

**MINUTES OF MEETING  
LIVE OAK NO. 1  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Live Oak No. 1 Community Development District was held on Tuesday, January 20, 2009 at 10:00 a.m. in the Live Oak Clubhouse, 9401 Oak Preserve Boulevard, Tampa, Florida.

Present and constituting a quorum were:

Michael Ceparano	Vice Chairman
Kurt Callarman	Assistant Secretary
Scott Keen	Assistant Secretary
Heath Denoncourt	Assistant Secretary

Also present were:

Andrew P. Mendenhall	District Manager
Larry Kistler Resident	District Engineer

*The following is a summary of the minutes and actions taken at the January 20, 2009 meeting of Live Oak No. 1 Community Development District Board of Supervisors.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Mendenhall called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Organizational Matters –  
Designation of Officers –  
Resolution 2009-2**

- Mr. Mendenhall explained the resolution noting he is listed as the Secretary in order to sign certain documents as well as be a co-signer on the minutes; Robert Koncar, General Manager of Severn Trent Management Services, is listed as Treasurer and can sign on financial instruments, audits and other documents; and Stephen Bloom, Head of our Accounting Team, is listed as Assistant Treasurer and can sign documents in the event Mr. Koncar is unavailable.
- The Board has the option to designate a Board member to fill these positions. The Board can nominate the Chairman and the Vice Chairman; the balance of the Board will be Assistant Secretaries.

- Mr. Feather was nominated for Chairman. There were no other nominations.
- Mr. Ceparano was nominated for Vice Chairman. There were no other nominations.

On MOTION by Mr. Ceparano seconded by Mr. Callarman with all in favor Resolution 2009-2 designating Richard Feather as Chairman, Michael Ceparano as Vice Chairman, Andrew Mendenhall as Secretary, Robert Koncar as Treasurer, Stephen Bloom as Assistant Treasurer, Kurt Callarman, Heath Denoncourt and Scott Keen Assistant Secretaries was adopted.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the November 11, 2008 Meeting**

Mr. Mendenhall stated each Board member received a copy of the minutes of the November 11, 2008 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Ceparano seconded by Mr. Denoncourt with all in favor the minutes of the November 11, 2008 meeting were approved.

**FOURTH ORDER OF BUSINESS**

**Manager's Report**

- Mr. Mendenhall received two proposals for fountain maintenance service. Fantastic Fountains proposed \$150 per fountain per month. They were requested to submit a quarterly quote. They quoted \$200 per fountain per quarter.
- Fountain Design Group quoted \$240 per quarter for the same service in their proposal.
- He expected to receive a proposal from another firm and from Architectural Fountains who originally installed the fountains and for this reason recommended waiting to make a decision until he hears back from them.
- He requested the Board designate one Board member to work with him so when the other quotes are received, a decision in a not-to-exceed amount before the next Board meeting can be made. Mr. Keen volunteered for this.

Mr. Denoncourt MOVED to approve a fountain maintenance contract in a not-to-exceed amount of \$1,000 and Mr. Keen was designated to work with the District Manager on this issue and Mr. Ceparano seconded the motion.

- The Board discussed the plantings and the cabbage palms issue.

On VOICE vote with all in favor the prior motion was approved.

- Mr. Mendenhall received proposals for fixing the holes in Pond 17A which were based on specifications put together by Driggers Engineering.
- The proposal from Biomass Tech was approximately \$12,443.40; from C&N was approximately \$9,600 and from Statham Construction was approximately \$11,000.
- Mr. Kistler noted Driggers Engineering is a geotechnical engineer who did the initial inspection of the pond to determine what the cause of the holes were, provided recommendations and a cost estimate.
- Mr. Kistler noted King Engineering is the District Engineer, but when it comes to geotechnical or anything to do with soils, King Engineering does not handle that.
- The Board was leaning towards accepting the C&N proposal which had the lowest cost; however, some items need clarification, how many liners will they be installing, grout points, will they be responsible for sidewalks, curbs, etc.
- Driggers Engineering will supervise the work according to their specifications at an additional charge regardless of who ends up doing the work.
- Mr. Kistler noted no permits are needed for this work because this is a repair only.

On MOTION by Mr. Ceparano seconded by Mr. Denoncourt with all in favor the Board accepted the C&N proposal for fixing the holes in the pond with clarifications subject to review by the District Manager and Mr. Ceparano will be designated the contact Board member for this work.

- Mr. Mendenhall noted Raymow was chosen for disposal of garbage and debris from the lime green areas. They completed this task.
- Mr. Callarman noticed a lot of debris in many of the ponds, in particular, algae in ponds 11A and 116A.
- Mr. Mendenhall will discuss this with Remson Aquatics.
- He noted for some time he had been trying to resolve the issue of the HOA sending bills to the CDD involving security and lighting.
- The CDD does not deal with security. Some of the lighting is the responsibility of the CDD.
- He will contact Land Arc in this regard and have them to send an invoice for the streetlight electricity only.

**FIFTH ORDER OF BUSINESS**

**Attorney's Report**

There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS**

**Engineer's Report**

**A. Consideration of a Contract with King Engineering for Upland Significant Wildlife Habitat Monitoring**

**B. Discussion on Engineer's Recommendations**

- Mr. Kistler provided a proposal for additional Upland Significant Wetland Habitat monitoring. The county is requesting one more monitoring for next year.
- The District Engineer had meetings with the county. It was determined it will cost an additional \$3,000 to have another monitoring report to Hillsborough County.
- There is an additional cost of \$9,000 for the work through the end of September 2009 with another inspection in October; taking it off the books at that point and then it becomes Hillsborough County's responsibility.
- Additional plantings were planted at the same time as the cabbage palms were planted.
- The developer put in plants twice. They planted once, were mowed over, and they planted again.
- Raymow caused some of the damage and the developer did some of the damage and they should be held responsible for that.

- Mr. Kistler noted the CDD is responsible for the monitoring action; not necessarily a maintenance or replacement of planting.
- This contract covers both CDD 1 and CDD 2. He was requested to break down the agreement between the two Districts.
- The \$6,000 is for a new inspection and has to be paid by Live Oak No. 1 CDD, however, the \$3,000 charge should be paid entirely or, at the least, in part by the developer. If the developer has an issue with this, we can defer to the District Attorney.
- Mr. Kistler submitted a copy of the ownership map for CDD 1 and CDD 2 showing who owns which lands, including the roadways, the north commercial area, the south commercial areas and the habitat areas to Mr. Robin and Mr. Mendenhall.
- With the map was a drawing indicating areas Mr. Kistler felt are listed under the wrong name and needs to be transferred to the Live Oak Association, the HOA.

**SEVENTH ORDER OF BUSINESS**

**Supervisors Requests**

- Mr. Callarman requested when Mr. Mendenhall asks C&N for clarification on their quote that he mention there will be more work for them.

**EIGHTH ORDER OF BUSINESS**

**Audience Comments**

- Mr. Jim Hurley noted eight months ago the issue of the pond between Laurel Oak and Cedarwood was brought before the Board and nothing has been done. It needs to be pumped out.
- Mr. Kistler spoke to the testing lab regarding this issue. The hole is not evident and hard to trace where the hole is.
- The solution may be to put a liner on the entire bottom of the pond which will cost an enormous amount of money and will not be cost effective.
- The Board wants this handled before the rainy season comes.

**NINTH ORDER OF BUSINESS**

**Approval of Financial Statements**

- Mr. Keen had a question about the assessment collection fees and Mr. Mendenhall explained.

On MOTION by Mr. Keen seconded by Mr. Denoncourt with all in favor the financial statements for the period ending December 31, 2008 were accepted.


**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Denoncourt seconded by Mr. Keen with all in favor the meeting was adjourned.

  
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Andrew P. Mendenhall  
Secretary

  
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Michael Ceparano  
Vice Chairman