

**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**

The regular meeting of the Board of Supervisors of the Tara Community Development District 1 was held on **Thursday, December 28, 2006 at 7:00 p.m.** at the Tara Community Center, located at 7340 Tara Preserve Lane, Bradenton, Florida 34203.

Present and constituting a quorum:

|                |  |
|----------------|--|
| Jack Horner    | <b>Board Supervisor, Chairman</b>  |
| Gerald Wixson  | <b>Board Supervisor, Vice-Chairman</b>                                     |
| Dan Powers     | <b>Board Supervisor, Assistant Secretary</b>                               |
| Peter Pfeiffer | <b>Board Supervisor, Assistant Secretary</b><br><i>(via Speaker phone)</i> |
| Timothy Lenz   | <b>Board Supervisor, Assistant Secretary</b>                               |

Also present were:

|               |  |
|---------------|--|
| Karen Hartman | <b>District Manager, Rizzetta &amp; Company, Inc.</b>                                      |
| John Vericker | <b>District Counsel, Straley, Robin &amp; Williams, P.A.</b><br><i>(via Speaker phone)</i> |
| Bob Lombardo  | <b>District Engineer, Lombardo, Foley &amp; Kolarik, Inc.</b>                              |
| Ken Kolarik   | <b>Representative, Lombardo, Foley &amp; Kolarik, Inc.</b>                                 |
| Audience      |  |

**FIRST ORDER OF BUSINESS**

**Call to Order**

---

Ms. Hartman called the meeting to order and read the roll call.

**SECOND ORDER OF BUSINESS**

**Discussion with District Engineer,  
Bob Lombardo and Ken Kolarik,  
Lombardo, Foley & Kolarick, Inc.**

Mr. Lombardo identified himself as President of Lombardo, Foley & Koilarick, Inc. and stated he became involved with the development of the Tara CDD in 1981. Mr. Lombardo stated he was not responsible for signing off on all of the project expenses. Mr. Lombardo stated that he only signed off on some of the infrastructure expenses, reviewing the monthly contractor charges pertaining to the water, sewer and drainage, to ensure that those expenses were appropriate. Mr. Lombardo stated that he was not aware of who was responsible for signing off on the other expenditures.

Mr. Lombardo stated that all CDD properties had been surveyed and the boundaries could be identified and that the only property owned by the CDD were those properties marked in green, on the document provided to the Board. Further discussion revealed that most of the lakes were owned by the golf course and not the CDD, and that the maintenance of easement lands is the responsibility of the adjoining property owners.

Mr. Horner asked if the CDD could turn the responsibility for the maintenance of the golf course lakes back to the golf course. Mr. Lombardo stated that the only way to change the maintenance entity with the Water Management District is for both entities to accept the change in writing.

Mr. Horner stated there was a drainage issue regarding a swail that had been dug near Lake 1701, causing water to collect in an area where it did not previously collect. Mr. Lombardo stated that he would have to look into this before he could adequately respond to the inquiry.

Mr. Lombardo stated that he had no information or knowledge on any of the electrical issues.

Mr. Lombardo stated there would be no reclaimed water in the CDD, as it would be contrary to county laws. Mr. Horner questioned if the golf course uses reclaimed water for irrigation. Mr. Lombardo stated he was not completely certain how it worked, but believed the water used by the golf course came from a well, pumped into the lakes and then pumped out of the lakes for irrigation. Mr. Horner questioned if the Board could obtain the details on how the golf course irrigation worked. Mr. Lombardo stated if he would supply the Board with all of the information he has on the wells located on the golf course. Mr. Lombardo stated he had no knowledge on whether or not the District had any wells.

Mr. Lombardo stated he was not involved in the construction of the building they were in, nor was he involved in the purchase of the roof for that building. Mr. Lombardo stated he did not know when the tennis court was built, but that he could find out.

Mr. Lombardo stated that Mr. Ken Kolarik would go over the cost for marking of easements and wetlands, and numbering of curbs for easy identification and long term maintenance program for same. Mr. Lombardo stated that without specific details on what areas were to be included the cost given would be a "ball park" figure.

Mr. Kolarik stated he had given them proposals for preparing legal descriptions on all CDD ownership properties, marking the wetland bumper areas based on the areas the CDD is currently maintaining and placement of permanent markers on the curbs of roads. He stated that further discussion and changes would be needed to determine the type of markers utilized, to define the location of the wetlands and the location of the CDD properties through some type of marking. Mr. Lombardo stated the CDD may want to mark the actual bumper of the wetlands, as those areas are really not to be mowed.

Mr. Lombardo stated that approval for any wanted changes to the wetland/water areas must be obtained from the Water Management District and/or the Army Corp of Engineers, prior to any work being done. Mr. Lombardo stated that approval would have to be obtained even to remove trees from the wetland areas.

A discussion was held regarding the history of the CDD maintenance of private property and lakes, the legal responsibility for the maintenance of the property and lakes, and how to proceed to correct the issue. Mr. Vericker was contacted by telephone and briefed by Ms. Hartman where the board was in the discussion of the issue with the District Engineer. Mr. Vericker stated he would suggest that the CDD stop maintenance of the private property areas and try to arrange a meeting with Mr. Agnelli, in an attempt to reach an agreement on the property maintenance and water issues.

On a Motion by Mr. Pfeiffer, seconded by Mr. Wixson, with all in favor, there was a motion by the Board to select one Board Member and two home owners from the Landscaping Committee, along with Ms. Karen Hartman to schedule a meeting with Mr. John Agnelli to discuss the private property and water issues, in an attempt to reach an agreement on the maintenance of the properties not owned by the District and to report back to the Board at the next scheduled meeting; the Board also approved to continue to mow the properties, pending a resolution., for the Tara Community Development District 1.

**THIRD ORDER OF BUSINESS**

**Presentation of Minutes of the  
Landowner's Meeting held on  
November 16, 2006**

Ms. Hartman stated that the first item on the agenda was the presentation of the minutes of the Landowner's Meeting held on November 16, 2006. She asked if there were any questions. Ms. Hartman stated this was informational purposes only and that no action was necessary by the Board.

**FOURTH ORDER OF BUSINESS**

**Consideration of Minutes of the Board of  
Supervisors' Meeting held on  
November 16, 2006**

Ms. Hartman stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting held on November 16, 2006. She asked if there were any changes, corrections or deletions.

Mr. Lenz stated a correction was necessary on page 5, paragraph 2, line 2, in which a sentence was incompleated. He also stated that on page 6, above the first motion box, there was no mention of his suggestion that instead of using a whip, a performance bonus should be used. It was stated that in the paragraph immediately below on page 6 it reads "she stated that annuals planted at the entrance were irregular." Mr. Lenz recommended the removal of this sentence, as it does not appear to fit the context of the paragraph.

On a Motion by Mr. Powers, seconded by Mr. Wixson, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisors meeting held on November 16, 2006, as amended, for Tara Community Development District 1.

**FIFTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for  
December 2006**

Ms. Hartman stated that the next item on the agenda was the consideration of the Operation and Maintenance expenditures for December 2006. She stated that the expenditures total \$32,879.71 and are for the period of November 1 through 30, 2006.

Mr. Horner asked if there were any questions or comments. Hearing none, he asked for a motion to approve.

On a Motion by Mr. Wixson seconded by Mr. Lenz, with all in favor, the Board approved the Operation and Maintenance Expenditures for January 2007, for Tara Community Development District 1.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2006-05,  
Approving Facility's Policies and Fees**

Ms. Hartman stated that the next order of business on the agenda was the consideration of Resolution 2006-05, approving the facility's policies and fees.

Mr. Peter Pfeiffer volunteered to work on the tennis court usage issue, and to report back to the Board on what the Board will have to do and how much it will cost to enable residents to play tennis at the CDD at night.

There was a discussion about insurance coverage for special events and who would be responsible to provide the insurance.

On a Motion by Mr. Pfeiffer seconded by Mr. Lenz, with all in favor, the Board tabled the consideration of Resolution 2006-05, approving Facility Policies and Fees for Tara Community Development District 1.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Easement and Water Use Agreement**

Ms. Hartman stated the next order of business on the agenda was the consideration of easement an water use agreement.

Mr. Wixson stated there were several issues in the agreement that needed to be clarified.

On a Motion by Mr. Wixson, seconded by Mr. Powers, with all in favor, the Board tabled the consideration of the Easement and Water Use Agreement, for Tara Community Development District 1.

**EIGHTH ORDER OF BUSINESS**

**Consideration of the Florida Power & Light Easement**

Ms. Hartman stated the next order of business on the agenda was the consideration of the Florida Power & Light easement.

There was a discussion on the finding of 160 foot easement granted that can be utilized for the construction, operation and maintenance of one or more H framed tower electric transmission and distribution lines.

On a Motion by Mr. Horner, seconded by Mr. Pfeiffer, with all in favor, the Board tabled the consideration of the Florida Power & Light Easement, for Tara Community Development District 1.

**NINTH ORDER OF BUSINESS**

**Consideration of Irrigation Inspection**

Ms. Hartman stated the next order of business on the agenda was the consideration of the irrigation inspection.

A discussion was held regarding the pumps not working, required areas that needed to be cleaned and turf encroachment at various locations. It was stated that there are areas of the same concerns noted in the inspection report by Joe Bratcher, on November 28, 2006. It was stated that Tropical Landscape Solutions had indicated they felt that Mr. Bratcher may have been responsible for some of the damage noted. It was stated that Mr. Bratcher did not have keys to the pumps and that the pumps had been opened for him by the Manger, for the inspection.

On a Motion by Mr. Lenz, seconded by Mr. Wixson, with all in favor, of the Board holding all invoices from Tropical Landscape Solutions, Inc. related to irrigation work, pending their response to the Board's inquiries on incomplete and unsatisfactory work, for the Tara Community Development District 1.

Ms. Hartman stated that Tropical Landscaping Solutions had requested a copy of the inspection report and she would like to send them a letter noting the deficiencies, a copy of the report and photographs, and request a meeting be held to further discuss these issues.

On a Motion by Mr. Horner, seconded by Mr. Lenz, with all in favor, the Board approved to have Ms. Hartman send Tropical Landscaping Solutions, Inc. notification of the inspection report and photographs, explaining that payment on all bills or any part of any bill related to the irrigation work at the District, will be held for payment pending their attendance at the next scheduled Board of Supervisor's meeting, to respond to the Board's inquiries on incomplete and unsatisfactory work, for the Tara Community Development District 1.

**TENTH ORDER OF BUSINESS**

**Consideration of Roofing Proposal**

Ms. Hartman stated the next order of business on the agenda was the consideration of the roofing proposal.

Ms. Hartman stated that most of the contractors that were contacted submitted replacement estimates of the entire roof in their proposals. She stated that Shewski Roofing submitted a proposal for roof repair to a section of the roof that appears to be causing the continual leak. Ms. Hartman stated that the roof appeared to have been caulked previously. Ms. Hartman stated that caulking the area will correct the problem temporarily, but that the patch may deteriorate again. Ms. Hartman stated that re-roofing the building is not in the budget and that this proposal is for the patching of the roof at this time. Ms. Hartman stated that the Board may want to consider during the development of the budget for next fiscal year to include the cost of re-roofing the community center.

On a Motion by Mr. Wixson, seconded by Mr. Powers, with all in favor, the Board approved the Shewski Roofing Proposal in the amount of \$475.00 for the patching of the community center roof, for the Tara Community Development District 1.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Golf Cart Purchase**

Ms. Hartman stated the next order of business on the agenda was the consideration of a golf cart purchase.

Ms. Hartman stated that there is not an available golf cart to give to the CDD and the information in the board package is for leasing or purchase, whichever option the Board prefers. There was a brief discussion about regarding the purchase of a golf cart for the Field Manager and for use by the CDD. No action was taken regarding this purchase.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Ms. Hartman noted that this report was presented earlier in the meeting.
  
- B. District Engineer  
Ms. Hartman noted that this report was presented earlier in the meeting.
  
- C. District Manager  
Ms. Hartman stated a letter was sent, signed by Mr. Horner, Chairman, requesting a joint meeting with the CDD and Master Property Owner's Association (MPOA). She explained that the purpose of the meeting is to discuss the long term goals and communication between the CDD and MPOA. A brief discussion ensued.

Ms. Hartman stated the Board had requested that their contact information be placed the Tara Preserve Directory. Ms. Hartman stated that she would forward the contact information for the Board Members to the MPOA to be included into the directory.

Mr. Conner, a resident, stated that he had been asked if he would be willing to contribute \$15,000 to secure a loan for the purchase of the golf course, for \$6,000,000 and that 300 other Preserve Home Owner's would be approached with the same offer. A discussion was held.

Ms. Hartman stated the Field Manager had submitted a mileage request for the 62 days that he was at the district. A discussion was held by the Board regarding this request.

On a Motion by Mr. Lenz, seconded by Mr. Wixson, with all in favor, the Board denied the request for mileage reimbursement to the Field Manager, for Tara Community Development District 1.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

Mr. Horner stated that the next item on the agenda was Supervisor requests and audience comments. There were no Supervisor requests. Mr. Horner asked if there were any audience comments.

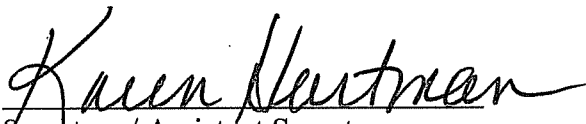
There was a discussion about the monument lights and the electrical wiring. No Board action was taken regarding this issue.

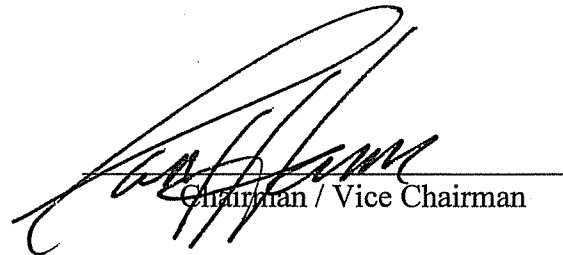
**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Horner stated that there were no other agenda items to come before the Board and asked for a motion to adjourn at 10:00 p.m.

On a Motion by Mr. Wixson, seconded by Mr. Lenz, with all in favor, the Board of Supervisors adjourned the meeting at 10:00 p.m. for Tara Community Development District 1.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman