

**MINUTES OF MEETING
ARBOR GREENE
COMMUNITY DEVELOPMENT DISTRICT**

The recessed meeting of May 9, 2005 of the Board of Supervisors of the Arbor Greene Community Development District was reconvened on Thursday, May 19, 2005 at 6:00 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
Mike Lozicki	Supervisor

Also present were:

John Daugirda	Manager
John Ricciardi	Severn Trent Services
David W. Bartelt	Engineer
Allan Williams	Arbor Greene Club Manager
Barbara Koscinski	Arbor Greene Office Manager
Gary Smith	Arbor Greene Maintenance

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Organizational Matters

A. Appointment of New Supervisor to Fill Unexpired Term of Office (11/2008)

Mr. Brickley stated Mr. Jeff Meehan submitted his resignation and we now need to appoint a new supervisor to fill his unexpired term of office.

Mr. Bootcheck nominated Mr. Dorsey Yawn as Supervisor and Mr. Lozicki seconded the nomination; there being no further nominations with all in favor Mr. Yawn was appointed Supervisor.
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B. Oath of Office for Newly Appointed Supervisor

C. Election of Officers

This item was tabled to the next meeting.

SEVENTH ORDER OF BUSINESS**Staff Reports****B. Engineer – Proposal for Flood Control Measures at Pond #170**

This portion of the tape could not be transcribed. The following is a summary as dictated by the District engineer.

Mr. Bartelt got up and addressed the Board showed the Board and the audience the locations within Arbor Greene as to where the flooding condition had occurred. Mr. Bartelt also gave a quick overview as to the direction flow, which is from north to south and gave a quick synopsis as to the distance that some of this drainage is coming from which is as far as north as Cross Creek. Mr. Bartelt also explained that an existing 200 foot long weir which is a naturally occurring high spot in elevation which exists just upstream of JA-90. Mr. Bartelt went on further to explain that this 200 foot weir comes down into JA-90 where currently there is a control structure that has a 6 foot opening which allows water to pass through it. He explained that during the storm event that a 6 foot wide additional incision was placed in the beam which separates that Pone JA-90 from Pond 170 and this additional opening allowed the water levels to drop behind the homes which abuts JA-90 and eased the flooding condition which they were currently experiencing. He went on to state that a topographic survey was undertaken in the area of the Shanks home who experienced the flooding even by having water flow into their swimming pool. The topographic survey picked up the elevation of the Shanks pool deck, their finished floor of their home, the elevations on either side of their home's property lines, the elevations of the top of the berm which separates JA-90 from Pond 170 and also picked up the control structure information for JA-90, the incision that was made in JA-90, picked up topographically elevations along the top of bank of Pond 170 and also the existing 8 foot weir out of Pond 170 into the SWFWMD property. Mr. Bartelt went on to explain that a pre-application meeting was held with the SWFWMD where the District agreed to allow more water to flow out of Pond 170 and that SWFWMD is the owner of the property and would agree to receive more outflow onto their property. He then explained that a additional 8 foot wide opening will be built into the south side of Pond 170 to allow additional flow out of that pond onto the SWFWMD property. We propose to place a concrete/fabric form material to be built over the top of the new 8-foot opening to have a concrete surface over which the water will flow. We will also go up into Pond JA-90, open up the existing concrete weir to be 8 feet wide and lower it 0.40' and will also go over to the incision that was built into the berm and place a concrete/fabric form over the top of that which will allow additional waters to flow out of JA-90

down into Pond 170. Mr. Bartelt also made the statement when asked by a resident in the audience – “Will this solve all the flooding problems?” Mr. Bartelt responded by stating that the storm water systems within Arbor Greene are designed on a 25-year storm event – 24-hour occurrence interval. If the storm event, which occurs in the future is greater than the 25-year storm (8 inches of rain in 24 hours) then these Ponds will not function as designed. So it is always possible that in an event can occur which would be greater than what the design of the system is.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor the Board requested two additional proposals with a \$5,000 range of the original proposal and authorized the chairman to take any necessary action.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 21, 2005 Meeting

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

On Page 3, the third comment made by a resident should state, “A resident asked can someone else follow up.” Page 5, the sentence “This will be paid by the Devonshire residents” should be struck from the record. At the time it was not determined how it was to be paid for. On Page 6, “tree” should be “three.”

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor the minutes were approved as amended.

FOURTH ORDER OF BUSINESS

Distribution of the Proposed Budget for Fiscal Year 2006 and Consideration of Resolution 2005-3 Approving the Budget and Setting the Public Hearing

Mr. Brickley stated each Board member has received a copy of the proposed budget for FY 2006. I prefer to do a quick overview of the budget for FY 2004/2005 for some informational issues for further discussion by the Board. As a Board we are not prepared to go into any in depth discussion of the budget. There are some issues with the proposed budget. It appears in our current budget that the interest income is extraordinarily higher than what had been budgeted and it appears that this is continuing to rise, which we may need a high target for 2006. Between the June and July meeting we have a workshop that we normally have to discuss the budget.

Mr. Daugirda stated we can set two meeting dates for June. Budget issues can be discussed at one meeting and we can discuss other District business at the second.

Mr. Brickley stated we will need to hold a regular meeting in June and a special meeting to discuss the budget. Can we have someone from the treasury side of the house attend the workshop meeting?

Mr. Daugirda responded yes. The budget is set up the same as last year. The administrative part is standard from year to year and there are some basic field operation budgets. Then we need to decide to what degree you want to prioritize the special projects. If we work with the big sub-headings and prioritize them it is then just a question as to where the money is coming from. We have a line of credit for capital improvements and we have assessments.

The Board discussed meeting dates to hold a budget workshop. The Board decided to have a workshop on May 31, 2005 at 6:00 p.m.

Mr. Daugirda stated we will continue this meeting to May 31, 2005 at 6:00 p.m. and for the record, this meeting is a continued meeting from May 9, 2005.

The Board decided to hold their regular meeting on Thursday, June 16, 2005 at 6:00 p.m.

Mr. Daugirda stated we need to set a public hearing for 60-days from this meeting date to adopt the budget. Resolution 2005-3 sets the public hearing date and approves the proposed budget.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor Resolution 2005-3 approving the proposed budget and setting the public hearing form July 12, 2005 at 6:00 p.m. was approved.
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FIFTH ORDER OF BUSINESS

Acceptance of the Audit for Fiscal Year 2004

Mr. Daugirda stated a copy of the audit was distributed under separate cover. This is a clean audit but there are a couple of high points to discuss. Page 1, third paragraph states our financial statements ending September 30, 2004 present fairly in all material respects, the financial position of the District and our statements are in conformity with generally accepted accounting principles. Included is a series of tables, which are balance sheets and statements of revenues and expenditures. Page 24 under Compliance, they test to see if our financial statements are free of any misstatements that are in compliance with law regulation contracts. They also say the test indicates there are no instances of non-compliance. Under the Internal

Control analysis they review our internal controls on our reporting and the last statement on the pages notes “We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.” Page 26, third paragraph notes that there were no inaccuracies, shortages, defalcations, fraud, and/or violations of laws, rules, etc. The last paragraph indicates that our investments of public funds are in accordance with a Florida Statute 218.415. The auditors have rule that the auditor general imposes and they have to disclose any problems. They found no violations of law, rules, etc., no improper illegal expenditures, no inadequate accounting procedures, no problems with the failure to properly record financial transactions and no other inaccuracies.

On MOTION by Mr. Brickley seconded by Mr. Lozicki with all in favor the audit for Fiscal Year 2004 was accepted.

SIXTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

C. Manager – Discussion of Meeting Schedule

This item was discussed under the fourth order of business.

D. Club Manager

Mr. Williams stated Mr. Tracy Robin is working on the Tampa Bay Aquatic Contract. I provided him with the name of the principal of the Tampa Bay Aquatics. In order to finalize the contract he has to insure that Tampa Bay Aquatics is a registered company within the State of Florida and he has been unable to do this as of this point. Hopefully by now Mr. Robin has this resolved so we can facilitate the contracts but I will let you know by Monday where we stand on this.

E. Maintenance Staff

Mr. Smith stated we recently had problems with the wood rot on the trellis and were a surprise to see the same problem reoccurring, which were addressed last year. I knew the wood that was used to build this was just plain pine, which it does not take a lot to make this type of

wood rot. Initially we had to take the trellis apart and I received approval to finish the one part off. Last year we replaced this with the pressure treated wood. Next years budget, we are going to do a little more wood replacement, which we received a proposal for. We had some street repairs that took place but we need to fix the north bound turning lane. There was some vandalism that took place and in this particular location of the fence it is the second time it has happened. There is a hole in the men's room wall and some graffiti on the sidewalk at the park.

Mr. Daugirda stated I think doing a reserve study will be helpful. You can analyze all of our assets and anticipated what the expected life is for them before they need specific repair and then get some estimates.

Mr. Smith stated we have some sidewalk repair that needs to be handled; the trees are starting to raise the sidewalks. There is an annual report; Development of Regional Impact report that we have to submit regarding traffic study for the development. Ms. Koscinski made sure this report was submitted in a timely fashion. We had discussions with the coordinator for DRI and because the developer is seeking a billed out request, we do not have to go through and conduct a major traffic study. At the last meeting the Board asked me to contact the District engineer to talk about if the CDD can add a stop sign on Estuary Drive. The engineer's said we can add a sign but his recommendation was not to unless we conduct a traffic warrant study because of the liability issues the District is exposed to if a sign is added without a traffic warrant study. There was also some discussion regarding the installation of additional picnic fences along the lake. We received a quote for two 6-foot benches in the amount of \$2,400, which includes shipping and installation.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor the proposal for two park benches in the amount of \$2,400 was approved.

Mr. Daugirda stated we had to file a NPDES report, which is a storm water regulation report. This is to track and report on the management of our storm water systems.

Mr. Williams stated we have been trying to hire some pool attendants, which are lifeguards. I have published an ad in the paper and went to USF and posted a notice on the bulletin board. I have hired two people and I have another person who is not sure if they can do it.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Lozicki stated I was in the weight room yesterday and noticed how crowded it was and I looked over I saw the room next door empty. How often is this room used?

Ms. Koscinski stated the room is used for aerobics.

Mr. Lozicki stated I talked to the aerobics instructor and she said they are usually outdoors and we can use the room. I wanted to see if we can use this room. It is a waste for the room to be empty and the aerobics instructor said it is not a problem for us to use the room.

Ms. Koscinski stated this room is used for aerobics. It is now summer time and most likely they will be indoors.

Mr. Lozicki stated we received prices to renovate the rooms.

Mr. Brickley stated we can discuss this item at the May 31, 2005 meeting.

A resident stated I have a list of the costs for the machines in the weight room. The total cost for the equipment and weights will be \$14,000. I have lived here for six years and we have been talking about this subject for the past two years. Every time it is brought up at a meeting we go through the same discussion and leave the meeting with nothing accomplished.

Mr. Brickley stated we can fix the current room and add the proper flooring and we can work out a weight room in what is now the aerobics room.

A resident stated I work out in the aerobics class and we do not use the aerobics room anymore because it is too small for our classes.

Mr. Brickley stated on Page 16 of the financial statements list a number of contracts. Some we have already taken action on and I have a proposal in connection with these in the sense that for the most part they are year-to-year and in some cases they are renewable with 30-day notice. The largest contract is for the landscaping for the entire common areas of Arbor Greene as well as the gatehouse attendants. I propose we look at these contracts as renewable with a 30-day time frame in which we can give notice that we are not satisfied or they can be automatically renewable.

On MOTION by Mr. Brickley seconded by Mr. Bootcheck with all in favor the monthly contract schedule will be looked at as a renewable contract on an annual basis with a 30-day termination decision.
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NINTH ORDER OF BUSINESS

Approval of Financial Statements, Electricity Consumption Report and Invoices

Mr. Daugirda stated Page 2 shows that we have collected most of the assessments from the tax roll. Page 6, under gate maintenance, we have budgeted \$3,000 but have spent over \$4,000 year to date. Page 7 shows a similar pattern for The Enclave and Parkview is under.

On MOTION by Mr. Lozicki seconded by Mr. Bootcheck with all in favor the financial statements, electricity consumption report and invoices were approved.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Brickley seconded by Mr. Bootcheck with all in favor the meeting was continued to May 31, 2005 at 6:00 p.m.

John Daugirda
Secretary

John P. Brickley
Chairman