

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**TARA
COMMUNITY DEVELOPMENT DISTRICT 1**

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

The regular meeting of the Board of Supervisors of the Tara Community Development District 1 was held on **Tuesday, August 23, 2011 at 9:54 a.m.** at the Tara Community Center, located at 7340 Tara Preserve Lane, Bradenton, Florida 34203.

Present and constituting a quorum:

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| G. Darby Connor | Board Supervisor, Chairman |
| Dan Powers | Board Supervisor, Board Supervisor |
| John Schmidt | Board Supervisor, Assistant Secretary |
| Joe Mojica | Board Supervisor, Assistant Secretary |
| Beth Bond | Board Supervisor, Assistant Secretary (via speaker phone) |

Also present were:

| | |
|---------------|--|
| Greg Cox | Rizzetta & Company, Inc. |
| John Vericker | District Counsel, Straley & Robin (via speaker phone) |
| Gene Robinson | Field Manager |
| Audience | |

FIRST ORDER OF BUSINESS

Call to Order

Mr. Cox called the meeting to order and proceeded to perform the roll call. The Board recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors Meeting held on
June 28, 2011**

Mr. Cox presented the Minutes of the Board of Supervisors meeting held on June 28, 2011. He asked if there were any revisions. Mr. Mojica advised he did not put down the amdros; however Florida LawnPros placed the amdros. Revisions were made to page 6. Discussion ensued regarding cancellation of the September meeting.

On a Motion by Mr. Schmidt, seconded by Mr. Powers, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on June 28, 2011, as amended on the record, for the Tara Community Development District 1.

THIRD ORDER OF BUSINESS

Consideration of the Operation and Maintenance Expenditures for the Months of June and July 2011

Mr. Cox presented the Operation and Maintenance Expenditures covering the period of June 1-30, 2011, totaling \$46,956.05. He asked if there were any questions related to the Operation and Maintenance Expenditures. There were none.

On a Motion by Mr. Mojica, seconded by Mr. Connor, with all in favor, the Board approved the Operation and Maintenance Expenditures for the Month of June 2011 for the Tara Community Development District 1.

Mr. Cox presented the Operation and Maintenance Expenditures covering the period of July 1-31, 2011, totaling \$42,253.86. He asked if there were any questions related to the Operation and Maintenance Expenditures. Mr. Powers asked how much each Board member is allotted to spend without Board approval. Mr. Cox provided an overview of the resolution outlining the expenditures. Mr. Powers stated expenditures in the amount of \$1,400 were paid without Board approval. Those items include installation of a magnolia, remove and dispose of dead oaks, cut back oak tree, and installation of sod. He advised they were not approved by the Board and do not fall under the emergency purchase clause; law implemented 4.0(c). Mr. Connor asked what the question is. Mr. Powers asked who approved the expenditures for removal of the dead tree, sod, etc. Mr. Connor advised the Field Manager can approve maintenance items. Discussion ensued. Mr. Cox asked Mr. Vericker for his input on the issue. Mr. Vericker stated he will look at the resolution and report back to the Board. Mr. Powers requested that the next agenda include the resolution regarding expenditures.

On a Motion by Mr. Powers, seconded by Mr. Mojica, with all in favor, the Board approved the Operation and Maintenance Expenditures for the Month of July 2011 for the Tara Community Development District 1.

FOURTH ORDER OF BUSINESS

Discussion Regarding District Financials for July 2011

Mr. Cox reviewed the monthly financial summary for the period ending July 31, 2011.

FIFTH ORDER OF BUSINESS

**Discussion Concerning Unauthorized
Landscaping on CDD Property**

Mr. Cox read an e-mail from Florida LawnPros addressed to Ms. Syvret. Mr. Connor addressed the subject and action that has been taken to date. Discussion ensued regarding mailing a letter to the residents of 6602 and 6603 Pinefeather notifying them that the CDD is aware of the plantings on CDD property which is unauthorized and the CDD may have to remove the plantings. Mr. Connor asked that Ms. Syvret and Mr. Vericker produce a letter to the residents notifying them of the preceding discussion. Further discussion ensued regarding the legal ramifications of the plantings. Discussion ensued regarding having the landscaping removed immediately.

On a Motion by Mr. Connor, seconded by Mr. Mojica, with all in favor, the Board tabled the discussion concerning unauthorized landscaping until the October meeting, for the Tara Community Development District 1.

The Board advised they do not want Counsel and Management to produce a letter at this time. The entire discussion has been tabled to October. Discussion ensued further regarding the landscaping and whether or not it was approved by the ARC. The Board was advised it had not been approved by the ARC.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2011-07,
Appointing a Vice Chairman**

Mr. Cox advised the next order of business is consideration of Resolution 2011-07, Appointing a Vice Chairman. He advised that because Mr. Powers resigned his position of Vice Chairman at the last meeting, it is now appropriate for the Board to appoint a new Vice Chairman.

Mr. Mojica nominated Mr. John Schmidt to serve as Vice Chairman. Mr. Powers seconded the nomination. Mr. Cox asked for any additional nominations. Hearing none, he asked for a motion to approve the nomination of John Schmidt as Vice-Chairman.

On a Motion by Mr. Connor, seconded by Mr. Mojica, with all in favor, the Board adopted Resolution 2011-07, Appointing Mr. John Schmidt to serve as Vice Chairman of the Board, for the Tara Community Development District 1.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2011-08,
Appointing an Assistant Secretary of the
District**

Mr. Cox advised the next order of business is consideration of Resolution 2011-08, Appointing an Assistant Secretary of the District. He advised that since Mr. Powers is no longer the Vice Chairman of the Board, it would be appropriate to appoint him as an Assistant Secretary of the Board. Mr. Powers stated he objects to the resolution. He advised the original draft stated

he was asked to resign from the position of Board Supervisor. Mr. Powers asked for clarification of the difference between Board Supervisor and Assistant Secretary. Mr. Cox asked Mr. Vericker to provide the explanation. Mr. Vericker provided the explanation and advised that Mr. Powers does not have to be appointed assistant secretary but can remain Board Supervisor. Mr. Powers stated he does not wish to be appointed an Assistant Secretary. He stated to always refer to him as Board Supervisor as he is an assistant to no one.

No action was taken on the resolution.

EIGHTH ORDER OF BUSINESS

Discussion Concerning Flu Shot Program

Mr. Cox advised he has received information from Ms. Syvret that there will not be a flu shot program this year. Mr. Powers asked that Mr. Cox clarify that Ms. Syvret made the unilateral decision that the program would not proceed. Mr. Cox stated that was incorrect. Mr. Vericker advised that CVS had an agreement and they wanted the CDD to insure CVS and that is beyond the scope of the CDD insurance policy. The insurance company advised that the CDD is not insured to give out flu shots. Typically CVS would insure the CDD. CVS cannot change their contract and the CDD can not insure CVS. Mr. Powers advised he agrees and he will contact CVS to inform them that there is no program this year or in the future. Mr. Vericker provided an overview of the procedure the CDD typically follows in executing contracts and insurance for such contracts.

NINTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Vericker stated he had no report.

- B. District Engineer
Mr. Schappacher was not present.

- C. Field Manager
Mr. Robinson advised he is looking at an aerator to have installed in the retention pond, also known as the donut hole. The electrician came in and looked into installing an aerator in the pond. The cost for the electrical installation is approximately \$4,300; the cost of the aerator from Aquagenix is \$2,283.96 including installation, for a total of \$7,000 to put in an aerator. He advised he contacted FP&L; a representative came out and advised the CDD would have to submit information to FP&L and he did not see a problem. The cost from FP&L is minimal. At this point the pond is being treated aggressively for algae. The chemical treatment is killing plants though some have survived. An alternative of planting Golden Cana was also investigated. Aquagenix provided a sample of the Golden Cana, which was present for the Board to view. He advised that the Golden Cana could be planted every three feet, if the District was to plant every three feet, there would be approximately 400, at a cost of \$1,200; it may be more advantageous to plant 80 for a cost of \$240. The plants are \$3.00 each for a one gallon plant. Mr. Connor advised he understood the survival rate was more likely

agreed. Mr. Connor asked about the numbers of plants required. Mr. Connor suggested installation of 80-100 plants near and around the outflows and banks. Mr. Connor recommended monitoring the situation until the spring and then re-visiting the issue at that time. Mr. Schmidt stated this item has been tabled for some time. He does not believe the issue should be discussed until the original motion is un-tabled and can then be discussed. Mr. Connor provided background on the discussion to Mr. Cox.

Ms. Bond advised that she would not want the donut hole pond condition in her back yard; she would like to see the Board approve the installation of the aerator and take care of the issue once and for all.

Mr. Powers revised his previous motion, which was seconded by Ms. Bond, to approve installation of an aeration device not to exceed \$7,000.

Ms. Bond inquired what the cost of the electrical will be for the aerator. Mr. Connor advised probably no more than \$10 to \$15 per month.

Mr. Powers asked if it is the responsibility of the CDD to maintain the water quality of all the ponds in the preserve. Mr. Connor stated it is. Mr. Robinson advised the District does maintain all the lakes/ponds within the community. Mr. Powers asked who owns the pond. Mr. Connor advised the District owns the pond. Gene advised the District owns six ponds, however maintains all 52 ponds/lakes. Mr. Connor advised that the District owns the donut hole pond.

Discussion ensued regarding the quality of the donut hole pond beginning with the inception of the District.

Ms. Bond suggested taking the funds from the reserve fund to install the aerator.

Discussion ensued regarding obtaining an easement for electricity for the aerator system. Mr. Vericker advised the District would have to approach the homeowner and request an easement.

Mr. Cox advised aerators are not aesthetic; they are a bubbler that provides oxygen within the lake.

Mr. Powers stated he would like to make a motion to expend \$7,000 for the aerator, FP&L, and electrician. Discussion ensued. Mr. Powers called for a vote on his motion. With Mr. Powers and Ms. Bond in favor; and Mr. Connor, Mr. Schmidt, and Mr. Mojica against; the motion failed.

Mr. Robinson advised he was working to gather information regarding the electrical easement capability. The Board asked that Mr. Schappacher look into the easement situation at the donut hole pond.

Mr. Robinson advised that on August 8th, he arrived in the morning and found that the chlorine room had a leak in the ceiling; the community center was also flooded. The chlorine feeder had sprung a leak, damaging a wall and leaking into the community center. Serve Pro was called out to vacuum and clean up. There is now mold on one wall and damage on two or three walls. The laminate floor is damaged. The insurance adjuster came out and noted the damage that was done. He noted the floor needed to be replaced. Mr. Robinson obtained estimates from Serve Pro to correct the problem, an estimate from Mike Conway to correct the problem, and an estimate from Lumber Liquidators for a new floor. The floor from Lumber Liquidators for a Brazilian cola floor is \$3,224.24. The estimate from Serve Pro for correction of the wall is \$4,215; however \$672 can be deducted because part of that was the floor; that would bring the proposal down to \$3,500. The proposal from Mike Conway to correct the problem is \$3,246. Mr. Robinson proved copies of the proposals to the Board for their review. The Lumber Liquidator proposal is for materials only; there is no labor in the proposal.

Mr. Schmidt made a motion to accept the proposal of Mike Conway for wall repair.

Mr. Robinson asked to review the proposals prior to making any decisions.

Mr. Connor advised that the insurance company needs to be contacted, keeping in mind that the deductible is \$1,000.

Mr. Schmidt made a motion, seconded by Mr. Connor, to proceed with the wall repair proposal from Mike Conway.

Discussion ensued regarding the wall repairs.

Mr. Powers advised this is the third time a water intrusion problem has happened with the chlorine building being attached to the club house. He would like to see the chlorine room placed outside of the clubhouse.

On a Motion by Mr. Schmidt, seconded by Mr. Connor, with all in favor, the Board accepted the proposal of Mike Conway, in the amount of \$3,246.78, with a 5% overage in case of contingency, for the Tara Community Development District 1.

Mr. Connor suggested that the discussion concerning floor repairs is tabled until further investigation of the proposal can be done. He believes that there is no money in the proposal for removal of the existing floor; or the Board could approve the proposal with the understanding that the proposal has to be increased by about \$1,500 for removal of the existing floor.

Mr. Cox advised the Board may need to contact the insurance company to verify that one deductible will cover all the repairs rather than paying a separate deductible per issue.

Mr. Schmidt advised that a new sign needs to be installed regarding age limits of unaccompanied children in the pool and spa areas. A sign is already in place; however a larger sign is needed.

Mr. Powers asked if the Board has the responsibility or ability to address people who are making an infraction of the CDD rules. Mr. Cox advised that the Board has the ability to address the person with a warning, or suspension from facilities.

Mr. Robinson asked that the Board Supervisors provide business cards for distribution to residents who request them.

D. District Manger

Mr. Cox stated that the next meeting of the Board of Supervisors is scheduled for October 25, 2011 at 9:30am.

TENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Cox opened the floor to supervisor requests and comments.

1. Mr. Connor advised the number one turf project, which is budgeted, is on target for the fall. The initial bid came in at \$23,910 and the bid included St. Augustine grass at Tailfeather, it has been determined that type of grass was not the intention. The grass has been changed out for Bahia and brought down the price to \$22,600. However, in discussion with Joe, there are problems with St. Augustine elsewhere, Joe asked that the St. Augustine be removed and Bahia installed for a cost of \$1,650. The total would be \$24,250, or an additional \$340. He asked for objections, hearing none, he asked for a motion to approve.

On a Motion by Mr. Schmidt, seconded by Ms. Bond, with all in favor, the Board approved the revised contract for the Turf Project in the amount of \$24,250, for the Tara Community Development District 1.

Mr. Connor asked if Mr. Powers would like to add the Vibernum project at this point in time. The Vibernum project is project number three on the list, after the second turf project. Discussion ensued regarding the hedges under the power lines.

2. Mr. Schmidt advised that there are perpetual Board plaques and is in need of new plaques for a total of \$60.

Mr. Schmidt advised that he has heard comments regarding security in the preserve. He asked if it is the responsibility of the CDD to offer extraordinary security for homeowners for the property as a whole, in the case of an emergency. He is asking if it is the responsibility of the CDD. Mr. Vericker advised he would have to check the securities resolution. He advised that some communities do hire security companies. He wouldn't call it a duty but possibly ability. Discussion ensued regarding off duty patrol security.

3. Ms. Bond addressed the Supervisors, asking they begin considering advisory committees to the Board. She asked Mr. Cox for his opinion. Mr. Cox advised of his experience with committees; they can work well and some do not work well. Mr. Vericker advised that any committee of the District is also governed by the Sunshine rules the same as the Board, along with noticing meetings. Ms. Bond advised that she would like to better inform the community of the responsibilities and duties of the CDD.
4. Mr. Schmidt advised that at the last meeting he was asked to write a letter to Neil Scott Hernandez regarding his power point presentation concerning algae eating fish. Mr. Schmidt provided a copy of the letter to be made a part of the District record.
5. Mr. Mojica advised that at the last meeting a discussion was held regarding the ADA compliance. He asked if this is being completed and budgeted for. Discussion ensued regarding the lift chair for the pool and spa. Mr. Connor requested that Mr. Schappacher attend the October meeting to address the ADA compliance issues.
6. Mr. Powers advised that at the last meeting the issue was discussed but he was unable to ask questions. He asked who authored the Field Manager job description. He advised that he did not have input on the description and questioned which other Board members had input.

Hearing no further Supervisor requests or comments; Mr. Cox opened the floor to audience questions and comments.

Audience questions and comments were entertained. No Board action was taken.

ELEVENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Mojica, seconded by Mr. Schmidt, with all in favor, the Board adjourned the Board of Supervisors' meeting at 12:07 p.m. for the Tara Community Development District 1.


Secretary / Assistant Secretary


Chairman / Vice Chairman