

**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, December 19, 2005 at 6:30 p.m. in the Gathering Room of the Arbor Greene Recreation Center, 18000 Arbor Greene Drive, Tampa, Florida.

Present and constituting a quorum were:

John P. Brickley	Chairman
David Bootcheck	Co-Vice Chairman
Christine Nelson	Co-Vice Chairman
T. Dorsey Yawn	Assistant Secretary
Mike Lozicki	Assistant Secretary

Also present were:

Bob Fernandez	Severn Trent Services
Tracy Robin	Attorney
Alan Williams	Arbor Greene Club Manager
Barbara Koscinski	Arbor Greene Office Manager
Gary Smith	Arbor Greene Maintenance
Harvey Turner	General Manager
Laurie Carr	HP Interiors
Holly Pequignot	HP Interiors
Scott Nevitt	Resident
Philip Young	Resident
Dmitrij Nosik	Resident
Larisa Nosik	Resident

The following is a summary of the minutes and actions taken at the December 19, 2005 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Brickley called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the October 17, and November 21, 2005 Meetings

Mr. Brickley stated each Board member received a copy of the minutes of the October 17, 2005 meeting and requested any additions, corrections or deletions.

Ms. Nelson stated I do not believe I made the statement on Page 2 in the fourth paragraph since I support the purchase of the barbells which were discussed. Therefore, it should be deleted. I did not make the first statement on Page 3. The first three sentences on Page 7 should be deleted.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the minutes of the October 17, 2005 meeting were approved as amended.

Mr. Brickley stated each Board member received a copy of the minutes of the November 21, 2005 meeting and requested any additions, corrections or deletions.

The Board is happy with the new summary format and agrees to continue with this.

On MOTION by Mr. Brickley seconded by Mr. Lozicki with all in favor the minutes of the November 21, 2005 meeting were approved.

THIRD ORDER OF BUSINESS

Consideration of Engagement Letter with Keefe, McCullough & Co., LLP to Perform Audit for Fiscal Year 2005

Mr. Brickley stated the Board asked for clarification of the \$2,000 budget increase. Severn Trent's Accounting Manager, Ms. Kay Woodward clarified the increase tied into GASB fees which were paid last year, and are not being paid this year. The incorporated work required by GASB 34 falls to the auditing team as opposed to GASB, and is the reason for the additional cost which will not exceed \$12,000.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor the Engagement Letter with Keefe, McCullough & Co., LLP to Perform Auditing Services for Fiscal Year 2005 was approved subject to Ms. Woodward's clarification.

FOURTH ORDER OF BUSINESS

Consideration to Suspend a Resident of Arbor Greene Use of District Recreational Facilities

- Two letters were sent to Mr. Nosik dated November 14, 2005 and December 2, 2005. The second letter was an invitation to this meeting, and Mr. Nosik is in attendance.

- Mr. Nosik has been a resident for more than two years and uses the tennis courts on a regular basis.
- Arbor Greene CDD has an exclusive contract with Mr. Williams as Director of Tennis Operations, whereby he conducts lessons and is in charge of the entire process.
- Although the tennis courts are accessible to the public, they are private facilities, and no one is permitted to use Arbor Greene CDD facilities in a 'for profit' manner without following certain protocol. They must present credentials and liability insurance to the CDD Board, which is brought up and voted on at a future meeting.
- Mr. Nosik told the Board he does this for enjoyment, and does not see anything wrong.
- Mr. Nosik was asked if he is paid to give tennis lessons, which he denied.
- Mr. Robin clarified he has not personally spoken to anyone, but he received all of his evidence from Mr. Williams.
- Mr. Brickley clarified this meeting is a discussion among residents of Arbor Greene CDD to get to the bottom of this situation, not against Mr. Nosik.
- Mr. Bootcheck asked Mr. Robin how long the Board has been trying to communicate with Mr. Nosik.
- Mr. Robin sent the first letter on August 2, 2005.
- Mr. Bootcheck told Mr. Nosik he should have come to the Board as soon as he received the first letter to let them know the allegations are not true.
- Mr. Robin stated Mr. Nosik contacted him after receiving the first letter and told him he was not taking money for lessons.
- Mr. Robin had further contact with Mr. Brickley and Mr. Williams, who insisted Mr. Nosik was being paid for the lessons based on his conversations with the parents of the children he was teaching.
- Mr. Robin sent a second letter and spoke to Mr. and Mrs. Nosik. The conversation was characterized as similar to this evening.
- Mr. Robin discussed different alternatives with Mr. Brickley, and decided to ask Mr. Nosik to attend the meeting.

- Ms. Nelson stated the mother of one of the children he teaches told her she pays him for lessons.
- Mr. Nosik stated she pays him when he teaches her elsewhere and not on Arbor Greene facilities.
- Mr. Yawn asked Mr. Nosik which facilities he charges a fee for lessons.
- Mr. Nosik responded he charges for lessons at the park in Hunter's Green.
- Mr. Brickley asked Mr. Nosik to get a letter to be sent to the Board from each individual he teaches or plays with stating they do not pay him.
- Mr. Nosik will get in touch with Ms. Koscinski to find out when the next meeting is.
- Mr. Nosik brought up the fact that many non-residents use Arbor Greene facilities.
- Mr. Turner will look into this situation and amend policies.
- Mr. Yawn wishes to continue proceedings in this situation and asked Mr. Nosik to bring all appropriate documentation to the next meeting. No decision will be made at this meeting.
- Mr. Williams gave the Board a list of dates, times and players by name. The Board needs their full names and addresses if they are residents, and confirmation these people paid for lessons.

FIFTH ORDER OF BUSINESS

Consideration of New Furniture Proposals

HP Interiors

- Ms. Pequignot and Ms. Carr made a presentation.
- The total bid is \$12,000, which includes replacement of the existing sofas and chairs, a new console table, statue, installation of some type of shelf in the bar area over the sink, four barstools, four new chairs around the game table, two tables for the Gathering Room, two new chairs and new fabric to cover the sofa and loveseat, which can be washed or dry cleaned. Reupholstery of the existing two sofas and three chairs will cost \$3,200.
- Faux leather was discussed as an option for the chairs since it is stain-resistant.
- The bid also includes a console to serve as a storage unit in the aerobics room in 'Old World Cherry', a lamp, a greenery arrangement and an ornamental box.

However, the Board does not believe this is necessary since most of the aerobic equipment belongs to residents.

- The bid includes a lamp at the end of the hallway, along with various greenery arrangements.
- The large walls in the Gathering Room should be painted a shade of green to match the fabric and pictures which are currently hanging, and the trim should be lighter.
- A faux treatment in ‘weathered stone’, which is a thick coating similar to wallpaper looking exactly like stone should be applied in the front foyer area for \$650.
- They will require six weeks for delivery after submission of the order.

Distinctions

- Distinctions personnel did not attend the meeting, but left a bid of \$9,850, which does not include many of the extras HP Interiors suggested.
- The Board discussed the fact that the rooms need a new look as well as to be more functional.
- There was disagreement as to whether or not new furniture should be purchased or the old furniture recovered.
- Since Arbor Greene is an upscale community, the clubhouse should reflect this.
- The fact that HP Interiors staff attended the meeting and Distinctions staff did not is a factor in the selection of a company.

There was Board consensus to table this item to the next meeting pending discussion of reupholstering versus purchasing new furniture, along with the cost for this alternative from HP Interiors and Distinctions.

SIXTH ORDER OF BUSINESS

Consideration of Recommendation of Raises for Employees

This item was deleted from the agenda since it was previously handled and was effective October 1, 2005.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

There being no report, the next item followed.

D. Maintenance Staff

Golf Car Theft Attempt

- Thieves broke through the gate with one of the CDD's golf carts and were immediately pulled over and apprehended by the police.
- It was determined they were not Arbor Greene residents.
- This cannot be reported to the insurance company since it falls below the deductible.
- The golf cart needs to be repaired, and the gate was already repaired at a cost of \$750; a new battery cost \$100; and the broken hasp on the shed cost \$8.
- The District will press charges, and the case may be prosecuted.
- The Board directed Mr. Robin to contact the State Attorney handling this case and send a letter along with copies of the invoices requesting reimbursement of expenses as a result of this situation.

Gate Arm at Gatehouse

- Someone drove through the gate at a high rate of speed and broke the gate arm, which was replaced for \$250. The arm on the other side of the guard shack is also broken.
- The Board discussed the possibility of installing a camera outside the gate and a stop sign in the same location as the sign for the gate arm, for both the entrance and the exit.

Cement for Sidewalks

- The broken cement was removed, but the rain delayed pouring of the new cement.
- They will try again tomorrow and staff will follow up.

Estuary Exit Gate

- An unknown vehicle entered into the Estuary gate through the exit, and it is not known whether or not this was a resident. The guard was able to obtain the license tag # on the vehicle. However, the police must run the tag.
- The gate remains open until tomorrow when it will be welded since the mechanism was not damaged.
- The Board decided a police report should be filed, and Mr. Turner will follow up.

Benito Boardwalk

- Five railing slats were knocked off, but were already replaced.

Light Pole before Gatehouse Entry

- Someone ran over this light pole, which was already repaired.
- The CDD will be reimbursed by this person's insurance company.

Exit Arm inside Main Gate

- The exit side malfunctioned and stayed open. It was disconnected and left open, in order to prevent people from entering and exiting on the same side, which will be checked tomorrow.
- Mr. Smith to find out why all the gates seem to be malfunctioning lately and bring findings to the next Board meeting.

Renovation of the Snack Bar and Pool Area

- Mr. Smith secured another bid, but there are many differences into how the work will be done, and there is a difference of \$400 on each bid.
- The Board discussed possibly installing a stainless steel countertop as opposed to formica. However, this option will be costly.
- An air conditioning unit also needs to be installed. The air conditioning company who currently takes care of this facility should be contacted since they will probably do this at a reasonable cost.
- This work will commence in January.
- Mott's Contracting Services worked on the front gate and did a good job.

Mr. Brickley moved to accept the bid from Mott's Contracting Services, Inc. for renovation of the pool area in the amount of \$7,476 and Mr. Lozicki seconded the motion.

- There was further discussion as to the fact this is an estimate and the price may possibly increase.

On MOTION by Mr. Brickley seconded by Mr. Lozicki with all in favor the proposal from Mott's Contracting Services, Inc. for renovation of the snack bar and pool area was approved and staff is directed to execute a contract not to exceed \$7,500.

Streetlights

- All streetlights in the neighborhood were out during Thanksgiving week, due to a problem with one of the light poles.
- If something goes wrong with one pole, only one lamp will go out, since all the poles are fused independently.
- Since the fuse holders were not water tight, water penetrated the fuse location knocking out the entire side.
- The electric company is going to move the fuses up to the pole to get them out of water and the fuses are going to be water tight.
- This will be done on a case by case basis since doing them all at once is costly.

C. Manager

JaniKing Contract

- Estimates were received from two companies in addition to JaniKing:
 - JaniKing \$825 per month (3x per week)
 - Vanguard \$1,161 per month (5x per week)
 - Coverall Cleaning \$1,519 per month (3x per week)
\$1,500 per month (wipe down fitness equipment 1x per month)
- All services include cleaning of the gatehouse once per week.
- Although Mr. Williams was previously unhappy with their services, Mr. Turner met with the President of JaniKing, discussed what needed to be improved and recommends staying with them.
- The Board discussed whether or not this service needs to be done more than three times per week, but decided it was not necessary.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the contract with JaniKing for janitorial services to be performed three times per week at \$825 per month was approved.

Alcohol Policy and other Miscellaneous Issues

- Arbor Greene's brochure prohibits alcohol consumption at the facilities and glass containers by the pool.

- A single policy needs to be rewritten applicable to the community center area, including the tennis courts and pools.
- Ms. Nelson suggested writing a policy prohibiting alcohol use for minors under 21, which adheres to State law.
- Mr. Turner recommends deleting the rule and allowing people to drink in the Gathering Room.
- Mr. Brickley recommends staying silent on the issue.
- Mr. Yawn recommended each Board member review a copy of the brochure and discuss possible changes at the next meeting.
- Mr. Fernandez is going to meet with Mr. Turner to discuss all of his issues to prepare for possible action.
- Mr. Brickley agreed and Mr. Turner's issues will be deferred to the next meeting.
- The Board discussed the possibility of discussing Arbor Greene policies at a future workshop which will be scheduled after the January Board meeting.
- Mr. Yawn recommended directing District Counsel to write a letter to Lennar Homes expressing the CDD's concerns that they did not act on our request to correct the sidewalk problem in the Enclave. Mr. Robin will prepare a letter for Mr. Brickley's signature.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests and Audience Comments

Financial Discrepancies

- The accounting department took \$13,144 out of the revenue numbers for a property appraiser's fee and \$26,288 for the tax collector's fee. They also did not count the \$50,000 carry-over as revenue, and it was put in as an expense because the Board agree on taking the carry-over out of the balances to assist in paying expenses for the first two months of the year, which is the difference between the revenue number adopted into the budget and the revenue number currently being used. However, the assessments sent to the County were correct.

Cameras and Security Systems

- Mr. Fernandez and Mr. Turner will discuss and recommend a policy at a future meeting.

Barbells

- The barbells received did not match what is already in the facility. Therefore, the correct ones have not yet been received.

‘No Outlet’ Sign on Estuary Drive

- Mr. Williams spoke to Mr. Bartelt who suggested contacting the Traffic Engineer, Mr. Randy Cohen.
- Mr. Williams is waiting for a response from Mr. Cohen.
- The Board is concerned if this is approved, it may set a precedent for other communities and decided not to pursue further.

Miscellaneous Signs

- Various signs are put up by residents on CDD property, such as ‘For Sale by Owner’ and advertising of various sales and parties, which are not compliant. The resident does not remember to take them down and they stay up for one week or longer with the weather deteriorating them.
- These displays are not managed consistently and they are tacky.
- The only compliant sign Arbor Greene has is a schedule of events at the main gate.
- A policy should be implemented, since these signs detract from the image of an upscale community.
- The Board discussed the possibility of implementing a policy of guidelines for these signs as to what they should look like and when they can be put up and taken down.

Trees

- Trees which were removed from the park in Parkview approximately two years ago were never replaced.
- There is a line item in the budget to take care of this issue, and Mr. Turner will look into this situation.

NINTH ORDER OF BUSINESS

**Approval of Financial Statements,
Construction Activity, Electricity
Consumption Report and Invoices**

- The ‘Actual’ figure is based on anything posted up until the 17th of the month because the posting of invoices involves anything paid out to the 17th of the

month and no posting is done thereafter, which makes it difficult to reconcile all the invoices to the current actual month expenses.

- The books are considered a 'modified accrual'.
- The accrual includes what expenses are incurred in relation to cash. Modification ties it back to the previous month.
- Certain invoices are accrued but paid after the 17th before going into the next month.
- In looking at the revenues through November, Arbor Greene is at approximately 3% of budget, and the expenses are approximately 11%, which is basically within balance of the first two months of the year.
- There was a larger figure under contractual management which should have been \$5,000 but showed \$10,925.
- Amendments to some to the documents which addressed those comments were distributed.
- Contractual management was budgeted at \$30,000, but reflected a \$7,500 expense. There is concern as to whether or not this is an accurate number because it should only be \$5,000. There may have been an extra payment made for December, which should not have been done.
- Landscape and irrigation showed as contingency.
- 'Biological Research' on Page 3 should probably be changed to 'SWFWMD Fees', which will be incurred, and we will need to put a figure in there.
- We also asked for a detailed accounting of part-time employee expenses for October and November, which Mr. Turner requested for him to become aware of how the system goes in and how the expenses have been going.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor the financial statements, construction activity, electricity consumption report and invoices were approved as amended.

Mr. Brickley asked will this delay the audit?

Mr. Fernandez responded I do not believe so.

December 19, 2005


Arbor Greene C.D.D.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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


Robert Fernandez
Assistant Secretary


John P. Brickley
Chairman