

**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, June 16, 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	Chairman
Kurt Callarman	Vice Chairman
Scott Keen	Assistant Secretary
Heath Denoncourt	Assistant Secretary
Amy Warenyk	Assistant Secretary

Also present were:

Andrew P. Mendenhall	District Manager
Mark Straley	District Attorney
Larry Kistler	District Engineer

The following is a summary of the minutes and actions taken at the June 16, 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

A. Appointment of Supervisor to Fill the Unexpired Term of Office (11/2012)

- Mr. Mendenhall noted the Board has the opportunity today to appoint a supervisor to the remaining open seat which is Seat #2.

Let the record reflect Mr. Straley joined the meeting.

- The candidates who were interested in the open seat introduced themselves and presented a short personal background.

- Earl Myers has been a member of the Board of Directors of Willow Bend for five years. He wants to be more involved in the community. He is active in civic associations and in community theatre, in particular the New Tampa Players.
- James Hurley noted he has been a resident of the Live Oak No. 1 CDD since June of 2004. He wants to be involved with this Board.
- Amy Warenyk noted she is currently the Treasurer and Secretary on the Live Oak Preserve Master Association Board. She has been an attorney in Florida for four years and has a background in geological study investigations.
- Mr. Mendenhall noted Robert Ivy sent his resume and was interested in becoming a Board member; however, Mr. Ivy had concerns about being able to make the daytime meetings.
- The Supervisors discussed the candidates. It was noted Ms. Warenyk and Mr. Denoncourt co-own property together in the District.
- Mr. Straley gave an explanation of the Sunshine Law which prohibits members of the Board from talking to each other about District business or Board business outside of a publicly noticed meeting. There potentially can be civil and criminal penalties. He explained to Ms. Warenyk she can speak to the District Attorney, the District Manager or to the District Engineer, but no communication with any other Board members about any matter which may come before this Board that may take any action on.
- The Board discussed the \$200 Supervisor compensation for meeting attendance that they may choose to accept or waive.
- The Board nominated Ms. Warenyk and Mr. Myers.
- The Board appointed Ms. Warenyk to fill Seat #2 by unanimous vote.

B. Oath of Office for Newly Appointed Supervisor

- Mr. Mendenhall being a Notary Public of the State of Florida administered the oath of office to Ms. Warenyk; a copy of the signed oath is attached hereto and made a part of the public record.
- He gave Ms. Warenyk a *New Supervisor Information Sheet*; a copy of the *Florida Commission on Ethics, a Guide to the Sunshine Amendment and Code of Ethics*

for *Public Officers* and a *Form 1 Statement of Financial Interests* and urged her to submit the *Form 1* soon because if not received within a certain timeframe, fines begin to incur.

- Mr. Mendenhall noted the Division of Elections now requires a \$10 fee when a copy of the Oath of Office is submitted to the Division of Elections. He noted the \$10 can be deducted from the first compensation check of \$200.

C. Election of Officers – Resolution 2009-4

- Mr. Mendenhall noted when a new Supervisor is appointed; the Board has an opportunity to designate a Chair, Vice Chair, Secretary, Treasurer, Assistant Treasurer and Assistant Secretaries.
- Robert Koncar is the General Manager of Severn Trent Management Services and Stephen Bloom is the Head of the Accounting Department. Having them as the District's Treasurer and Assistant Treasurer facilitates signing off on checks for the District and getting your expenses and invoices paid in a timely manner.
- The Board made nominations for Chair and Vice Chair, leaving the balance of the Board as Assistant Secretaries.

<p>On MOTION by Mr. Keen seconded by Mr. Ceparano with all in favor Resolution 2009-4 designating Michael Ceparano Chairman, Kurt Callarman Vice Chairman, Andrew Mendenhall Secretary, Robert Koncar Treasurer, Stephen Bloom Assistant Treasurer, Scott Keen, Heath Denoncourt and Amy Warenyk Assistant Secretaries was adopted.</p>

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the
March 17, 2009, April 14, 2009
and May 5, 2009 Meetings**

Mr. Mendenhall stated each Board member received a copy of the minutes of the March 17, 2009, April 14, 2009 and May 5, 2009 meetings and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Ceparano seconded by Mr. Keen with all in favor the minutes of the March 17, 2009, April 14, 2009 and May 5, 2009 meetings were approved.

FOURTH ORDER OF BUSINESS

Manager's Report

A. Pond Repair Update

- Mr. Mendenhall noted at the last meeting we stated we would start working on the repairs of three ponds in the District. Immediately after the meeting we had heavy rainfalls which caused those ponds to fill up. Some of the holes which were draining, were plugged up to some degree.
- The contractor was not sent out to fix those ponds because the water was holding and there would be additional de-watering expenses.
- During the same time, two other ponds seemed to have some points that were bubbling. The ponds were 20C and 9.
- Mr. Kistler suggested an annual inspection with a punch list of items needing repair in ponds in Live Oak No. 1 CDD and Live Oak No. 2 CDD.
- Mr. Kistler noted SWFWMD does inspections only every two years. He believes it will cost approximately \$2,500 to do an inventory of what we have; take pictures and put together a report. He noted we have two issues, the pond issue and the overall drainage issue.
- Mr. Kistler is concerned we are using Raymow who may not be equipped to take care of the problem. He believes Raymow, being a maintenance company, cannot handle the problems.
- Mr. Mendenhall noted BioMass does this kind of work.
- The Board authorized Mr. Kistler to move forward with a report.
- Once Mr. Kistler finishes his report it can be submitted to BioMass or another contractor to get prices.
- Mr. Kistler thought it would take a week to complete the report.
- Mr. Mendenhall noted the budget can handle this especially since the Board is not doing those three ponds now. The District has \$25,000 in the budget for this.

- Mr. Mendenhall verified he will work with the District Engineer, Driggers and BioMass to get pond 20C and 9 de-watered to the point Driggers can review it and provide a solution to BioMass who can then start working on it.
- Mr. Mendenhall received emails and calls from Supervisors and residents regarding pond maintenance, algae and trash. He spoke with Keith of Remson about this and they will meet onsite. Mr. Callarman spoke with Remson last week about cleaning up debris; it is still there.

B. Consideration of Landscaping Proposals

- Mr. Mendenhall noted we sent out requests for proposals to landscaping firms. Responses we received were sent to the Board.
- Most proposals were below the cost of the current contract with Raymow. Raymow sent a renewal term lower than their current amount by about 14%. The lowest proposal was from LMP (Landscape Maintenance Professionals, Inc.), at a cost 42% less than your current contract.
- After discussion, the Board decided to terminate the Raymow contract which has a 30-day termination clause without cause and accept the LMP landscaping proposal.
- Mr. Mendenhall suggested having the District Attorney develop a contract with LMP.
- Mr. Straley noted we have a form contract we use with landscapers. The most important provision is the 30-day termination with no questions asked and no cause.

On MOTION by Mr. Ceparano seconded by Mr. Keen with all in favor the Board accepted the LMP landscaping proposal at a cost of \$42,000 yearly and authorized the District Attorney to prepare a contract with LMP.

On MOTION by Mr. Ceparano seconded by Mr. Callarman with all in favor the Board approved terminating the Raymow contract.

C. Financial Advisor Proposal Update

- Mr. Mendenhall noted this is a proposal from my firm. We already provide the District with assessment services. This designates Severn Trent as your Financial Advisor and removes Fishkind & Associates from that role.

On MOTION by Mr. Callarman seconded by Mr. Keen with all in favor the Board approved Severn Trent Management Services as the District's Financial Advisor.

D. Budget Discussion

- Mr. Mendenhall noted at the last meeting we reviewed the budget and made some changes for TRIM purposes. The public hearing is next month when the Board and residents have another opportunity to make changes to the budget.

E. Report on the Number of Registered Voters – 980

- Mr. Mendenhall noted we received a letter from the Hillsborough County Supervisor of Elections stating we have 980 registered voters in the District. This is for information only.

FIFTH ORDER OF BUSINESS

Attorney's Report

- Mr. Straley noted he is sitting in for Mr. Robin today because Mr. Robin is on vacation. He noted he will speak to Mr. Robin this week about putting together a landscape contract for LMP and formally send a letter originating from the District Attorney's office terminating Fishkind.

On MOTION by Mr. Callarman seconded by Mr. Ceparano with all in favor the Board terminated the financial advisor services of Fishkind & Associates, Inc.

- It was confirmed that the District Office will handle terminating the Raymow contract.

SIXTH ORDER OF BUSINESS

Engineer's Report

- Mr. Kistler spoke further about the pond issue.
- The Board discussed at length borings and drillings.

SEVENTH ORDER OF BUSINESS

Supervisor Requests

There not being any, the next item followed.

EIGHTH ORDER OF BUSINESS

Audience Comments

- Mr. Myers had a question about mowing; the HOA would be the appropriate place to get an answer.

NINTH ORDER OF BUSINESS

Approval of Financial Statements

There being no questions or comments,

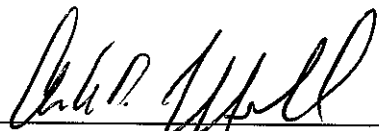
<p>On MOTION by Mr. Ceparano seconded by Mr. Denoncourt with all in favor the financial statements for the period ending May 31, 2009 were accepted.</p>
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TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

<p>On MOTION by Mr. Ceparano seconded by Mr. Keen with all in favor the meeting was adjourned.</p>
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Andrew P. Mendenhall
Secretary



Michael Ceparano
Chairman