes and actions taken at the August 22, 2011 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Approval of the Minutes of the July 25, 2011 Regular Meeting

Each Board member received a copy of the minutes of the July 25, 2011 meeting and any additions, corrections or deletions were requested.

A correction was requested and it will become part of the final minutes for the record.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the minutes of the July 25, 2011 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Approval of the July, 2011 Financial Statements

Mr. Brickley reported on the August 18, 2011 Budget Workshop meeting noting the following:

- Revenue is at 100% of budget.
- Expenses are at 77.8% of budget.
- Assessment income is at 100% of budget. The assessments make up 96% to 97% of our revenue for the year.
- We looked at the gates with all of them being in good shape except the Enclave. We separately assessed each of the communities having a gate within a gate.
- The financial statements for the end of July, 2011 were recommended for approval.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the financial statements as of July 31, 2011 were approved.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of the Budget for Fiscal Year 2012 (Resolution 2011-3) and Levy of Non Ad Valorem Assessments (Resolution 2011-4)

For the benefit of the audience members Mr. Ricciardi explained the way the public hearing works. He noted the Board and staff have been working on this budget since March. The Board conducted workshops at which the budget was discussed. A draft budget was approved in May, 2011 and that budget triggered the letter mailed to all residents on the proposed assessments. The letter indicated a 3% increase in assessments. However, the budget the Board has before them tonight shows an increase of assessments of 1 to 2%; they were able to reduce the budget in certain areas.

Mr. Ricciardi invited the Board to comment on the budget at this time.

Mr. Brickley directed the residents to page 24 of the budget document, which lays out the communities, General Fund money, Debt Service and Total Assessments. The maximum

increase this year is \$73 and the minimum increase is \$11. Overall we are back to where we were in 2010.

Mr. Ricciardi gave the audience a quick overview on reading the budget.

The public hearing was opened.

Mr. Tanenbaum noted for the record he voted against budgets with assessment increases in the past, but he is voting for the budget with the increased assessment this year because the increase goes directly toward building District reserves. This is the only reason he is voting for the budget as drafted because he believes increasing the reserves is a good policy for the District.

Members of the public were invited to comment on the budget.

A resident of the Enclave asked if the infrastructure debt payment would be satisfied in 2019.

Mr. Ricciardi responded that is correct; when that bond is paid off, assuming the Board does not issue any new long term bonds, that portion of your assessment would go away.

Mr. Brickley noted one extensive issue we could be facing around that time frame is roads. The cost of the roads is probably above what we would like to put in to any assessments for households.

Mr. Jeff Sbrocco of the Carriage Homes asked if anything regarding the Carriage Homes is in the 2012 budget and Mr. Ricciardi responded no.

Other inquiries regarding Carriage Homes relating to the budget and relating to the Notice to Owner letters sent to residents were made and were briefly responded to by Mr. Robin. He indicated Carriage Homes would be further discussed later on in the meeting.

Mr. Ricciardi briefly clarified what the Notice to Owners letter said.

Mr. Brickley recommended that the public hearing on the budget agenda item be completed before further discussing the Carriage Homes topic.

Mr. Doug Hartnagel asked for a copy of the budget and suggested in the future a copy of the budget be put on line.

Mr. Ricciardi noted the letter sent to residents recommended residents contact his office with concerns or questions regarding the budget and assessments.

Mr. Thomson added the proposed fiscal year 2012 budget has been up on the Arbor Green website for approximately three weeks.

Mr. Hartnagel also inquired about the water rates and the over budget amount and Mr. Brickley briefly explained the circumstances.

The increase allocated for TPD patrols was also questioned by Mr. Hartnagel.

Mr. Brickley explained the deployment schedule for fiscal year 2012 was accounted for: \$35 per hour.

Ms. Gayle Vincent inquired about reserves; what are you planning reserves for, the roads in 2019?

Mr. Brickley noted this year for the first time we are building about 55% of the reserves through Operations and Maintenance and 45% of it taking it out of Undesignated Funds. We did not have any reserves when we took over as a resident Board.

Mr. Yawn added we had a study done by a firm that specializes in setting up reserve accounts for communities like ours. We trimmed a good deal of what they recommended so we could get back to basics like the roads and the future maintenance of this building rather than have a million dollar expense at one time.

Mr. Ricciardi noted the study mentioned by Mr. Yawn was done by Reserve Advisors who are a well known national firm; they do reserve studies for homeowners associations and CDD's throughout the state.

Mr. Tanenbaum added comments regarding reserves.

Mr. Ricciardi reported for the record, he received one written comment on the budget from Mr. and Mrs. Scott Miller of Arbor Run Drive who objected to the assessment increase, he responded to them and their comments were forwarded to the Board.

The comments portion of the public hearing on the budget was closed.

Mr. Brickley thanked the residents for attending the meeting and indicated their questions were very helpful. The possibility of involving residents in future budgets, sooner, is being researched.

Mr. Yawn and Mr. Thomson reminded the audience of the budget workshop meeting schedule and invited and encouraged residents to attend.

There being no further changes to the budget,

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor Resolution 2011-3 relating to the annual appropriations of the District and adopting the budget for fiscal year 2012 and referencing the maintenance and benefit special assessments to be levied by the District was adopted.

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor Resolution 2011-4 levying and imposing a non ad valorem maintenance special assessment for fiscal year 2012 was adopted.

Mr. Ricciardi thanked Mr. Farrell and the Board for the work done on the budget.

FIFTH ORDER OF BUSINESS

District Manager’s Report

Follow up items:

- A termination letter was sent to Mr. Dave Bartelt, District Engineer. The letter also requested Mr. Bartelt provide all of the District records and documents to WilsonMiller Stantec.
Mr. Farrell has met with the new engineer, Ms. Tonja Stewart and she will attend the September meeting.
- The inquiry regarding whether approved May, 2011 minutes were forwarded to the web master for posting was researched and found they had been forwarded for posting on July 6th.

A discussion regarding the forwarding of minutes to the web master for posting ensued. Consensus of the Board was to continue the process of forwarding *approved* minutes for web posting and if requests are received from residents or any interested parties, drafted or unapproved minutes will continue to be forwarded upon request.

Meeting Schedule for Fiscal Year 2012

Mr. Ricciardi indicated the fiscal year 2012 annual meeting schedule mirrors the current year’s schedule.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the annual meeting schedule for fiscal year 2012 was approved as presented.

SIXTH ORDER OF BUSINESS

Attorney's Report

Mr. Robin gave a brief follow up reply to a question posed at a previous meeting regarding standards for wireless internet with regard to the CDD. The question involved whether Section 508 of the Federal Code applies to the CDD.

Mr. Robin found that Section 508 only applies to Federal Agencies and he is not aware of any other regulations with respect to the style, content or the access window the District uses which is regulated by law.

Mr. Robin reported on the recent Carriage Homes inquiries regarding infrastructure maintenance responsibilities. He will contact Mr. De Furio, the attorney for Carriage Homes at Arbor Greene Association, Inc. by phone to discuss the matter and report back to the Board on the outcome of their conversation.

A copy of the letter from Mr. De Furio to Mr. Robin's law firm, dated July 21, 2011 will be attached hereto for the public record.

SEVENTH ORDER OF BUSINESS

Engineer's Report

There not being any, the next item followed.

Mr. Brickley asked the Board to allow a change to the agenda item sequence by hearing audience members comments at this time and the Board consented.

TENTH ORDER OF BUSINESS

Audience Comments

Mr. Clifford Davis of the Estuary addressed the issue of not wanting to put a bar code on his vehicle; he has utilized the bar code on his hand-held card since 2004. He requested an exception be made for one of his vehicles.

A discussion on this issue ensued.

In 2007 a policy was enacted indicating bar codes would not be handed out any longer and there was a discussion on grandfathering only specific instances such as police officers or undercover agents or rental car issues.

The bar code discussion continued.

The discussion concluded with Mr. Brickley asking for a consensus of the Board on whether to make an exception for Mr. Davis regarding the bar code placement policy.

Mr. Thomson expressed his opinion with approval of the current policy. Vehicles with no bar code should enter through the visitor lane as bar codes are a convenience, not a District requirement.

Ms. Nelson expressed her opinion indicating she is not in favor of making an exception to the bar code policy in this circumstance.

Mr. Yawn noted the Board has set a policy and should stick with it.

On MOTION by Mr. Brickley seconded by Mr. Yawn with Mr. Brickley, Ms. Nelson, Mr. Thomson and Mr. Yawn voting Aye and Mr. Tanenbaum voting nay the request from Mr. Davis to provide an exception to the current bar code policy was disapproved.

Ms. Mallory Gerstein requested permission to use the Gathering Room from 2 P.M. to 6 P.M. on November 13th for the purpose of selling Avon products. The event would be open to the public and she requested the rental fee be waived.

Mr. Brickley explained for this type of endeavor the District requires a contract for use of the facility.

Mr. Paul Boucher addressed the Board regarding damage to his property. He owns a corner lot and he feels the damage is due to vehicles parking on his property due to high traffic. There is a clear covenant for Arbor Greene that covers where parking is allowed and not allowed, but it is not enforced very strongly.

The Board was asked for approval to install a “No Parking” sign per the covenants regarding the easement.

Mr. Boucher also reported he has seen an increase of vehicles parking on CDD streets that are owned by non-residents and asked that a “No Parking” sign be posted outside the front entrance gate.

Mr. Robin noted putting up a “No Parking on Streets” sign at the front entrance was a good idea and he also recommended a form of enforcement would be for the HOA to affix violation stickers to side windows of vehicles illegally parked in the street.

The record will reflect Mr. Robin left the meeting.

Ms. Julia Lamb addressed the Board asking for exceptions to the swim team practice schedule when kids are out of school.

A copy of the proposed schedule will be attached hereto for the public record.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor the proposed schedule changes requested by Ms. Lamb were approved.

EIGHTH ORDER OF BUSINESS

General Manager's Report

Items included in the General Manager's Report handout were explained by Mr. Farrell as follows:

- Contracts – Concessionaire contract reviews were discussed.
Ruben Vazquez contract.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor continuing the concessionaire contract with Ruben Vazquez for one year was approved.

Fast Splits Coaching – Doug Kugley contract

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor continuing the contract with Mr. Kugly of Fast Splits Coaching for the next year was approved.

Contracts recommended by Mr. Farrell for renewal approval are: Lake Masters, Plants, and Wharton High School. E-Link Digital Rescue was not recommended for renewal as previously discussed.

A discussion regarding the pool use contract with Wharton High School ensued.

Mr. Tanenbaum asked if the District has an agreement with the school signed by the Chairman.?

Mr. Brickley noted there is no signed contract and stated he has signed a budget document for Hillsborough County for the last four years.

Mr. Ricciardi recommended if the Board is comfortable with the Wharton High School Swim Team Concession Agreement in the current format, the Board should authorize the Chairman to move forward with a motion to get Wharton to sign it before any of their kids swim in the District pool.

It was noted the contract should be with the Hillsborough County, Florida School District and an insurance certificate must be issued by them.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor the concessionaire agreement with Wharton High School Swim Team as amended to include the proper party (The School District of Hillsborough County, Florida) presented in the General Manager's report was approved.

Mr. Farrell indicated the Board will be asked to review this contract again in October or November.

The consensus of the Board was to allow the swim team to use the District pool tomorrow, as scheduled.

Mr. Ricciardi suggested that Mr. Farrell request Lake Masters change the term dates in their management contract agreement to reflect the new term and also request they include language about indemnifying the District.

- LAN Invoices

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor the invoice in the amount of \$1,830.87 for the LAN project was approved.

- Fountains – Timers replaced.
- Tennis Court resurfacing started today.

Mr. Farrell responded to previous Supervisors' requests as follows:

- All-tennis document is in process
- Devonshire stop sign – engineer is working on it
- Roving patrols costs – this will be brought up at a later date
- Ad hoc tennis committee in process
- Sidewalk trip hazard has been marked
- Fitness center has been cleaned. Mike offered to meet with Steve Eckhardt to go over his concerns.
- Pool concerns – Any lifeguard found texting will be sent home. There was no vomit in the pool as previously reported at the last meeting.

NINTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Thomson addressed two items as noted in the handouts submitted to the Board and staff; the website and the small parking lot area by court 3. It was requested that the final budget be put on the website.

Mr. Tanenbaum asked Mr. Farrell to obtain the cost for a "No Overnight Parking" sign for the front entrance.

He reported there is a cross walk curb cut ramp near the main fountain, but there is no crosswalk; can it be eliminated.

Ms. Nelson asked is there lead time limit for someone to rent a meeting room and Mr. Farrell responded yes, 1 year. She also asked if there is a limit as to how many times in a row a resident can rent a room and the response was no.

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.



R. John Ricciardi
Secretary



John Brickley
Chairman