

**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, March 22, 2010 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
Adam Tanenbaum	Assistant Secretary
T. Dorsey Yawn	Assistant Secretary
Christine Nelson	Co-Vice Chairperson
Michael Lozicki	Co-Vice Chairman

Also present were:

John Ricciardi	District Manager
Harve Turner	General Manager
Bob Farrell	Club Manager
Audience Members	

The following is a summary of the minutes and actions taken at the March 22, 2010 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

**Approval of the Minutes of the
February 22, 2010 Meeting**

Mr. Lozicki stated each Board member received a copy of the minutes of the February 22, 2010 meeting and requested any additions, corrections or deletions.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor the minutes of the February 22, 2010 meeting were approved.

Mr. Turner requested that two words recorded in the minutes of the General Manager's Report be corrected.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor the previous motion to approve the February 22, 2010 minutes was rescinded.

The corrections were made and will be included in the final minutes for the public record.

On MOTION by Mr. Tanenbaum seconded by Mr. Lozicki with all in favor the minutes of February 22, 2010 were approved as amended.

THIRD ORDER OF BUSINESS

**Approval of the February, 2010
Financial Statements**

Mr. Yawn reported on the February 18, 2010 Budget Workshop noting the following:

- The revenue is at 92.68% of budget; expenses are at 40.61% of budget.
- We talked about an item on page four of the financials, under Swimming Pool, OP Supplies-Pool and Fountain and found that the percentage amount 264.70% was justifiable. That was the only outstanding number of concern.
- The financial statements for the end of February, 2010 were recommended for approval.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the financial statements as of February 28, 2010 were approved.

Mr. Ricciardi gave an update on the assessment collections; as of March 17, 2010 the District was at 94% collected.

FOURTH ORDER OF BUSINESS

**2009 Audit Presentation – Neil Unruh,
Shinn & Co., P.A.**

Mr. Ricciardi reported Mr. Unruh was to have presented and discussed the 2009 financial audit but unfortunately he had a minor car accident on his way to the meeting. It was explained that the Board can choose to accept the audit as presented or the acceptance can be deferred to the next meeting and Mr. Unruh will be asked for his availability to attend.

Highlights of the audit were pointed out by Mr. Ricciardi.

The record will reflect Mr. Brickley joined the meeting.

Mr. Ricciardi concluded the audit highlights and noted this is a clean audit.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the financial audit for fiscal year ended September 30, 2009 was accepted.

ELEVENTH ORDER OF BUSINESS

Audience Comments

Ms. Stacy Wachtel inquired about the tennis court usage and the tennis program contract with Mr. Alan Williams. She expressed her opinion that it is not fair that Mr. Williams has an exclusive “right” contract to teach tennis on the District courts.

Finding a “middle ground” to the tennis lesson/court issue was discussed.

Mr. Williams noted he does not object to having someone else “help” other players but not for compensation. He indicated lessons are available on Saturday mornings.

The record will reflect Ms. Nelson joined the meeting.

Mr. Brickley indicated that his concern is that if the Board approved a resident bringing in an individual trainer we would be opening Pandora’s Box because the word will spread and people will be requesting new trainers every month due to their scheduling circumstances. If there is some way to bring in someone to help without being paid, it would work.

The discussion on the tennis trainer issue concluded with Ms. Wachtel and Mr. Williams agreeing to work out a tennis lesson schedule that would fit each other’s circumstances.

SIXTH ORDER OF BUSINESS

District Manager’s Report

Mr. Ricciardi reminded the Board that a general election will be held in November, 2010. There will be two Board seats available; seat #1 occupied by Mr. Lozicki and seat #2

occupied by Ms. Nelson. The Hillsborough Supervisor of Elections will be conducting the election. The election qualifying period is from noon on June 14, 2010 thru noon on June 18, 2010. Candidates can pay a qualifying fee of \$25 or qualify by petition by submitting 25 registered voters signatures to the Hillsborough Supervisor of Elections by May 17, 2010. There is also a notice reporting the qualifying information that will be published in the newspaper by May 28, 2010. If no one runs for election to these seats, the incumbents will generally carry over or the Board can appoint a resident to the Board.

It was also reported to the Board that the District did receive approval from SWFWMD for the permit. Mr. Ricciardi explained the SWFWMD water use permit notice advertising and indicated the District needs to publish the notice only if you want to insure that a third party cannot challenge the District's action on your permit, exemption or petition on some future date. If you choose not to publish there is no time limit for a third party to challenge the District's action.

The consensus of the Board was not to advertise the notice for the SWFWMD water use permit.

Mr. Ricciardi reported on an email he received from Mr. Miccolis expressing his concern regarding the Trace Park fire damages.

A. Attorney RFP's

Mr. Ricciardi reported he sent out four Requests for Proposals to law firms. Three proposals were received and one firm declined to submit. He indicated he has favorable, personal experience working with the three firms that submitted proposals.

Mr. Brickley asked if the Board would like to continue to pursue this item.

Some Board members indicated they have not looked into this item and Mr. Tanenbaum indicated he would be interested in hearing from at least one or more of the firms.

Mr. Ricciardi informed the Board of an email he received from Mr. Robin indicating he was surprised there was an RFP for legal services and he was unaware of any problems related to the timeliness or performance of their services and they would like the Board to know they value Arbor Greene as a client and would appreciate the opportunity to discuss any areas of concern.

Mr. Lozicki suggested having Mr. Robin attend the next meeting to address the Boards concerns regarding performance.

As Mr. Tanenbaum reported he could not attend the April 19, 2010 meeting it was recommended that Mr. Robin be asked to attend the May 24, 2010 meeting.

Mr. Ricciardi reminded the Board that the proposed fiscal year 2011 budget will be introduced at the May meeting. He also reminded the Board that upon approval of the proposed budget the assessment level included in that budget cannot increase. The final fiscal year 2011 budget will be adopted at the public hearing meeting scheduled for August 23, 2010.

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

Mr. Turner reported on the following items of his report:

- Regarding item #1c of the report, Contract Renewal – Alan Williams, Tennis Pro, the Board made changes and discussed the contract. The consensus of the Board was to approve a three year contract and a 60 day written notice to terminate.

On MOTION by Mr. Tanenbaum seconded by Ms. Nelson with all in favor the contract/Concession Agreement with Mr. Alan Williams, Tennis Pro was approved as amended.

- Item 1a – Supervisor Request – Gate House Visitor Procedures
The discussion of this item was deferred to later in the meeting.
- Item 1b – Tree Root Pruning Maintenance Proposal
It was noted that funds are not available in the current budget and it was proposed to include funds for this item in the 2011 budget.
- Item 1d – TPD Security for Community Center
Recommendation to eliminate police security 3 day schedule but incorporate within the 5 community patrols and have the TPD check the community center.
The consensus of the Board was to implement recommendations of Mr. Turner and will revisit this in the summer.

On MOTION by Mr. Brickley seconded by Ms. Nelson with Mr. Yawn, Mr. Lozicki, Ms. Nelson and Mr. Brickley voting Aye and Mr. Tanenbaum voting Nay the recommendation made by Mr. Turner to eliminate the TPD current security schedule of three days per week, three hours per shift for the Club was approved.

Security issues were discussed.

On MOTION by Mr. Brickley seconded by Mr. Lozicki with all in favor readjusting the TPD Community Patrols that are currently 5 days per week, 3 hours per shift and having the TPD allot one of the 3 hours to the Club 3 days per week, hours varying depending on the shift was approved.

- Item 2a – Non-resident Malicious Actions in Club

The incident, as described in the report, was discussed.

The recommendations listed in the report under this item were discussed and the following motion was made:

On MOTION by Mr. Tanenbaum seconded by Mr. Lozicki with all in favor obtaining a Trespass Warning issued by the TPD against Dakota Evans was approved.

- Item 2b – Sun Shelter Replacement

A brief discussion on this item ensued.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor changing contractors from Awesome Awnings to West Coast Awnings for the Sun Shelter replacements, including painting at a cost of not to exceed \$11,500 was approved.

- Entrance Way Signage Changes due to Vehicles going into the Pond.

This item was discussed and it was reported that the District Engineer suggested changing the speed limit signs to 20 MPH and possibly adding “road shaping signs”.

The consensus of the Board was to take no action at this time.

- Item 3m – Water Leak at the Resort Pool Deck

It was noted that the pool is closed until the leak can be fixed.

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor the expenditure of not to exceed \$5,000 to repair the leak in the resort pool subject to review/approval of the Chairman was approved.

A copy of the General Manager's Report is attached hereto and will be made part of the public record.

TENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Tanenbaum asked when do we start advertising for Ms. Barbara Koscinski's replacement?

Mr. Turner responded the Board will need to decide which way they prefer to go with this situation. It was recommended that it is better to have one person in the office five days per week rather than two people.

Mr. Tanenbaum requested that phone communication be made available to him in order to participate in next month's Board meeting. Mr. Turner and Mr. Ricciardi will arrange for this request.

Ms. Nelson asked if the Board would discuss the next section of the District Policies tonight or at another meeting?

Mr. Brickley responded we are going to do the third section at the next workshop and then we have two issues we need to resolve subsequent to that.

Mr. Lozicki reported he was approached by a resident who inquired about the possibility of putting up a synthetic ice hockey court somewhere in the District. The Board suggested that Mr. Lozicki gather more information for a presentation for further consideration.

Mr. Ricciardi will check with Ms. Paula Davis regarding the potential increase to the liability premium with regard to installing an ice rink on District property.

Mr. Yawn noted as he indicated at the budget workshop, he again extends his apology to the Board for his unsolicited commentary at the last meeting, which resulted in Mr.

Tanenbaum leaving the meeting. He indicated his comments were based on his frustration regarding the lack of procedures in place to have more orderly business transitions.

He also referred to a 55 page document on Rules of Procedure and indicated we are pretty much in tune with it. One of the things he noticed lacking in the document is that it does not specify the Board will apply Roberts Rules of Order to the Procedures in terms of motions, proper interruptions of business and other Roberts Rules of Order applications.

Mr. Yawn recommended that the Board consider formally adopting Roberts Rules of Order in conducting its business.

Mr. Ricciardi explained some of the pros and cons of adopting Roberts Rules of Order for CDD meetings. He indicated he does not know of any CDD board that uses Roberts Rules of Order; they are not indicated in the Statute, Chapter 190.

The Board discussed having tighter meetings; less discussion.

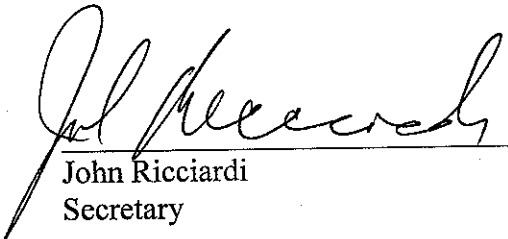
Mr. Turner reported he will be going on vacation starting Thursday afternoon and Mr. Bob Farrell will be the acting general manager in his absence. He will return on April 5th.

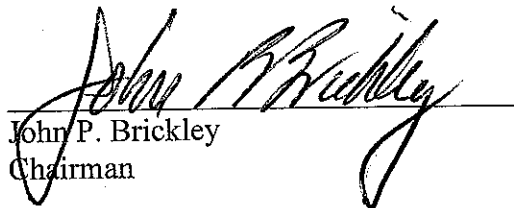
TENTH ORDER OF BUSINESS

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