

**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, October 25, 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:

Christine Nelson	Co-Vice Chairperson
Michael Lozicki	Co-Vice Chairman
T. Dorsey Yawn	Assistant Secretary
Adam Tanenbaum	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Harve Turner	General Manager
Audience Members	

The following is a summary of the minutes and actions taken at the October 25, 2010 Arbor Greene Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Nelson called the meeting to order and the Supervisors identified themselves at roll call.

SECOND ORDER OF BUSINESS

**Approval of the Minutes of the
September 20, 2010 Meeting**

Each Board member received a copy of the minutes of the September 20, 2010 meeting and any additions, corrections or deletions were requested.

On MOTION by Mr. Yawn seconded by Mr. Tanenbaum with all in favor the minutes of the September 20, 2010 meeting were approved.
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FIFTH ORDER OF BUSINESS

**Approval of the September 30, 2010
Financial Statements**

Ms. Nelson reported on the October 21, 2010 Budget Workshop meeting noting the following:

- Our revenue was at 104% of budget and expenditures were at 94%.
- We are well within budget.
- The financial statements for the end of September, 2010 were recommended for approval.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the financial statements as of September 30, 2010 were approved.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Acceptance of the Engagement Letter from Shinn & Company LLC to Audit the Financial Statements for the Year Ended September 30, 2010

Mr. Ricciardi explained the engagement letter from Shinn & Company was included in the Board packet and the rate is the same as was charged for the 2009 audit.

On MOTION by Mr. Yawn seconded by Mr. Lozicki with all in favor the engagement letter with Shinn & Company LLC to provide the financial audit for fiscal year ended September 30, 2010 was accepted.

Mr. Ricciardi gave a follow up on the Trace playground issue noting he sent a letter to Isaac Larson on September 28th and to date there has been no response.

A memo addressed to the Board from Tracy Robin, District Attorney regarding the matter of whether a Board member could or should abstain from voting on matters brought before the Board at meetings was discussed. The memo indicates that in the case of a conflict of interest a Board member can abstain and then a conflict of interest form should be filed following the meeting. CDD Board members can abstain on other matters, but counsel advises Board members not to abstain unless there is a conflict of interest. If a Board member does not vote, it is almost like a no vote; Board members are encouraged to vote.

SEVENTH ORDER OF BUSINESS

Attorney's Report

There not being any, the next item followed.

EIGHTH ORDER OF BUSINESS

Engineer's Report

There not being any, the next item followed.

FOURTH ORDER OF BUSINESS

CDD Open Seat – Interested Resident Presentations

Mr. Ricciardi explained Mr. Lozicki's seat will expire as of two weeks from the November 2nd election; November 16, 2010. In light of that, the Board solicited interested residents to submit letters of interest to the Board through him. This information was provided to residents in the Newsletter and on the District website. Only one resident submitted a letter of interest. Ms. Nelson submitted the letter as her current Board seat will be filled by another resident who has qualified, unopposed, through the Supervisor of Elections office. A clerical issue caused an error with Ms. Nelson's qualifying documents therefore her name was not put on the November 2nd ballot.

At the November 22, 2010 Board meeting (the first Board meeting after the General Election) the Board will declare Seat #1 open and then they have 90 days to appoint someone to fill that seat.

Mr. Tanenbaum corrected the previous statement and noted the seat was vacant as of failure to qualify. We can declare the seat vacant as of the 2nd Tuesday following the election; Mr. Lozicki gets to stay in his seat until it is filled.

Mr. Ricciardi noted the Board can declare the seat vacant either tonight or it can be declared vacant at the November 22nd meeting and then you have 90 days to fill that seat.

The letter from Ms. Nelson expressing her interest in filling the vacant seat was dated August 23, 2010.

Ms. Nelson indicated she would like to be considered for the vacant seat when it becomes available.

Mr. Ricciardi noted that after the November 2nd election, Mr. Lozicki will remain in his current seat for 90 days unless the Board fills it before such time.

A discussion on the Board's plan to appoint someone to the vacant seat was tabled to the next meeting.

ELEVENTH ORDER OF BUSINESS

Audience Comments

Ms. Maxine Belcher addressed the Board regarding consideration of holding a tennis tournament on December 5, 2010 between 1:00 P.M. and 4:00 P.M. for a \$10 donation fee. Children's clothing and canned goods will be collected for the St. Vincent DePaul organization. This is the third year for this event.

On MOTION by Ms. Nelson seconded by Mr. Tanenbaum with all in favor the tennis fund raising event was approved.

THIRD ORDER OF BUSINESS

**Security Assessment Presentation with
CIS**

Mr. Ricciardi introduced representatives from Critical Intervention Services; Mr. Mike O'Conner, Mr. Bill Sheif and Mr. Adam Clark.

The following safety recommendations were discussed:

- Improving the fencing, lighting, camera system.
- Access control for the community as well as the Community Center and the Administration Building.
- The tennis court pathway areas need cameras.
- The gatehouse should be able to handle all areas.
- The cameras at the front entrance to the clubhouse should be changed so that faces can be identified.
- The doors going into the clubhouse bathrooms are a liability.
- The administration area can remain open during the day and locked down at night.
- Access cards should be used to gain entrance after hours.
- The use of one single patrol company for patrolling the community was recommended for continuity; allowing the patrol officer and the community members to get to know each other.

The representatives of CIS continued their presentation and addressed questions from the Board.

Mr. Ricciardi introduced Mr. Matthew Kuisle of Reserve Advisors who explained the Full Reserve Study Proposal presented to the Board. It was explained that the service proposed is a reserve analysis, which is a tool that helps communities plan for repairs and replacements. A team of engineers is used to identify all the District's common elements, common replacements, along with the replacement costs and the times of those expenditures.

Mr. Tanenbaum questioned the need for a reserve study and Mr. Ricciardi explained his opinion of why the study is useful; it gives an objective, engineer's opinion on what will be needed and takes the liability off of the Board and management indicating that the numbers are correct.

Board consensus was to review the proposal and discuss the issue with the Chairman at a future meeting.

NINTH ORDER OF BUSINESS

General Manager's Report

Item 3 of the General Manager's Report regarding the proposal to modify the back gate was discussed.

The Board was asked for approval to change the previously approved amount from \$1,200 to \$1,961.70 for modifying the fence.

On MOTION by Mr. Yawn seconded by Ms. Nelson with Mr. Yawn, Ms. Nelson and Mr. Lozicki voting Aye and Mr. Tanenbaum voting Nay, the increased amount from \$1,200 to \$1,961.70 for modifying the fence was approved.

Item 1b – Enclave/Estuary Fountain Repairs

It was recommended to the Board to approve the purchase of the motor for the fountain. A discussion on a warranty for the motor ensued.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor the purchase of a new fountain motor and installation and motor shaft pump alignment from Borrell Electric in the amount of not to exceed \$7,700 subject to documentation and verification in writing of a one year warranty on parts and labor was approved.

When the warranty documentation is received by Mr. Turner, it will be forwarded to Mr. Ricciardi who will distribute copies to the Board.

Mr. Bob Farrell suggested that for construction-type projects a contingency amount should be included in the approved amounts.

Item 1c – Infant Swim Lessons

This item was recommended for approval.

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the contract with Infant Swim Lessons was approved.
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Item 2b – Commercial Sales Event

The resident who requested the use of the Gathering Room did not attend the meeting, which is required. Therefore, Board consensus was to reiterate that appearing before the Board when seeking permission to use the Gathering Room facility is required.

Item 2c – CDD Budget Reserve Proposal

Board consensus was to include this item on the November, 2010 agenda.

Item 3a – Contract Renewal – eLink Arbor Greene Website

On MOTION by Mr. Yawn seconded by Ms. Nelson with all in favor the contract renewal with eLink in the amount of \$3,500 for 12 months for the Arbor Greene website was approved.
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Item 4c – Lake Maintenance Issues with Hunter’s Green

The agreement with Hunter’s Green for lake maintenance will be reviewed and discussed with the Board at a future date.

It was reported that the front fountain should be repaired this week.

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

(1) With respect to the fountain project, Mr. Tanenbaum requested that over the next month or two Mr. Ricciardi and Mr. Turner should get together to make some sort of proposal to ensure that going forward, when the Board specifies specific terms of contracts they are

voting on, especially to the extent that there is a time when a contract comes to them and it is not the full term, in writing, that they are going to actually approve, it is a vote with a contingency to ensure some sort of secondary review, something to ensure that what they specified for the terms is what actually is in the contract that is finalized. Severn Trent should review and confirm that it matches up.

Mr. Ricciardi explained the issue Mr. Tanenbaum referred to above; regarding a draw schedule and hold back before a final payment was due.

(2) With respect to Item 3 of the General Manager's Report, Mr. Tanenbaum stated "I just want the record to reflect Harve apparently found a copy of the contract for the fence and had we been able to see the contract prior to the vote I would have voted yes".


Mr. Ricciardi noted Ms. Nelson has been a member of the Board for 10 years and this is her last official meeting. He thanked her for her service to the District.


TENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss,

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


Assistant Secretary


Chairman