

MINUTES OF MEETING

TARA
COMMUNITY DEVELOPMENT DISTRICT 1

The regular meeting of the Board of Supervisors of Tara Community Development District 1 was held on **Thursday, January 23, 2003 at 1:00 p.m.** at the Tara Clubhouse, located at 7340 Tara Preserve Lane, Manatee County, Bradenton, Florida 34203.

Present and constituting a quorum were the following:

Matt Loiacano	Board Supervisor, Chairman
Dave Rekow	Board Supervisor, Vice Chairman
Joe Pufta	Board Supervisor, Assistant Secretary
Wayne Westerman	Board Supervisor, Assistant Secretary

Also present were:

Nicholas Staszko	District Manager, Rizzetta & Company, Inc.
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Homeowners

FIRST ORDER OF BUSINESS

Call to Order

Mr. Staszko called the meeting to order.

SECOND ORDER OF BUSINESS

Oath of Office for New Supervisors

Mr. Staszko stated that the first item on the agenda is to administer the oath of office to Martin Pilote. Because Mr. Pilote is not in attendance, Staff requests that this item be tabled until the next meeting.

THIRD ORDER OF BUSINESS

**Consideration of Minutes of the Board
of Supervisors' Meeting on
November 25, 2002**

Mr. Staszko stated that the next item for consideration is the minutes of the Board of Supervisors' meeting on November 25, 2002 (behind tab 1). He asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Loiacano, seconded by Mr. Rekow, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting on November 25, 2002 for Tara Community Development District 1.

FOURTH ORDER OF BUSINESS

**Consideration of Authorization to
Disburse District Funds 2003-04**

Mr. Staszko stated that the next item on the agenda is the consideration of Authorization to Disburse District Funds 2003-04 (located behind tab 2). The disbursement consists of standard contractual obligations, legal fees, and management fees. A Board member stated that Stuart Angelo & Company is handling the required annual audit. He wanted to know if a new RFP is required each year. Mr. Staszko stated that it is not required. The Board member also wanted to know if a rate increase from Stuart Angelo & Company would necessitate the bid to be re-evaluated. Mr. Staszko stated that it is not a requirement, but the Board may choose to do so.

The charges for insurance from Brown & Brown insurance were also questioned. Mr. Staszko stated that public official's liability has had a drastic increase. Most companies have even chosen not to underwrite these policies. A policy that may have cost just over \$3,000 last year has charges of nearly \$12,000 this year. Mr. Staszko also informed the Board that Terrorist Insurance is available, if the Board desired to add it to the policy. He stated that this information is given for the Board's knowledge only, and is not a recommendation for its purchase. There were no other questions or comments, so Mr. Staszko asked for a motion to approve.

On a MOTION by Mr. Pufta, seconded by Mr. Rekow, with all in favor, the Board approved Authorization to Disburse District Funds 2003-04 for Tara Community Development District 1.

FIFTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Not present.

- B. District Engineer
Not present.

C. District Manager

Mr. Staszko stated that the current financial statements are located behind tab 3. He also stated that the Quarterly Investment Management Report is located behind tab 4.

SIXTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Staszko stated that the next item on the agenda is Supervisor requests and audience comments. There were several audience members in attendance. Mr. Staszko asked the Chairman to open the floor for audience comments. Mr. Loiacano stated that he had no objection to this; however, he asked that Supervisor requests be addressed first. Mr. Staszko asked if there were any Supervisor requests. Mr. Loiacano stated that he has tendered his resignation to Tara-Manatee, Inc. and will be resigning from the Board effective February 1, 2003. He stated that he has spoken with Mr. Hicks (the landowner). Mr. Hicks will be nominating John Agnelli, who is in attendance today, to replace Mr. Loiacano. Mr. Agnelli has been involved in other community development districts and has an extensive background in land development. There were no other Supervisor requests or comments.

Mr. Staszko opened the floor to audience comments. Ms. Nancy Breo (6635 Pinefeather Court) stated that she is very privileged to live in the community and has great hopes for its development. She has three issues that she would like to address. The first issue is regarding the noise abatement along the Interstate 75 perimeter of the community. Secondly, there are also several plants around the 14th tee of the golf course that need replaced. Finally, there is also an intersection (Tailfeather and Tara Boulevard) that has plants that were installed which do not seem to follow the same scheme as the remainder of the community. She feels that the community should share the same theme and aesthetic appearance.

Mr. Loiacano addressed the landscaping of the Tailfeather/Tara Boulevard intersection first. He stated that the plant pallet selected for the community has been simply native landscaping. The native landscaping does not have as much color as the areas which have annual plantings (such as the areas along the entry ways). The entrances had annuals planted to tie the appearance in with the State Road 70/Tara Boulevard entrance. The area discussed by Ms. Breo is considered to be an open space and has flowering vines and annuals added to cover the trellises. All of the plants were chosen due to the various bloom times and scents that they produce. The trees planting in this area are Queen Crape Myrtles which are in bloom approximately ten months out of the year with purple flowers. In summary, the area was heavily planted to offer residents an area to walk and offer a different visual effect than the remaining community.

Next, Mr. Loiacano addressed the 14th golf hole concern. He stated that he would like to meet with Ms. Breo on-site to view the area in question and listen to her suggestions.

Finally, Mr. Loiacano addressed the Interstate 75 noise issue. He stated that landscaping and fencing have been installed where it was permitted. Other than those structures, the Developer is relying primarily on the existing vegetation due to regulatory constraints. He asked if Ms. Breo had a specific area of concern along the interstate. In general, he stated that the current fencing and vegetation is all that is planned to be there. Ms. Breo stated that the main concern is the wooden fencing. She didn't feel that this was the best fencing type to assist with the noise. Mr. Loiacano stated that the posts supporting the fence are 24-foot long, 8-inch circular treated wood. Both fences are the fencing types accepted by the Army Corps of Engineers and SWFWMD. Based on the restrictions placed by these agencies, no fill dirt could be added to stabilize any other type of fence. In order to keep the fence level high enough to be effective, the 24-foot posts were used. The actual fence is elevated approximately four feet to allow the natural progression of water toward the reservoir to occur. Structurally, the picket style fence was used to enable the structure to withstand heavier winds by allowing enough air to pass through and allowing the cross bracing and center supports to do their job. He also stated that the original plan for the community was to leave this area completely natural and not have a constructed buffer at all. Essentially, what is there is all that could be done.

Ms. Breo also questioned the fifteenth (15th) golf hole area, just near the turn. She is concerned with the view of traffic from there. Mr. Loiacano stated that there are still some areas where additional landscaping will be added. These areas have been identified and the additions will be made.

Mr. Johnston (6647 Tailfeather Way) also addressed the Board. He would like to echo some of the comments made by Ms. Breo regarding the community's expectations. He stated that his residence is located near the sixteenth (16th) golf hole. He asked why the fence cannot be brought onto the golf course property to create a true barrier. Mr. Loiacano stated that he can have someone take a look at this option, but unfortunately there is one wetland along the 16th fairway and restricts the ability to construct a stable footing. By the time posts are placed deep enough in the ground to meet the engineering requirements for wind load, there will only be about 2-3 feet left above the fairway. This will restrict the play of the golf course.

Mr. Johnston stated that he was concerned with the noise when he originally purchased his home. He stated that he was told that there would be noise abatement. He feels that the way the house is built actually amplifies the sound. Mr. Loiacano stated that there is going to be additional landscaping placed on either side of the fence which should assist with the noise. Landscaping is not the number one effective way to diffuse sound, but it is the only method that is permitted. Mr. Johnston suggested that a solid fence be constructed. Mr. Loiacano agreed that a solid fence would be the most effective solution; however, because the area involves environmentally sensitive areas, the necessary footings cannot be constructed. Mr. Johnston suggested that the fence be moved to a different location. Mr. Loiacano stated that moving the fence would be an infringement on the play of the golf course in certain areas.

Mr. Johnston also stated that there is an empty lot between his home and the conservation area. He wanted to know if this lot is going to be finished with sod. To date, only half of the lot has been planted. Mr. Loiacano stated that he will have the area addressed and have the sod completed.

Lastly, Mr. Johnston asked if the trees planted in the common areas die, will they be replaced. Mr. Loiacano stated that every large scale project has die off of trees and vegetation. Most of the plant material carries a one year warranty from the installer. Certain plants within the community have been transplanted from existing sites and do not have a warranty. There are some areas across from the entrance to the Magnolia community that have had transplanted trees. Only 3-4 of the trees originally planted are still alive. This area will be developed into another "park" area as described earlier in the meeting (Tara Boulevard and Tailfeather). This area will have new landscaping and trees planted. He suggested that all residents report any plant/tree die off. Each complaint will be reviewed to determine the necessary plan of action. Mr. Loiacano stated that these reports should be directed to Nick Staszko in the District Manager's office.

Ms. Breo asked if the landscaping of the common areas near her home will be getting mulched. Mr. Loiacano stated that all common areas should be mulched annually (usually in early Spring).

Ms. Breo also questioned the cable company being used. Mr. Loiacano stated that this issue would be handled by the Tara Master Association (HOA), and not the CDD. He stated that he is currently the President of this association, and will make himself available after the conclusion of this meeting to address this issue.

Another homeowner stated that she also has a problem with the noise. She would like the Board to review her lot to determine if it is the same area discussed above. She also stated that there are dead palm trees located in the conservation area behind her home. Mr. Loiacano stated that because this area is a natural preserve, the trees should not be removed. However, because this is the dry season, the clean up of the areas surrounding each conservation area is typically performed. This would include some hand removal within the buffer zones (15-30 feet adjacent to the conservation area), but trees that are directly in the conservation area will not be removed.

Another resident (6874 Tailfeather Way) stated that her home is directly across from a pond. She stated that there is an alligator that she sees every morning. She is concerned because she has two small dogs that she walks along the shore. She wants to know at what point the District would remove a large alligator. She also asked if the District performs any sort of maintenance on the community ponds.

Mr. Loiacano stated that all of the ponds are placed in the community for a means of surface water drainage. They serve two primary purposes: first, to provide catch basins along the roadways for excess water; and secondly, to purify the rain and surface water before it enters the wetland system. Basically, the rain goes from sky to roadway; from the roadway to the ponds; from the ponds to the wetland system; and eventually from the wetlands to the reservoir.

The District ponds also receive several thousand acres worth of water discharge from east of the District's boundaries. This water flows into the ponds and follows the same pattern as the rain water. Aquagenix is contracted by the District to maintain the ponds within the guidelines of the EPA and current permits. They also assist with the aesthetic appearance of the ponds. They treat the ponds for algae growth, torpedo grass and destructive vegetation. For the most part, this treatment occurs from the lake banks. They occasionally use airboats or regular boats. All of the ponds have been planted with beneficial plants. This vegetation not only adds to the appearance, but also filters the water. Aquagenix is currently contracted to treat the ponds twice per month. If there is a large algae bloom in a particular pond, Mr. Loiacano suggested that the residents contact the District Office to report it.

As far as alligators are concerned, they are a natural part of the ecosystem. As long as they are not posing a viable threat to any residents, they will be left alone. As a note of information, in the Spring (during mating season) male alligators are known to move from lake to lake in search of a mate, whereas females find a particular lake and stay put. There have been some alligators removed from the ponds as a result of human involvement and feeding which makes the alligators become more aggressive and decreases their natural fear of humans. If an alligator is seen to be acting in an aggressive manner or even seems to be aggressive, residents should contact the District Office and report it. The State of Florida has trappers who are sent to handle such cases.

Mr. Jack Sherlock (6634 Tailfeather Way) also emphasized the problem with the noise. He asked if it would be beneficial to contact the State of Florida and ask them to address the noise issue. Mr. Loiacano stated that the State of Florida has said that if the development had been in existence prior to the building of Interstate 75, then the State would need to provide a buffer for the interstate traffic. But because Interstate 75 was in existence first, they will not assist with the buffer. He stated once again, that the buffer in place is all that can be done. There will be some additional landscaping, but basically that is the only solution available.

Mr. Sherlock stated that he finds an answer of "nothing can be done" as unacceptable. Mr. Loiacano stated that there will be some additional landscaping added. There is approximately another 40 feet of fencing that is also set to be installed. This will be identical to the fence currently in existence, but there is not going to be a solid wall installed.

Mr. Sherlock stated the he believes a community effort may assist in getting this problem resolved by gaining permission from the State to add a solid structure. Mr. Loiacano stated that he had environmental, civil and structural engineers view the area, and they all concluded that nothing else could be done. Representatives from SWFWMD were also called out to discuss the problem and they still stipulated that posts could be added, but no anchoring base could be used such as concrete or fill. The water flow also could not be interrupted. In the long-term, there may be a possibility to encourage Manatee County to assist with this problem once the project is fully completed and nearly 1,000 residents exist. The County Commission may listen more to a large constituency of voters, as opposed to a developer. Mr. Loiacano apologized that he cannot offer any other solutions.

Mr. Staszko stated that this issue boils down to a permitting issue. Even if every resident went down to the County Commissioner's office, the County still has to follow the same guidelines that the District is encountering. The permitting agencies are set up to protect a specified resource and their obligation is to do just that. The guidelines that are currently in place will not allow any other structures to be put in place.

Mr. Sherlock asked why longer poles could not be used enabling a larger fence to be installed. Mr. Loiacano stated that it is feasibly impossible because the use of any type of equipment to install the pilings is prohibited. The posts currently used were installed by four men. Because no vehicles or mechanical equipment are permitted in a wetland, the use of hand labor is the only alternative.

Mr. Sherlock stated that there is a problem and many residents are upset; however there does not seem to be a viable solution. Mr. Loiacano emphasized that the problem was there before the properties were purchased. Mr. Sherlock stated that he was told that there would be a fence and that the noise would be abated. Mr. Loiacano stated that he was misinformed by his salesperson, and that he has no control over the verbal interaction between salespeople and future residents. He is not trying to come across as insensitive to the issue, but he is trying to be honest.

Ms. Breo asked if the CDD assessment is derived directly from the budget adopted each year. Mr. Loiacano stated that this is correct. Ms. Breo also asked if the budget is available for public viewing. Mr. Staszko stated that the budget is a matter of public record. Mr. Staszko stated that he will fax Ms. Breo a copy of the adopted budget. The CDD operates on a fiscal year which runs from October 1st through September 30th. The assessments are billed in advance of the upcoming year. The first budget meeting is usually held in April or May of each year. A proposed budget is then adopted and a public hearing is scheduled approximately 60 days later to adopt the final budget. The hearing typically occurs in July so that the assessment information can be sent to Manatee County in time to meet the September deadline. This public hearing is noticed in the Bradenton Herald.

Ms. Breo also asked how the increase in fees is determined. Mr. Loiacano stated that the increase this year was primarily a result of additional property coming into the District's requirements. Also, the Developer was responsible for the landscape maintenance contracts, but they have now become the responsibility of the District. The budget is accepted before the assessment is computed. The assessments are based specifically on the bottom line budget figure. The budget is actually based on the assumption that every lot is built, sold and occupied already. Each parcel that has not completed is still assessed and paid for by the Developer directly.

Ms. Breo also asked for an explanation on the role of Rizzetta & Company. Mr. Staszko stated that Rizzetta & Company has been contracted for District Management Services. Rizzetta & Company prepares the budget, prepares each meeting agenda, and runs the actual Board meetings. They are also responsible for paying all invoices resulting from District contracts. They also handle the repayment of the bonds issued for community development.

Ms. Breo wanted to know the actual percentage of the budget that is allocated for District Management. Mr. Loiacano stated that the actual costs are broken out in the budget; however, approximately 45% of the entire community budget is allocated for administrative overhead (including legal fees, insurance, auditing, accounting, etc.). The community is basically a miniature form of public government. Mr. Staszko emphasized that the administrative portion of the budget is to meet statutory requirements. Ms. Breo asked for a copy of the current budget to be sent to her.


There were no other audience comments. Mr. Staszko asked if there were any further Supervisor comments or requests. There were none.

SEVENTH ORDER OF BUSINESS

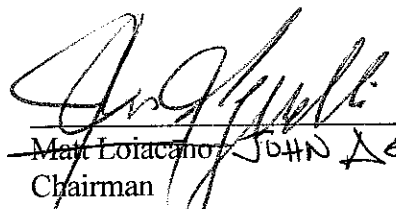
Adjournment

Mr. Staszko stated that there were no other agenda items to come before the Board and asked for a motion to adjourn.

On a MOTION by Mr. Westerman, seconded by Mr. Pufta, with all in favor, the Board adjourned the meeting for Tara Community Development District 1.



Nicholas Staszko
Secretary



John A. Conelli
Chairman