
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, March 23, 2006 at 7:00 p.m.** at the Tara Clubhouse, located at 7340 Tara Preserve Lane, Bradenton, Florida 34203.

Present and constituting a quorum:

Timothy Lenz	Board Supervisor, Chairman
Tom Holm	Board Supervisor, Vice Chairman
Stuart Prall	Board Supervisor, Assistant Secretary
Jack Horner	Board Supervisor, Assistant Secretary
Gerald Wixson	Board Supervisor, Assistant Secretary

Also present were:

Karen Hartman	District Manager, Rizzetta & Company, Inc.
Edward Conrad	District Counsel, Dye, Deitrich, Prather, Petruff & St. Paul
Dan Powers	Field Manager

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

**Consideration of the Minutes of the Board
Supervisors' Meeting on February 23, 2006**

Ms. Hartman stated that the first item on the agenda was the consideration of the minutes of the Board Supervisors' meeting on February 23, 2006. Ms. Hartman asked if there were any questions. A brief discussion ensued. Ms. Hartman stated that the minutes would be tabled until the next meeting.

On a Motion by Mr. Prall, seconded by Mr. Wixson, with all in favor, the Board tabled the Consideration of the Board of Supervisors meeting minutes on February 23, 2006 for Tara Community Development District 1.

THIRD ORDER OF BUSINESS

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

Ms. Hartman stated that the next item on the agenda was the consideration of operation and maintenance expenditures for March 2006. Ms. Hartman asked if there were any questions. A brief discussion ensued. Ms. Hartman asked for a motion to approve.

On a Motion by Mr. Prall, seconded by Mr. Lenz, with four in favor and one against, Mr. Horner, the Board approved the operation and maintenance expenditures for March 2006 pending further research on an invoice from The Preserve Golf Club for Tara Community Development District 1.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2006-05,
Recreational Rules and Fees**

Ms. Hartman stated that the next item on the agenda was the consideration of Resolution 2006-05, Adopting Recreational Rules and Fees. She stated that the public hearing was opened on February 23rd and public comment was taken. She stated that Board wanted further research conducted on alcohol regarding being served during an event. Ms. Hartman stated that she spoke with an insurance underwriter and he stated that if that the District allowed the consumption of alcohol at events, would cost \$1,500 an event for insurance coverage. He stated that, each person that rented the facility would have to show proof of their homeowners insurance policy to insure the event and the CDD would need to obtain a special event license. The Board agreed that the new rules and policies are to prohibit alcohol consumption on District property and when renting the District facilities. A lengthy discussion ensued.

On a Motion by Mr. Holm, seconded by Mr. Prall, with all in favor, the Board tabled the Discussion on Fence Proposals to the next scheduled meeting pending further research for Tara Community Development District 1.

Ms. Hartman stated that there is an issue in regards to the gates that allow access to the pool. It was suggested that the pool gates be replaced by gates that swing shut and lock automatically.

Mr. Conrad stated that he researched the sale of and consumption of alcohol at the facility and he found that it is a liability risk. He recommended that the Board state "no alcohol" on District premises. He recommended if alcohol is brought on premises, there will be consequences and or penalties. Ms. Hartman asked if there is law enforcement capabilities available if residents do not abide by the rules. Mr. Conrad recommended that the Board could create a policy to permit security force. It was stated that the Homeowner closing documents may state something in regards to the bylaws and constitution. Mr. Conrad stated that is related to the HOA, he will research it for the Board.

It was stated that the tennis courts be available until 10:00 p.m. rather than the current closing at sunset. Ms. Hartman stated that she spoke with an electrician and a timer could be placed on the tennis court lighting.

Florida Power and Light did an estimate and stated that the tennis courts have stadium lighting electrical costs which is much more expensive, and he recommended changing the lighting source to something less expensive. It was agreed that the dawn to dusk policy will remain in effect for the time being, but if there is a special event, the resident/guest will be billed for the extra lighting used. It was stated that the tennis courts are more frequently used after dusk during the summer months. It was stated that heating the pool at 85 degrees was dropped to 80 degrees by resident request, therefore, the Board could consider extending the tennis court lighting hours. The Board requested District staff to do research and find out the cost to keep the lights on for the extended hours. There was a discussion about the current pool lighting. Ms. Hartman stated that she will determine if there is a liability issue when the pool lights are not left on all night. She suggested putting motion lights up around the pool instead.

It was stated that the residents have been cleaning the tennis courts as other residents have not been contributing in the maintenance. The Board requested that a letter be mailed out to the non-compliant residents with a warning about getting fined a non-refundable \$100 fee if the courts are not maintained properly after use.

Ms. Hartman stated that the residents are requesting to post all events (ex. golf events, HOA meetings, special events) on the access channel.

It was stated that if there is more than one event taking place at one time within the facility, the room will be divided accordingly. Ms. Hartman asked for a motion to approve.

On a Motion by Mr. Holm, seconded by Mr. Prall, with all in favor, the Board approved to divide the room accordingly if there are more than one event taking place in the facility at one time for Tara Community Development District 1.

There was a discussion regarding the fence issue. It was stated that the District does not have sufficient funding to install the fence and that the proposals were presented at the Fiscal Year 2005/2006 budget public hearing. Ms. Hartman stated that the Board would need to prove that there would be a public benefit by installing the fence. She stated that only the residents that would benefit from the proposed fence, are those living adjacent to that area, and they would be responsible for the fence costs, not all residents.

Ms. Hartman gave a brief update on the District. She stated that Wingspan and Birdseye were hydro seeded. She stated that the oak tree at the end of Birdseye was removed. She also stated that the lake management and landscape issues have all been resolved.

There was a question in regards to the replacement of the mulch all throughout the District. Ms. Hartman explained that the cost estimate is \$5,000.

She recommended approving a not-to-exceed amount of \$5,000 for mulching use. Ms. Hartman asked for a motion to approve.

On a Motion by Mr. Wixson, seconded by Mr. Lenz, with all in favor, the Board approved the not-to-exceed amount of \$5,000 for mulching use for Tara Community Development District 1.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Conrad stated that he spoke with Clayton Robertson with Vanasse Hangen Brustlin, Inc. (VHB) in regards to the lake and storm water monitoring program. The Board approved the contract with revisions by District Counsel. He stated that they acknowledged some revisions but they denied the removal of the liability provision. It was stated that the insurance would not allow them to remove that from any contracts. He also stated that they increased the rate in the contract to \$75,000 rather than \$50,000. Mr. Conrad stated that it is up to the Board to determine the limit on liability. Mr. Conrad presented the new contracts to the Board.

Mr. Conrad stated that the estimated cost per event is \$2,300 to have alcohol on the premises.

B. District Engineer
Not present.

C. District Manager

Ms. Hartman stated that April and September are the months in which lake maintenance and monitoring. She suggested having SWFWMD attend the meetings via speakerphone so that they can update the Board on current progress and be able to answer questions if necessary. The Board agreed to requesting them to be available via speakerphone.

Ms. Hartman stated that the Board currently has a contract with VHB, she also stated that VHB does not have liability insurance. A brief discussion ensued. She suggested tabling the VHB proposal until the District Engineer reviews the contract and related issues. Ms. Hartman asked for a motion to table the item.

On a Motion by Mr. Wixson, seconded by Mr. Lenz, with all in favor, the Board tabled the Vanasse Hangen Brustlin, Inc. proposal until the District Engineer reviews the contract and related issues for Tara Community Development District 1.

Mr. Conrad discussed when public comment is allowed regarding agenda items during the meeting in progress. He stated that in his opinion, the Board is not bound to the current way things are done, and that the Board could address public comment any time during the meeting.

Ms. Hartman recommended that a tour with the Board Supervisors be arranged. She stated she would like to discuss the following items at that meeting: update on the present trees, and the progress of the hydro seeding in the District that is occurring, the booking of events, and the fence issue.

Ms. Hartman stated that she will bring a proposal from the electrician in regards to adding the switch to control the lighting at the tennis courts. It was suggested to place a token machine near the courts that will allow residents and guests to purchase lighting as needed.

SIXTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Ms. Hartman stated that the next item on the agenda was Supervisor requests and audience comments. Ms. Hartman asked if there were any Supervisor requests. It was stated that the Board is concerned about the original commitments of the Developer. It was stated that there are deficiencies that will affect the District. It was stated that the District and the Developer are represented by the same Attorney which may cause potential conflict of interest issues. The board requested that District Counsel tend their resignation and a refund of fees for its time since the Board became independent of the Developer by the next meeting. The Board agreed that the firm will be released along with the Board filing a letter to the state bar regarding ethics charges.

It was stated that there have been discussions in the past after Mr. Agnelli left the Board, where the members were comparing the Developer responsibilities verses the District responsibilities, and the Board received legal advice on those certain issues. There was a discussion regarding the advice that was given by Counsel may be bias.

Ms. Hartman asked if there were any other supervisor comments. The Board requested Ms. Hartman to submit an ad for RFQ for District Counsel and set up interviews. Ms. Hartman asked for a motion to approve.

<p>On a Motion by Mr. Holm, seconded by Mr. Lenz, with all in favor, the Board approved the Agreement for Semi-Annual Water Quality Monitoring Program contingent of language from District Counsel for Tara Community Development District 1.</p>
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It was stated that there are several "for sale" signs posted throughout the District in residents lawns. Ms. Hartman stated that the signs will be removed.

It was stated that there is a sign at the entrance that says Preserve Golf Course, and it was suggested to charge the golf course for posting signage on CDD property.

Mr. Prall stated that there is a concern with the amount of ant hills south of Tara Preserve Lane.

Ms. Hartman stated that she met with Tropical Landscape Solutions, Inc. and stated that installation of immature plants 3-4 feet tall, adding onto the landscaping. She stated that planting a 4 foot bougainvillea hedge down Tara Preserve Road approximately 1600 feet down, is approximately \$27,000. It was stated that the landscaping is necessary to prevent people from cutting across the ditch between the two roads and it is causing trespassing issues.

It was stated that the residents need to be in contact with the Sheriffs Department so that there are reports on file. It was stated that the Sheriffs Department is not aware of this issue that's going on in the District.

Ms. Hartman reviewed the proposals for the Board and she stated that they could either install a fence that is 1600 feet long or plant landscaping that is 1600 feet long. There was a discussion regarding the fence issue. A question arose in regards to whether the Developer was responsible to install the fence originally. Ms. Hartman stated that she spoke with Mr. Agnelli and he stated that no, he was not responsible for the installation of the fence. Mr. Horner asked Mr. Conrad if a legal action issue were to arise against the Developer, if the present District Counsel would be able to defend the District. Mr. Conrad stated no, he cannot represent both the Developer and the District.

A discussion began again in regards to the fence. Ms. Hartman stated that approximately thirty residents will have to pay approximately \$1,000 a piece for the installation of the fence. It was recommended by the Board issue a survey to the affected residents to get an opinion on the fence installation costs and if they'd be willing to contribute. Ms. Hartman recommended that she send out a certified letter to all residents that would be affected and obtain their opinions. Ms. Hartman asked for a motion to approve.

<p>On a Motion by Mr. Holm, seconded by Mr. Lenz, with all in favor, the Board agreed to have Ms. Hartman send out a certified letter to all residents that would be affected by the fence installation, to obtain their opinions for Tara Community Development District 1.</p>
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Ms. Hartman stated that the next item on the agenda is the discussion on plant proposals. She stated that at the front entry, the landscaper will be planting dwarf bougainvillea instead of annuals. Ms. Hartman stated that the palms will remain by the sign at the front of the entry. She stated that all three entrance signs will look the same. It was stated that the board would like to correct other landscape issues that need more attention first with the funding available (Tara Boulevard, miscellaneous streets, grassy areas, cutting of weeds). Ms. Hartman stated that the item will be brought back to the Board for discussion at a later time.

Ms. Hartman asked if there were any audience comments. The following audience members provided comments:

Mr. McGreevy, a resident, stated his concerns with resident safety and protection.

Mr. Connor, a resident, stated that he is concerned with the fence issue. He stated that the irrigation system is not working properly throughout the District. He also stated that the landscaping is all dried up and is not being properly maintained.

Mr. Rudin, a resident, stated that he is concerned with the condition of Lingerlodge Road and Tara Boulevard.

Mr. Sandwell, a resident, stated that his questions are already answered.

Mr. Smith, a resident, was concerned with the appearance of the entrance at Tara Boulevard and Lingerlodge Road.

Mr. Pfeiffen, a resident, stated that there is standing water in his backyard that is causing a large mosquito problem.

Mr. LaFerriere, a resident, stated that there needs to be more pool furniture available in the pool area.

Ms. Breo, a resident, stated that the Architectural Review Committee does not permit fencing in some areas of the District. She recommended getting a proposal from Tropical Landscape Solutions, Inc. for fertilizing the landscaping throughout the District.

Mr. Mojica, a resident, stated all his questions have been answered.

Mr. Sandau, a resident, had a question in regards to a security contract and if it was included in last years budget. He had a question in regards to the meeting minutes being posted on the District website. The Board reassured the resident that there was a motion made over two months ago to post all approved minutes onto the website. There was also a concern about resident comments being included in the meeting minutes. The Board also reassured him that this is being done also. The resident was also concerned with the landscaping and lake maintenance. He had questions in regards to the fence installation costs being added into the upcoming budget. The Board explained that he can make a suggestion during the public comment at the public hearing.

Mr. Garrison, a resident, discussed the lighting in the pool and tennis area. He also had concerns with the fence installation.

Mr. Savic, a resident, stated that the bushes between the lanes on Tara Boulevard are too high and too difficult to see when turning in a vehicle.

Mr. and Mrs. Vedder, residents, had a question in regards to the Board having legal authority to impose a special assessment on a subground of Tara residents.

Mr. Orlove, a resident, stated that the landscaping that was proposed for the entry way to Tara Preserve Lane, would not be sufficient for what the residents are aiming for and need.

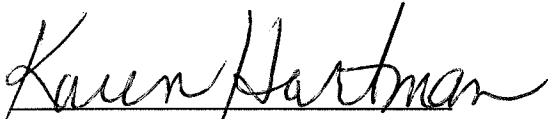
Mr. Medina, a resident, was concerned about the reckless driving on Lingerlodge Road.

SEVENTH ORDER OF BUSINESS

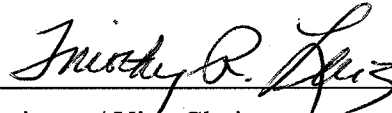
Adjournment

Ms. Hartman stated that there were no other agenda items to come before the Board. She asked for a motion to adjourn. The meeting was adjourned at 10:15 p.m.

On a Motion by Mr. Holm, seconded by Mr. Lenz, with all in favor, the Board of Supervisors adjourned the meeting at 10:15 p.m. for Tara Community Development District 1.



Secretary/Assistant Secretary



Chairman/ Vice Chairman