

**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, November 21, 2005 at 6:30 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
T. Dorsey Yawn	Assistant Secretary
Mike Lozicki	Assistant Secretary

Also present were:

Bob Fernandez	Severn Trent Services
Mark Straley	Attorney
Alan Williams	Arbor Greene Club Manager
Barbara Koscinski	Arbor Greene Office Manager
Harvey Turner	General Manager
Numerous Residents	

*The following is a summary of the minutes and actions taken at the November 21, 2005 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 September 26, and October 13, 2005 Meetings**

Mr. Brickley stated each Board member received a copy of the minutes of the September 26, 2005 meeting and requested any additions, corrections or deletions.

On Page 3 there was a lengthy discussion with regards to the Florida Legislature which was missing from the minutes. We asked that the comments be incorporated, since they refer to the statute as well as the reasons we could not adopt his recommendation.

Mr. Fernandez stated the secretary went back to the August 16<sup>th</sup> minutes and transcribed them.

Mr. Brickley stated this section needs to be added as an addendum to the minutes.

All changes which will be incorporated in the amended copy of the minutes.

On MOTION by Mr. Lozicki seconded by Mr. Bootcheck with all in favor the minutes of the September 26, 2005 meeting were approved as amended.

Mr. Brickley stated each Board member received a copy of the minutes of the October 13, 2005 Budget Workshop meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the minutes of the October 13, 2005 Budget Workshop meeting were approved.

**THIRD ORDER OF BUSINESS**

**Consideration of Engagement Letter with Keefe, McCullough & Co., LLP to Perform Audit for Fiscal Year 2005**

After brief discussion, there was Board consensus to table this item pending review of the entire background of the auditing process.

**FOURTH ORDER OF BUSINESS**

**Discussion of Painting Bids**

There are two bids remaining for this work, Mott's Contracting Services, Inc. in the amount of \$49,740 and Regency Builders & Remodelers Inc. in the amount of \$57,512.

While copies of bids were made to Board members and staff, the issue of Mr. Turner's letter of employment was discussed. The letter was modified as follows:

- The letter should be reviewed by District Counsel.
- The effective date of employment should be December 1, 2005.
- Mr. Turner must note in the letter the fact that he is declining health and disability benefits.
- The 30, 60 and 90 day appraisal periods were changed to 90 days with a written appraisal and annually thereafter.

Mr. Lozicki commented disability benefits are not traditionally offered in today's market due to the expense.

Discussion of paint bids was resumed.

There is \$53,000 budgeted for this job. However, the total cost is expected to be \$15,000 over budget. The Board discussed options to save money, such as splitting the entire job over the year, or possibly financing the project. However, the cost will be less if all work is done at once. There should be a fund balance of \$210,000, assuming \$56,000 goes in from last year.

Since Mott's did a good job at the main gate, the Board would like to select them with a proviso that they give referrals of other jobs they have done, as well as a timeframe for the job.

On MOTION by Mr. Bootcheck seconded by Mr. Yawn with all in favor Mott's Contracting Services, Inc. proposal in the amount of \$49,740 subject to them providing adequate references and a timeframe to complete the work was approved.

### **Proposal for Landscaping Work on Whisper Pointe Drive**

This area is also an access point for Lakemasters to get to the pond behind it, and is also considered a drainage easement. This work is covered in the budget under 'repair and replacement'.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor the proposal from Greenview Landscaping, Inc. in the amount of \$4,080 for various landscaping repairs on Whisper Pointe Drive was approved.

### **JaniKing Contract**

The current contract for \$625 per month expires April 2006. Mr. Williams stated there were some problems with them recently. This item was tabled pending receipt of additional bids.

### **Renovation of the Snack Bar and Pool Area**

There is one bid for \$8,500. Renovation of this area will satisfy Mr. Williams' needs for room, spacing and location. The inside is in good condition, but the entire front needs to be renovated with glass in order to make it weather-proof. This item was tabled pending receipt of additional bids.

**Replacement and Repair of the Furniture**

This item was tabled to the next meeting pending receipt of three bids.

**Proposal from Borrell Electric to Repair Street Light Fixtures**

P&L prices have increased and service slowed down. However, their material costs are cheaper than Borrell. Mr. Smith will find out where else Borrell has done work in this area.

On MOTION by Mr. Brickley seconded by Mr. Lozicki with all in favor the proposal from Borrell Electric in the amount of \$45 per hour for each electrician and \$155 per day for use of a bucket truck pending review of their references was approved.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

A final letter was sent to Mr. Nosik. He feels the Board's actions against him are discriminatory, and he continues to give lessons. Mr. Williams is still keeping a log. The Board discussed the fact there are some alternatives to resolving this situation.

- Terminate his right to use the facilities. If he tries to use them after rights have been terminated, it is considered trespassing, and law enforcement will get involved.
- Give him a chance to respond to the letter which was just sent out. If he does not respond by the time the Board meets in December, send one more letter notifying him his rights to use the facility will be suspended and further legal recourse will be taken if he does not respond. Give him one last opportunity to appear before the Board in order to respond to allegations, thereby granting him legal due process. He may deny he is doing this, and the Board should have public testimony from residents who have paid him for lessons, of which there are four families, one who are non-residents.
- As a last resort, seek a legal injunction against him.

**B. Engineer**

There being no report, the next item followed.

**C. Manager**

- The pool is dirty from the hurricane and needs to be cleaned.

- The room is booked over the holidays. Residents using the room are responsible for clean-up, which has not been a problem. However, there are problems with JaniKing. The Board will seek bids for a new company.
- Consider adding an extra day to the cleaning service contract, since it takes an entire extra day to clean the room, even after the residents have done their part.

**D. Maintenance Staff**

- Sidewalks which were marked for repairs will start next week.
- The area on the sidewalks which was saw cut was not yet repaired by Lennar.
- The bushes were installed on Devonshire.
- The gate arm when exiting out of the main gate stays up longer than it should.
- The local newspaper published by the Tampa Tribune had a small article on the 5K Run.
- The vandalism which occurred at the Gazebo on Arbor Greene Drive in which the glass was broken by either rocks or possibly a pellet gun was immediately repaired, and happened again. This also happened at the gazebo near the boardwalk.
- The telephone box which was covered by a green bag was replaced with the appropriate cover. There is another one in the same area which will be replaced soon.
- Ms. Koscinski got a report from the police department with regards to the radar screen gun. There was a total of 1,277 vehicles. The average speed was 28.56 mph. The minimum speed was 29 mph and the maximum speed was 47 mph.

**SIXTH ORDER OF BUSINESS**

**Supervisors' Requests and Audience Comments**

- With regards to the 'No Outlet' sign which Mr. Nevitt requested for Estuary Drive,
- Mr. Randy Cohen who is a Traffic Engineer was consulted. According to him, the roads are private. If a sign is erected without an approved warrant by the city, there is a risk of exposing the District to additional liability. If the District erects this sign, other residents may want the same thing. Mr. Brickley will get in touch with Mr. Nevitt and tell him this.

- Mr. Yawn asked if it is necessary for him to keep a copy of the minutes. Since Ms. Koscinski and Severn Trent staff keep copies, it is not necessary.
- The possibility of installing security cameras will be explored by Mr. Turner to be available in May 2006.
- The 15 lb. and up weights are on order. When the 55-100 lb. dumbbells come in, Mr. Brickley asked that the back door alarm be disarmed for convenient delivery.

**SEVENTH ORDER OF BUSINESS**

**Approval of Financial Statements,  
Construction Activity, Electricity  
Consumption Report and Invoices**


- The budget assessment revenue seems low. Something is amiss in the balancing of revenues and expenses.
- Developer assessment is supposed to be built into assessment revenue.
- The Devonshire, Estuary, Enclave, Parkview and Retreat general funds are missing property appraiser and tax collector fees.
- Approval of financials was tabled to next month.

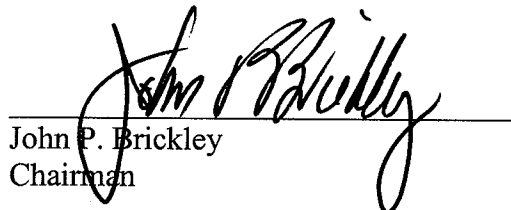
**EIGHTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor the meeting was adjourned.

  
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John Ricciardi  
Assistant Secretary

  
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John P. Brickley  
Chairman