

**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 20, 2009 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
Christine Nelson	Co-Vice Chairperson
T. Dorsey Yawn	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Harve Turner	General Manager

The following is a summary of the minutes and actions taken at the July 20, 2009 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Approval of the Minutes of the June 22, 2009 Meeting

Mr. Brickley stated each Board member received a copy of the minutes of the June 22, 2009 meeting and requested any additions, corrections or deletions.

A correction to page 6 of the minutes was requested and will be made part of the final public record.

On MOTION by Ms. Nelson seconded by Mr. Yawn with all in favor the minutes of the June 22, 2009 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Approval of the June 30, 2009 Financial Statements

Mr. Brickley reported on the July 16, 2009 Budget Workshop noting the following:

- As of June 30, 2009 we were at 96.7% of revenue, expenses at 69% and the assessment income at that point was 97.66%. This puts us in fair shape through three quarters of the fiscal year; recognizing that we have other expenditures that were unanticipated.

Mr. Ricciardi announced that as of July 16, 2009 the assessments were 100% collected.

- The 2010 budget was reviewed and we looked at issues such as the termite contract, stormwater drains, erosion, sidewalk repairs, and aerator maintenance contract for the new front pond. No decisions or recommendations were made as they are part of on going issues that will be brought up by the General Manager.
- The June 30, 2009 financial statements were reviewed and approval was recommended.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the financial statements as of June 30, 2009 were approved.

FOURTH ORDER OF BUSINESS

District Manager's Report

A. Termite Treatment for Community Center Complex

Mr. Ricciardi deferred this item to Mr. Turner.

He addressed the question of what companies other District's use by noting Meadow Pointe 1 uses Terminix, West Meadows uses Anti Pesto and Heritage Isles used Truly Nolan. They all have annual treatments for subterranean and airborne and all are happy with the service.

Mr. Turner reported on his findings on whether the termite treatment vendors would do an annual inspection without signing a contract. Two of the vendors said they would do an annual inspection at no cost and one vendor said they would charge \$100 for an inspection.

The termite treatment proposals were discussed.

Mr. Yawn recommended having a termite pre-inspection done before deciding to purchase a contract with a termite treatment vendor and Ms. Nelson agreed.

Mr. Brickley noted we would have to add this item to the budget at the next budget workshop. If the pre-inspection is done as a first step and if it is found that there is no existing termite problem, then there are two alternatives; we can go with a contract or we can wait until next year. If a termite problem is detected, we then can decide which company to go with.

Mr. Brickley suggested that a pre-inspection be done, in the next few weeks, by the three vendors who submitted proposals and at the budget workshop a possible recommendation of whether or not to proceed with a termite maintenance contract could be made.

Mr. Turner was directed to schedule termite pre-inspections with the three vendors.

Mr. Ricciardi updated the Board on a question raised at the last meeting, which was whether the City of Tampa had the authority to regulate the street signage for traffic calming steps in Arbor Greene. After consulting with Mr. Robin, the answer was no, they do not have any authority. However, there may be some permitting issues if speed tables are installed. He noted signage or traffic calming devices should be approved by a traffic engineer to protect the District from any liability.

If it is ever decided to employ law enforcement, they will not conduct radar patrols unless the signage is DOT approved. If the Board wanted to change any of the speed limit signs, the recommendation is to have a traffic study done and then proceed from there. The question was raised whether a village within a gated village, can change their signs without gaining the approval of the CDD. The answer is they are CDD streets, maintained by the CDD and therefore if they want to change the signage, they have to do a traffic study and bring it to the CDD for approval.

Mr. Ricciardi reported depending on what you want to do, the District engineer may be willing to indicate in writing that a traffic study is not necessary. There may be situations where a traffic study is definitely needed. The District Engineer will be contacted by Mr. Ricciardi and Mr. Turner to discuss changing the speed limits in the village. The issue is designating the speed limit on all major thoroughfares within Arbor Greene as 30 MPH and 20 MPH inside the village gates; this will establish a lower speed limit within the villages and posting signs.

B. Questions and Comments on the Proposed Fiscal Year 2010 Budget

Mr. Ricciardi reported the financial actuals have been updated through June. No changes were made at the budget workshop meeting. The major question was on the additional work for

the stormwater drain and bank erosion and the cost involved in that and the impact as to whether or not we leave the TRIM contingency in or take it out. Board consensus at the general meeting was to leave it in as is.

Another question, regarding the notice to owner letters, was can we include the revised assessment table where we lowered the assessments for the gate to the TRIM. The Board previously consented to use the new table for the notice letter. We are trying to verify that we can do that. If we cannot do that, we will attach a letter stating that the assessment has dropped.

Mr. Brickley concluded the budget discussion by noting we recognize that there are potential increases out there, we cannot raise the budget at this point and opposed to taking \$34,000 out of the TRIM line, we will leave that in there to have flexibility and recognize we will probably spend it on stormwater or other types of expenditures. This leaves us with a less than 3% overall increase.

Regarding stormwater drain repairs, enclosure 1, Board Approved Inlet Repairs, Phase 1, of the General Manager's Report was discussed.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the expenditures for storm drain/lake bank erosion repairs as presented in the amount of \$30,630 were approved.

Enclosure 1 of the General Manager's Report is attached hereto and made part of the official record.

Mr. Ricciardi reported the budget public hearing will be held next month during the regular monthly Board of Supervisors meeting; August 24, 2009 at 6:30 P.M.

Regarding the issue of access to the community with regard to the gates and process server's access, the Board was informed that Mr. Robin will review the rules on gate access, possibly draft an update to the rules and will report back to the Chairman, the Board and Mr. Turner on his findings.

NINTH ORDER OF BUSINESS

Audience Comments

Ms. Mary Jo Lefcourt expressed her opinion that the Board's decision to charge a fee for non-resident tennis players was great.

Mr. Steve Corcoran inquired about the fountains and Mr. Brickley explained the Board's approval to purchase an aerator for the front entrance fountain, as discussed at last month's meeting.

FIFTH ORDER OF BUSINESS

Attorney's Report

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

Engineer's Report

There not being any, the next item followed.

SEVENTH ORDER OF BUSINESS

General Manager's Report

The following items listed in the report were discussed:

- Resident request to install a fence along conservation area near Benito basketball court.
Fence cost proposals were included in the report and the recommendation was to defer this item to a future meeting.
- Sidewalk Repairs – Completed a revision to the Community Sidewalk Survey. It was recommended to approve the modified approach to repairing sidewalks.
It was noted this project will not start until the new budget year.
Mr. Ricciardi will work with Mr. Turner to investigate whether an oak tree can be replaced with another type of tree and/or can every other tree in the area in question be cut down or at least take out the trees obstructing the street lights.
- Paver Repairs at the front gate – Deferring this item until after October 1, 2010 was recommended.
- SWFWMD Permit Inspections – The Chairman has already signed a proposal from Florida Engineering to conduct the inspections that SWFWMD mandates regarding the stormwater system. The approval of this expenditure requires ratification by the Board.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the expenditure of \$3,000 to Florida Engineering for SWFWMD inspections was ratified.

- Groups with insurance/waivers – A list of groups participating in activities within the CDD, indicating whether insurance or waivers are required, as provided in the General Manager's Report was discussed.

The Board was asked if they wanted to make any changes to the current insurance status and the consensus was to continue as it is for now.

- Water Bill for June for the Community Center – As the Community Center water bill for the month of June was \$7,084.14 and the normal bill is approximately \$2,000 per month, inspections were done by the maintenance manager and a plumbing company specializing in finding leaks. Nothing was found indicating a leak in the system and the subsequent water bill is back to normal.

Mr. Yawn MOVED to direct Mr. Turner to draft a letter to the Water Department registering a formal complaint outlining what the water use has been and noting the usage went back to normal after the \$7,084.14 bill and expressing the Board's opinion that an error has been made. There being no second, the motion failed.

Mr. Brickley requested that Mr. Turner draft a memo with some of the facts of this water issue and present it to the Board for further action. Mr. Yawn offered to assist with the drafting of the memo.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Yawn discussed the recent legislation on Florida Friendly Landscaping. OLM has informed Mr. Turner there may be challenges to that law by organizations in the state that are not happy with it. Mr. Yawn feels the CDD should implement the Florida Friendly Landscaping where possible, whether it is upheld as a law or not.


Mr. Corcoran noted the Wax Myrtles in the Preserve have gotten so tall that no vegetation can grow at the bottom. They have not been maintained properly.

TENTH 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.



John Ricciardi
Secretary



John P. Brickley
Chairman