

**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, February 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
David Bootcheck	Co-Vice 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 Attorney
Harve Turner	General Manager
Theresa King	YogaInYogaOut.com
Robert Auld	Resident
Rick Ferullo	Resident
Adam Tanenbaum	Resident

The following is a summary of the minutes and actions taken at the February 25, 2008 Arbor Greene Board of Supervisors meeting. A copy of the recording of the meeting is on file at the District Office.

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 January 29, 2008 Meeting

Mr. Brickley stated each Board member received a copy of the minutes of the January 29, 2008 meeting and requested any additions, corrections or deletions.

Monday, 3/17/08 @ 9:52 a.m.

- On Page 3 in the second item under the first bullet of the *THIRD ORDER OF BUSINESS*, there should be a comma after *Yawn*; *and* should be deleted; *and Mr. Brickley* should be added at the end of the sentence.
- On Page 4 in the first section under the third item of the first bullet, *newspaper income* should replace *advertising*.
- On Page 4, the second section under the third item of the first bullet should be considered a separate item which should start with *The Board approved, a*, should not be capitalized; and *depression* should replace *sinkhole*.
- On Page 4 in the first section under the fourth item of the first bullet, *section* should replace *item*; and *has* should be inserted before *paid*.
- On Page 4 in the second section under the fourth item of the first bullet, *fully* should be inserted before *paid*.
- On Page 4 in the sixth item under the first bullet, *income* should be inserted before *influx*; *as a result of assessment fees received in December* should replace *which is being handled*.
- On Page 9 in the first item under the second bullet in the *EIGHTH ORDER OF BUSINESS*, *as per the General Manager's Report* should be added at the end of the sentence.

There being no further additions, corrections or deletions,

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor, the minutes of the January 29, 2008 meeting were approved as amended.

THIRD ORDER OF BUSINESS

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

- Mr. Brickley, Ms. Nelson and Mr. Yawn attended the February 21, 2008 Budget workshop.
 - The revenue is currently at 86.5%.
 - Expenses are at 33.5%.
 - Trial Balance Sheets for expense line items that exceeded 50% to 100% of budget were reviewed.

- Some re-coding of items will be necessary to resolve all issues.
- Costs for refurbishment of the fitness pool amounted to \$63,089.
 - There is a \$2,000 outstanding water charge.
 - Mr. Turner will discuss cost estimates to refurbish the resort pool.
- The Police Activity line item appears to be going over budget before year end.
 - Mr. Turner was directed to investigate this issue.
 - The CDD will require full weekend support, particularly in the summer.
 - Some line items may have to be realigned during the summer months in order to accommodate this additional cost.
- The gated communities are in good shape.
 - Mr. Yawn noticed the Parkview entry gate was left open and was told this was broken for quite some time.
 - The gate guard did not contact the maintenance manager about this.
 - Mr. Turner was made aware of it this morning and contacted a gate contractor to repair it tomorrow.

There being no further discussion,

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor, the January 31, 2008 Financial Statements were approved.

FOURTH ORDER OF BUSINESS

District Manager's Report

Mr. Ricciardi discussed some follow-up items from the last meeting.

- Sidewalks
 - Mr. Ricciardi spoke to the original engineer who worked on it as well as Mr. Toxey Hall from Heidt Services.
 - Mr. Ricciardi sent Mr. Hall all documents he received from the city.
 - Mr. Hall has been unable to get back to Mr. Ricciardi due to personal family issues.
 - Mr. Ricciardi will continue to follow up on this item.
- Cost of Issuance Account

- Severn Trent sent a letter to the Trustee to close the account.
- The remaining balance was \$13,043.64, which was transferred to the General Fund.
- B. Discussion of Letter from Hillsborough County Supervisor of Elections Regarding the Upcoming 2008 General Election**
 - Mr. Ricciardi reviewed a memorandum from Mr. John M. Vericker of Straley & Robin dated February 18, 2008; referencing the Statutory Notice of Arbor Greene Community Development District Elections, a copy of which is attached hereto and made part of the public record.
 - There are three vacant seats:
 - Seat Three -- Mr. Bootcheck
 - Seat Four -- Mr. Yawn
 - Seat Five -- Mr. Brickley
 - The qualifying period is June 16, through June 20, 2008.
 - This information will be included in the May Newsletter.
 - A. Consideration of Engagement Letter with Deloitte Tax LLP to Perform Arbitrage Rebate Services for the Series 2006 Bond Issue**
 - The previous letter was for the June 2007 calculation and this one is for the June 2008 calculation.
 - This will be done on an annual basis.
 - The cost is \$1,575, and the District has \$2,850 in the budget, causing this item to run over budget.
 - The June 2007 and 2008 calculations were withdrawn from this budget.
 - Mr. Ricciardi recommends increasing next year's budget to \$3,100.
 - Mr. Yawn discussed some concerns with Page 2.
 - Since the information referred to in the first bullet is provided by Severn Trent Services, they should co-sign the agreement.
 - Mr. Robin clarified this information is provided by the District and routed through the District Manager.
 - The information referred to in the second bullet is provided by the Trustee.
 - Deloitte will contact the Trustee with any concerns regarding this item.

- Mr. Yawn is concerned the District will be subject to recourse regarding price increases.
 - Mr. Robin is certain Deloitte is aware the District Manager and Trustee are subject to similar conditions each year for this work.

There being no further discussion,

On MOTION by Mr. Bootcheck seconded by Ms. Nelson with all in favor, the Engagement Letter with Deloitte Tax LLP to Perform Arbitrage Rebate Services for the Series 2006 Bond Issue was approved.

Mr. Ricciardi discussed other miscellaneous issues.

- Mr. Ricciardi submitted the NPDES application to Ms. Maggie Wilson, and the city responded back with a number of items to be taken care of, which Mr. Robin will discuss.
 - There are a series of requirements for the District to undertake regulatory activities adopting rules and regulations and enforcing them, for which the District has no authority under Chapter 190.
 - Mr. Robin spoke to them and told them to speak to their Counsel.
 - Ms. Wilson has a good understanding of this issue.
 - Ms. Wilson was able to obtain an extension on the letter for 90 days.
 - Mr. Robin is working on a response to avoid having the District do any unnecessary work.
 - The city is authorized to handle this reporting, but is delegating some work to these special districts as a result of budget cuts.
 - They offered to issue a Certification Letter which addresses these issues.
- Mr. Ricciardi discussed the upcoming budget.
 - A proposed budget must be passed by June 15th.
 - The proposed budget will be presented at the May meeting.
 - Mr. Ricciardi will attend the next budget workshop to discuss.
 - The Public Hearing to adopt the budget can still occur in July or August.

SIXTH ORDER OF BUSINESS

Attorney's Report – Consideration of an Agreement between the District and Carriage Homes at Arbor Greene Association, Inc. for Entrance Gate Maintenance

- Mr. Robin discussed an article in Naples News.
 - A Naples City Councilmember used his home computer to send and receive e-mails.
 - He was required to send copies of all e-mails to the City Clerk, as record keepers for the city to be archived, which he did not do.
 - A judge in this case imposed a maximum non-criminal penalty in the amount of \$500.
 - Mr. Robin is going to issue a memorandum to remind all of their supervisors with regards to e-mailing and archiving of records and information.
 - Mr. Robin recommends Mr. Ricciardi be copied on all e-mails from home computers relating to District business.
 - The Records Custodian for the District will appropriately preserve the records.
 - This also applies to correspondence from residents.
 - For the record, Mr. Robin discourages supervisors from e-mailing each other.
 - Supervisors should e-mail the District Manager.
 - The District Manager will ensure the Sunshine Law is not violated.
 - Public records are referred to in Chapter 119 of the Florida Statutes.
 - Mr. Robin encourages segregation of District records kept at home from personal records.
- Mr. Robin discussed potential liability with regards to the pond depression.
 - Adjacent landowners are not responsible for natural events which cause subsidence or erosion on their property.
 - If the adjacent landowner does something to cause or enhance the erosion, there may be some liability.
 - The District has sovereign immunity for protection.

- Mr. Turner gave Mr. Robin an updated contract with Lakemasters, which will be discussed at the next meeting.
- The Agreement between the District and Carriage Homes at Arbor Greene Association, Inc. for Entrance Gate Maintenance will be deferred to the next meeting.
 - This agreement may not be necessary because it may not represent a cost savings for the Association.
 - Mr. Ricciardi and Mr. Turner will go back to Carriage Homes Management Company to discuss the Pond Maintenance Agreement, which is already in place in comparison with this agreement to determine whether or not it is necessary.

SIXTH ORDER OF BUSINESS

Engineer's Report

There not being any, the next item followed.

The record reflects Mr. Robin exited the meeting.

NINTH ORDER OF BUSINESS

Audience Comments

- Ms. Theresa King presented a proposal to conduct yoga classes.
 - She is not a resident.
 - She wants to conduct daytime classes which she believes will appeal to stay-at-home mothers and community members able to do this during the day.
 - She distributed brochures to the Board.
 - She is a nationally-certified instructor with Yoga Alliance.
 - She has a teaching certificate.
 - She owned a yoga studio for seven years.
 - Her target age is from 25 to 75.
 - Residents will receive a \$10 discount.
 - She is able to teach yoga to different age groups at the same time.
 - Her focus is on amateur to intermediate levels, beyond which require private lessons.

- The Board wants to ensure residents are given priority to attend these classes as opposed to non-residents.
- The Board wanted to know whether or not mats are provided.
 - She does provide mats.
 - She encourages interested individuals to bring their own mats.
- The Board asked about Pilates.
 - Ms. King's classes encompass what Pilates has taken from yoga.
- The Board concurred approval of this proposal.

SEVENTH ORDER OF BUSINESS

General Manager's Report

The General Manager's Report is attached hereto and made part of the public record.

Following are highlights of Mr. Turner's report.

- **Depression Near Pond #10 in Alcove Village**
 - Mr. Turner presented a Proposed Grout Point Location Plan from Mortensen Engineering, Inc. (MEI). There are three options.
 - Additional drilling may be done, after which they will send an initial report.
 - This can be done by MEI.
 - Multiple drilling can be done.
 - The Board can decide to do nothing.
 - MEI recommends filling the areas with grout.

Mr. Yawn moved to hold off on taking action in order to determine whether or not there is any further subsidence of this nature in Pond #10 and Mr. Lozicki seconded the motion.

- If this motion is approved, Mr. Turner must restore the lawn between the two homes, which amounts to an additional expense.
- Mr. Turner will meet with the residents to make them aware no action will be taken at this time, but the situation will be watched.

- Ms. Nelson recommends adding the potential expense to the Fiscal Year 2009 Budget.
 - This will be discussed at the next budget workshop.

There being no further discussion,

On VOICE vote with all in favor, the prior motion was approved as discussed.

- Mr. Ricciardi will inform Mr. Bartelt of the Board's decision.
- **Approval of Commercial Requests to Rent Community Center Facilities**
 - Mr. Turner recommends the user present their requests once per year and be placed on a *Commercial Renter Approved List*.
 - The Board recommends Mr. Turner keep a list of these events and make the Board aware of any possible conflicts.
- **Signs for Community Center Gathering Room Commercial Rental Activities**
 - Signage requires both HOA and CDD approval.
 - The signs should have the Arbor Greene logo with appropriate coloring.
 - The CDD should not be obligated to pay for the signs.
 - There should be one sign inside the entrance gate before the tennis courts; and one in front of the community center on the day of the event.
 - There should be no signs on common property.
 - Signs must be removed as soon as the event is over.
- **Bank Deposit of Facility Rental Fee Funds and Rental Deposit Fee**
 - The rental deposit fee is \$250, which is retained at Mr. Turner's office.
 - The rental fee check is sent to Severn Trent Services for deposit in the bank.
 - Mr. Robin recommends both checks be deposited in the bank.
 - Mr. Turner seldom has to deposit the \$250 fee.
 - The Board concurred with continuing this process.
- **Community Wide Tree Trimming**
 - One option is to hire a contractor to do this trimming on an annual basis, which would amount to an additional assessment to the residents.

- Mr. Brickley and Mr. Turner will attend the next HOA meeting to discuss this issue and come to a resolution.
- **Refurbishment of Resort Pool and Decks**
 - Mr. Turner spoke to the fitness pool contractor.
 - The contractor gave an estimate of \$17,036.50.
 - The estimate for the deck is \$2,900.
 - The contractor can commence the project two weeks after receiving a deposit for purchase of materials.
 - The project should be complete within three weeks of commencement.

There being no further discussion,

On MOTION by Mr. Lozicki seconded by Mr. Yawn with all in favor, renovation of the resort pool and deck in an amount not to exceed \$20,000 was approved.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

- Mr. Bootcheck asked for a status of payments from the Larson family for restitution for the Trace playground fire.
 - Mr. Turner received a check in the amount of \$197 and \$97.
 - The State Attorney's office deducts \$3 for each transaction they process.
 - This is not deducted from the restitution for which the District is entitled.
 - This is deducted from the individual making the payments.

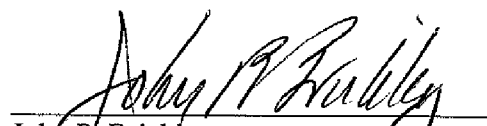
TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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


T. Dorsey Yawn
Assistant Secretary


John P. Brickley
Chairman