

**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, May 25, 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
T. Dorsey Yawn	Assistant Secretary
Adam S. Tanenbaum	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 May 25, 2009 Arbor Greene Board of Supervisors meeting.

Mr. Brickley welcomed the Jones family to the 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 April 20, 2009 Meeting

Mr. Brickley stated each Board member received a copy of the minutes of the April 20, 2009 meeting and requested any additions, corrections or deletions.

Corrections to the spelling of the word "counsel" on page 4 were requested.

On MOTION by Mr. Tanenbaum seconded by Mr. Yawn with all in favor the minutes of the April 20, 2009 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Approval of the April 30, 2009 Financial Statements

Mr. Brickley reported on the May 21, 2009 Budget Workshop.

The April 30, 2009 financial statements were reviewed noting the following:

- Revenue was at 95% of budget, expenses were at 54% of budget and assessments were at 96% of budget and we are in good shape as we start the second six months of the fiscal year.
- The item, Notes Loans Payable was questioned and answered by noting that item represented the remnants of the management contract mediation settlement figures.
- The financial statements were recommended for approval by the Board.
- The 2010 budget was reviewed and the current status was there was a plus 5.8% over the 2009 budget and given the current economic situation and status, the workshop Board attendees decided that was not feasible and conducted a line item by line item review. During the review the proposed budget was reduced about \$86,750, which included security issues and some security services contracts. The Capital Outlays were reviewed, which were interspersed among all the different expense items throughout the budget.

The reduction of \$86,750 was decided upon but we recognized we need to have some type of capital outlay available to us in terms of issues. We had an example of this issue this year with the drain problems.

We added back \$25,000 and at that time the budget was reduced to a figure of \$61,750.

We deleted the issue of swimming pool sun shades, recognizing those things would fall under capital outlays as opposed to a stand-alone line.

The newsletter was discussed; the size and cost. This will be addressed later in the meeting.

Purchasing additional security cameras was discussed.

The major key to the proposed budget as it stood and as reviewed last Thursday, was recognizing that a 5.8% assessment, which would result in

about a 4 or 5% assessment increase across all the homes, all the areas in Arbor Greene probably was not feasible given the current economic situation.

Mr. Ricciardi reported as of May 8, 2009 the assessment trend is up to 97%, last month it was up to 96% and compared to last year at this time we were at 96%; we continue to trend 1% above collections of last year.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor, the Financial Statements for the period ending April 30, 2009 were approved.

FOURTH ORDER OF BUSINESS

District Manager's Report

A. Distribution of the Proposed Operating and Debt Service Budget for Fiscal Year 2010 and Consideration of Resolution 2009-2 Approving the Budget and Setting a Public Hearing

Mr. Ricciardi reported the Board has been looking at the proposed budget for a couple of months and a review will continue until the public hearing is held. Looking at the last page, the assessment page, there is a 3% increase in the General Fund Budget, the Operations and Maintenance budget but as you get to the Debt Service and factor that in, you are looking at a 1% or 2% increase.

The Board was asked if they are considering grossing up this percent for purposes of the TRIM or will they leave it where it is.

The draft budget will be adopted at this meeting and a public hearing date on the adoption of the final budget is suggested to be held on August 24, 2009 at 6:30 P.M. as noted in Resolution 2009-2.

The proposed budget that is adopted at this meeting cannot exceed the increased assessment amount agreed upon tonight.

In the past the Board considered grossing up a few percent to give a little room for change or if the Board is comfortable where the assessments are at and there are no anticipated increases between now and the August public hearing, then the budget can be left where it is at and that will be the maximum assessment to be done at this point.

Mr. Tanenbaum noted he is not in favor of grossing up the assessment.

Mr. Ricciardi explained if the Board does not gross it up tonight the letter will go out exactly as it is noted here. The assessments will not be grossed up without Board approval.

As an example, regarding Devonshire, right now the General Fund assessment for Devonshire based on 2010 is \$898, which is a 3% above last year. When you factor in the gate assessment, which is less and then you factor in the Debt Service assessment, the total assessment for Devonshire based on this draft budget is \$1,460. That is what would be sent out in the letter. This represents a 1% increase over last year. You cannot raise the assessments above \$1,460. If you feel you need more room to maneuver, then you would want to gross up this budget a little bit more. Either way, the residents will get a letter. This amount can always be reduced at the public hearing.

Mr. Yawn noted he did not see any harm in having the assessment amount grossed up because it gives the Board more opportunities to review the budget in the next few months.

Mr. Tanenbaum noted he will not be voting for a 5% increase, ever. If you gross it up you would be entertaining the possibility that it can happen.

Mr. Brickley noted keep in mind that looking at this figure, what we have not done is played with the gated communities and the amount of money they have in their budgets and balances; in many cases they are way out of whack. There are things we have not looked at yet and there are things that could happen, we need the flexibility.

On MOTION by Mr. Yawn seconded by Mr. Brickley with Mr. Yawn and Mr. Brickley voting Aye and Mr. Tanenbaum voting Nay a 2% assessment gross up for TRIM Notice purposes was approved.

Mr. Ricciardi explained Resolution 2009-2, which approves the proposed budget and sets a public hearing date for the adoption of the final budget.

On MOTION by Mr. Yawn seconded by Mr. Brickley with Mr. Yawn and Mr. Brickley voting Aye and Mr. Tanenbaum voting Nay, Resolution 2009-2 which approves the proposed fiscal year 2010 budget and sets a public hearing on the adoption of the final budget for August 24, 2009 at 6:30 P.M. in the gathering room of the Arbor Greene Community Center was adopted.

B. Report from the Supervisor of Elections on the Number of Registered Voters in the District (1,967)

Mr. Ricciardi explained the letter from the Supervisor of Elections is provided for informational purposes. The letter states there are 1,967 registered voters in the District.

As a follow up item on the Boards inquiry about an ownership map, Mr. Ricciardi reported it is a visual document that would highlight all of the CDD owned property and any property that might be owned by the County or the developer. It is a good map which would indicate the District easements and any areas commonly owned by the District. The quote from the District Engineer for the map came back at \$16,000. This quote is due to the fact that the engineer would be using a title company to do an official search on each of these parcels. The engineer explained they are only comfortable with the map when using a title search on the ownership of the parcels. Other engineers do not use title search companies, they look at recorded plats and when they have to they look at the Tax Collector's and Property Appraiser's website, which is not always 100% accurate. It is up to the Board to determine whether this map is worth this type of expenditure at this time.

Mr. Yawn expressed that he did not feel it should be put in the budget for the upcoming year as the District has been doing well without it for 10 years. It would be nice to have, but not necessarily essential.

Mr. Brickley and Mr. Tanenbaum agreed with Mr. Yawn regarding the map and Mr. Turner was asked to put this item on his wish list for a future year's budget.

Mr. Brickley announced a brief change to the agenda allowing the Jones family, residents of the District, to address the Board.

NINTH ORDER OF BUSINESS

Audience Comments

Mr. and Mrs. Jones residents of Arbor Greene introduced themselves. They presented a proposal for forming and offering a math study group for Arbor Greene residents and residents of other communities if room is available. The group would meet in the District Community Center in the summer months, June through September, 2009 if approved by the Board. Secondary school students, high school students would be targeted for this program. Geometry, Algebra II all the way up to AP Calculus would be offered.

A copy of the proposal is attached and included in the General Manager's Report, under enclosure #5.

A lengthy discussion ensued regarding whether legal counsel should review and approve a “concessionaire’s agreement” between the proposer and the District.

Mr. Ricciardi suggested that Mr. Turner utilize the standard concessionaire’s agreement, filling in the blanks to conform with the math program proposal and if there are any questions on the agreement, Mr. Turner will consult with Mr. Ricciardi on how to proceed.

The issue of advertising the forming of the math group was discussed. It was indicated that an informational flyer would be placed at the front desk of the community center for resident information.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the proposal submitted by Mr. and Mrs. Jones to conduct a mathematics education program primarily for Arbor Greene residents for the summer months of June through September, 2009 was approved.

FIFTH ORDER OF BUSINESS

Attorney’s Report

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

Engineer’s Report

This item was previously discussed by Mr. Ricciardi regarding the map.

SEVENTH ORDER OF BUSINESS

General Manager’s Report

The following items listed in the report were discussed:

- Repairs to Stormwater Drain Inlets to Arbor Greene Lakes/Ponds

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor repair of inlets with the highest priority identified on the General Manager’s Action Item Report in sub paragraph 1 at a cost of not to exceed \$16,000 was approved.

- Community Center Building Termite Treatment – This item was deferred from the last meeting. It was questioned whether treatment is for both subterranean and dry wood termites.
This item will be tabled and deferred to the June meeting.
- Financial data from Arbor Greene concessionaires. The information requested by the Board can be found in the report.

Board consensus was to continue with the SwimKids USA contract until the termination date of November 30, 2009 as recommended in the report.

- Resident requested the CDD lower the Speed Limit Signs from 30 MPH to 20 MPH. It was noted if a change to traffic control signage is being considered, it is recommended that a traffic engineer be consulted based on law suits that other private street communities have experienced.
- Vehicle Accident on Arbor Creek Drive near Avalon.

On MOTION by Mr. Yawn seconded by Mr. Brickley with all in favor the expenditure of not to exceed \$6,500 to replace the damaged concrete pole and traffic sign pole and pursue payment from the insurance company was approved.

- New Golf Cart Purchase – it was suggested to approve the proposal from Mid-Florida Golf Carts.

On MOTION by Mr. Brickley seconded by Mr. Yawn with all in favor the proposal submitted by Mid-Florida Golf Carts for a new golf cart in the amount of not to exceed \$7,000 with a 1 year warranty was accepted.

- Concession Contractors Access to the Website. A concession contractor has requested access to the website.

Board consensus was to have concession contractor come before the Board to explain this request.

Mr. Tanenbaum requested that the issue of considering charging all concessionaires 4% of their net revenue above \$7,000 in a calendar year be added to the agenda for the June meeting.

A discussion ensued regarding utilizing increased TPD from June (end of school year) to August (start of school year)

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum with all in favor purchasing 4 additional security cameras for the community center and facility was approved.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

There not being any, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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


John Ricciardi
Secretary


John P. Brickley
Chairman