

**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, July 23, 2007 at 6:30 p.m. in the Gathering Room of the 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
Michael Lozicki	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Tracy Robin	District Attorney
Harve Turner	General Manager
Jim Chan	Resident
Bob Farrell	Resident
Doug Hartnagel	Resident
Hongwei He	Resident
Joe Johnsen	Resident
Susan Johnsen	Resident
Sharon Oula	Resident
Mike Wilary	Resident
Shannon Wilary	Resident

*The following is a summary of the minutes and actions taken at the July 23, 2007 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  
June 25, 2007 Meeting and  
June 28, 2007 Reconvened Meeting**

Mr. Brickley stated each Board member received a copy of the minutes of the June 25, 2007 regular meeting and requested any additions, corrections or deletions.

- On Page 6 under the eighth order of business under the second bullet, *The Board will consider approval of organized, village-wide events on a case by case basis* should be added as a third item.
- On Page 7 under the second bullet, *resident* should be added before *privileges* under the first item.

Mr. Brickley stated each Board member received a copy of the minutes of the June 28, 2007 reconvened meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the minutes of the June 25, 2007 meeting were approved as amended; and the minutes of the June 28, 2007 meeting were approved.

**THIRD ORDER OF BUSINESS**

**Approval of the June 30, 2007 Financial  
Statements**

- Arbor Greene is currently at 101.8% of revenues.
- Arbor Greene is at 72.9% of expenses.
- Everything has increased since last year at this time due to increasd business costs for contracts, legal expenses and up front fees to the Property Managers.
- An increase in electricity expenses has been budgeted for.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the June 30, 2007 Financial Statements were approved.

**FIFTH ORDER OF BUSINESS**

**District Manager's Report**

**A. Consideration of Resolution 2007-6 Authorizing the Issuance of the Taxable Note, Series 2007**

Mr. Robin presented this resolution.

- It authorizes the District to issue a taxable Note, Series 2007 in the amount of \$165,000.
- It provides operating capital to the District for costs related to the loan as well as issuance of the Note.
- It pledges and grants a lien on District maintenance assessments.
- The Note was awarded to SunTrust by negotiated sale.
- It is comprised of certain covenants and agreements in connection with the loan agreement and the loan documents.
- The Board agrees it is in their best interest to pay it off in three years.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor Resolution 2007-6 Authorizing the Issuance of its Taxable Note, Series 2007, in the Principal Amount of \$165,000, to Provide Operating Capital to the District and Costs Related Thereto; Pledging and Granting a Lien on Maintenance Assessments of the District to Secure Such Note; Awarding the Note to SunTrust Bank by Negotiated Sale; Authorizing and Approving a Loan Agreement with SunTrust Bank; Making Certain Covenants and Agreements in Connection Therewith; Providing for an Effective Date; and for Other Purposes was adopted.

**B. Discussion of Resident Complaint**

- This is a follow-up to last month's meeting with regards to the complaint by Mr. and Mrs. Miccolis against Mr. Turner.
- They indicated they did not receive the copy of Mr. Turner's documents. However, they later confirmed receipt of the documents as confirmed by a telephone call from Mr. Ricciardi to Mr. Miccolis.

**C. Meeting Schedule for Fiscal Year 2008**

- Mr. Brickley reminded the Board the December 17<sup>th</sup> meeting will be a regular Board meeting; after which there will be a Budget Workshop on December 20<sup>th</sup> and two months worth of financial statements will be reviewed at the January Budget Workshop.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the Fiscal Year 2008 Meeting Schedule was approved as discussed.

**SEVENTH ORDER OF BUSINESS**

**Engineer's Report**

- Mr. Ricciardi indicated the drainage easement paperwork for Mr. and Mrs. Wong has been filed by Mr. Robin.
- Mr. Ricciardi brought back the finalized contract with Lakemasters for Mr. Brickley's signature.

Mr. Brickley moved to approve the contract with Lakemasters Aquatic Weed Control, Inc. in the monthly amount of \$2,790 as amended and Mr. Yawn seconded the motion.

- Mr. Ricciardi went through the contract with Mr. Turner to ensure the revised contract contained the amended scope of services as approved by Mr. Vericker.

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

**FOURTH ORDER OF BUSINESS**

**Public Hearing to Consider the Adoption of the Budget for Fiscal Year 2008 (Resolution 2007-4) and Levy of Non Ad Valorem Assessments (Resolution 2007-5)**

*The record reflects the Public Hearing to adopt the Fiscal Year 2008 Budget was opened.*

- Mr. Brickley gave an overview of the Proposed Fiscal Year 2008 Budget.
  - \$50,000 should be added to the adopted Fiscal Year 2007 total, for a total of \$1,523,502.
  - The Fiscal Year 2008 Budget is proposed to be increased up to \$1,600,897.
  - The major changes from 2007 to 2008 are in the following categories:
    - Administrative
    - Legal Services
    - Management Consulting Contract
    - Property Appraiser
    - Tax Collector
  - First Quarter Operating and Capital Reserves were deleted.
  - The Principal Line of Credit was added to the proposed budget for payment of the loan over the next three years.

- *Water-Sewer Comb. Services* increased by approximately \$2,000.
- There is a significant decrease in electricity for the main fountain due to water restrictions.
- *Flood Control/Stormwater Management* increased as a result of the new contract which was just approved.
- *Landscape* increased by \$50,000 due to the contracts for renewal and replacement increases, along with the landscape consultant.
- *Gatehouse* contains a \$15,000 contract increase.
- *Road and Street Facilities* increased significantly due to increased work on sidewalks and street lights.
- *Parks and Recreation – General* reflect salary, FICA and Pension Benefit increases.
- *Electricity – General* was increased by \$5,000 to make it \$50,000.
- *R&M – Pools*, reflected a significant increase since the pools are going to be emptied, refurbished and refilled.
- *Capital Improvements – General* was increased for any unforeseen problems.
- The proposed budget will be \$1,605,897 if approved.
- A resident wanted to know what caused the increase in *Legal Services*.
  - Mr. Brickley responded the Note, the management contract, as well as a number of reviews, meetings and iterations in terms of proposals caused this.
- Mr. Brickley gave an overview of the different subdivisions within Arbor Greene.
- Mr. Brickley gave an overview of the *Debt Service 2006 Series Fund*.
- Mr. Brickley discussed the *Series 2006 Debt Service Amortization*.
- A resident wanted to know why there was such a difference in the figures for the adopted Fiscal Year 2007 Budget as compared to the *Actual thru June 2007* on Page 22 under *Administrative, Profserv – Property Appraiser*.
  - Mr. Brickley responded 1% was budgeted, but both the Tax Collector and Property Appraiser should have been budgeted at 2% collectively.
- Mr. Brickley discussed *Exhibit “A”*.

- Mr. Ricciardi read two letters from residents who are opposed to the increase in the 2008 budget.

*The record reflects the Public Hearing to consider adoption of the Fiscal Year 2008 Budget was closed.*

There being no further comments or questions,

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor Resolution 2007-4 Relating to the Annual Appropriations of the District and Adopting the Budget for the Fiscal Year Beginning October 1, 2007, and Ending September 30, 2008, and Referencing the Maintenance and Benefit Special Assessments to be Levied by the District for Said Fiscal Year was adopted as amended.

Resolution 2007-5 essentially allows the Tax Collector to collect taxes and send the funds to the District.

There being no comments or questions,

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor Resolution 2007-5 Levying and Imposing a Non Ad Valorem Maintenance Special Assessment for the District for Fiscal Year 2008 was adopted.

**SIXTH ORDER OF BUSINESS**

**Attorney's Report**

- Mr. Robin updated the Board with regards to maintenance issues at the Carriage Homes.
  - Mr. Robin spoke to Mr. Michael Cachon of Lennar Homes to request additional information on the background.
  - They want the District to maintain two items:
    - A pond which is within the boundaries of the property;
    - The gates.
  - These two facilities are neither owned nor constructed by the District.
  - Mr. Robin believes the CDD and the HOA should enter into a contractual arrangement for gate and pond maintenance.

- If there is a problem the HOA can request the District arrange to have its service company take care of it and the District can bill the HOA.
- The District can either pay it under their contract and submit an invoice for reimbursement to the HOA; or submit the invoice from the contractor directly to the HOA.
- Mr. Robin to bring a contract for approval at the October meeting.

**EIGHTH ORDER OF BUSINESS**

**General Manager's Report**

Following are highlights of Mr. Turner's report:

- **Swimming in Arbor Greene Water Bodies**
  - A group of young children were swimming in a pond.
  - There are no specific regulations with regards to swimming or boating in these ponds.
  - District property is considered public property.
  - If you choose to allow boating or fishing in ponds which have a point of public access, you cannot restrict usage to non-residents.
  - Some CDDs post *No Trespassing* signs at all ponds for everyone, including residents.
  - Some CDDs post signs which state, *No Access to the Pond for Fishing Purposes Except by Residents to the back end of their pond, behind their home.*
  - In public areas, certain ponds are designated as *fishable* and other ponds as *non-fishable*.
  - Some CDDs do not post any restrictions.
  - This is a debatable issue, which the Board agreed to defer to the individual property owners.
- **Non-Resident Community Center Facilities Usage & Rental Rates**
  - The Board agreed to defer this issue until all Board members are present.
- **Use of Rain Barrels by Arbor Greene Residents**
  - The HOA controls what materials are placed in private yards.
  - The capture of the water in the rain barrel is reserved for the CDD.

- The CDD has no authority with regards to aesthetic issues.

*The record reflects the Board recessed for 10 minutes in order to sign various documents.*

**TENTH ORDER OF BUSINESS**

**Audience Comments**

- Mr. Farrell presented a proposal for a Health Lecture and Discussion Club.
  - He is offering both day and evening sessions, once per week for 60 to 90 minutes.
  - He presented 10 different topics for discussion.
  - He will charge \$10 per session for residents and \$12 for non-residents.
  - The fee is to cover cost of materials, copies of lectures and use of a projector.
  - Mr. Farrell will give Mr. Turner his insurance certificates.
  - He placed an ad in the August Newsletter to determine whether or not there is any interest.
  - The Board gave Mr. Farrell approval to proceed with this program.
- Mr. Chan wants to invite a Chinese swim coach to teach their children to swim.
  - There are currently four families who are interested, for a total of six children.
  - This person wants to do this free of charge and he previously attended a Board meeting last year to present his proposal.
  - The Board does not want more swim instructors since it may cause conflicts.
  - This person is allowed to swim with the children and families but cannot run an organized class.
  - The Board emphasized they wanted to keep the pool open on weekends for residents
- A resident wants to know the purpose of the assessment increase.
  - The increase will be between 3% and 6% for operations and maintenance due primarily to increasing costs for contracts and electricity.
  - The debt will not be affected.
  - The fitness pool will be closed in December or January in order for it to be refurbished.

**EIGHTH ORDER OF BUSINESS**

**General Manager's Report (Continued)**

Following are the continued highlights of Mr. Turner's report:

- **Reconfiguration of the Arbor Greene Entry Fountain**
  - The Board agrees they want to repair the fountain, using Option #1.

**NINTH ORDER OF BUSINESS**

**Supervisors' Requests**

Hearing none, the next item followed.

**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

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John P. Brickley  
Chairman