

**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, May 5, 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	Acting Chairman
Scott Keen	Assistant Secretary
Heath Denoncourt	Assistant Secretary
Kurt Callarman	Assistant Secretary

Also present were:

Andrew P. Mendenhall	District Manager
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*The following is a summary of the minutes and actions taken at the May 5, 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.
- He noted the meeting was called for the purpose of discussing the existing pond issues for which quotes were received and some additional ponds with issues he was informed about by Mr. Kistler.
- He spoke with Marie Petresky of Xtreme Water Features, who will do the fountain maintenance, about pulling the fountains out and storing them. She recommended only putting one in storage; the one that is completely dry. There is no reason to do the others as they were not at risk being in the water even if they are not running for a sustained amount of time. He will coordinate with her to get the one fountain pulled.

*Let the record reflect Mr. Callarman joined the meeting.*

- Mr. Mendenhall distributed a copy of an engagement letter from Severn Trent.
- He noted the Live Oak No. 2 CDD is restructuring their bond in order to handle some of the B Bond debt.
- Severn Trent does the assessment work for Live Oak No. 1, Live Oak No. 2 and the Hammocks including doing the assessments for the tax rolls each year and handling

questions from the Board and residents. We have been doing this since these districts have been in existence.

- When the districts were created Fishkind & Associates did the assessment methodology.
- Our assessment department already does your assessment work and you are already paying for it in your contract with us.
- This engagement letter is for the Board's consideration. It designates Severn Trent as your Financial Advisor as well as the people who do your Assessment Methodology. We are already doing your Assessment Methodology and the numbers you see in this letter are nothing new. It is already in your contract and you are already paying for this.
- Mr. Mendenhall noted Mr. Robin and Mr. Kistler were not present at today's meeting in order to save on their fees and noted the Board did not have to make a decision on this issue today.
- The Board wanted the District Attorney to review the financial advisor proposal from Severn Trent before making any decision.
- This item will be placed on the next agenda.

**SECOND ORDER OF BUSINESS**

**Discussion on Pond Issues/Proposals**

- Mr. Mendenhall noted we have some new ponds with issues.
- The Board reviewed information and aerial pictures of ponds sent by Mr. Kistler earlier.
- There are some ponds specifically related to SWFWMD's request to get them fixed. He recommends getting bids and setting a not-to-exceed dollar figure.
- The Board wanted an independent engineer to review the original engineering report. It was noted when the ponds were installed and testing was done, the limestone shelf was hit and dug into which may be causing these problems or it may be the water table is dropping out.
- Mr. Mendenhall noted we should be able to get the original engineering reports from Mr. Kistler. We should be able to get a map listing where the borings were done.
- He noted regarding an independent engineer, he can talk with engineers he is familiar with and ask them the cost to review the original engineering reports.
- At this point, getting an independent engineer would be for a second opinion.
- Mr. Mendenhall noted we have some bids for the second batch of repairs; we already did the first batch.
- He sent requests to eight firms. He received a proposal from Bio Mass Tech, the firm that bid the previous time. He received a bid from C&N, who did the work the last time.

He is expecting responses from Stratham and Earth Tech. Four firms stated they would not be able to bid and we should go to sinkhole specialists.

- Bio Mass Tech can do the work at a much cheaper rate than C&N.
- C&N quoted a price of \$86,410 which covers two phases.
- The cost for sinkhole repair from Bio Mass Tech is \$21,225 and would cover Ponds 5C, 5D, 52, 11-2 and 15-2.
- Mr. Keen wanted an independent engineer to review the boring sample reports.
- The Board agreed to move ahead with repairs which may take a few years and wanted to start at Brentwood
- The Board tried to locate where Ponds 11-2 and 15-2 are and discovered; 15-2 is located in the Live Oak No. 2 CDD.
- Mr. Mendenhall called James Griffin of Bio Mass Tech to get more details on his proposal.
- Mr. Ceparano asked Mr. Griffin about location of the ponds.
- Mr. Griffin noted when he was on-site he did not have a map either. He observed the dry ponds and sinkholes.
- It was acknowledged Ponds 5C and 5D are in Brentwood.
- Mr. Griffin noted this development is the only one he is familiar with that has this many sinkholes. He suggested the District contact a couple of geotech firms to get more information on the reasons for so many sinkholes. He will put together a list of geotech firms he recommends and give to Mr. Mendenhall.
- The Board thanked him, continued discussing the above and made the following motions.

On MOTION by Mr. Callarman seconded by Mr. Ceparano with all in favor the Board approved getting an independent engineer study and report on the original pond borings.

On MOTION by Mr. Ceparano seconded by Mr. Callarman with all in favor the Board approved Bio Mass Tech beginning sink hole repair work on the ponds as listed in the Driggers Engineering Report dated February 20, 2009.

- The Board spoke about adding Pond 9 to those needing repairs.

On MOTION by Mr. Callarman seconded by Mr. Keen with all in favor the Board approved having Driggers Engineering look into Pond 9 and then upon completion, have Bio Mass perform the repair work on Pond 5C, Pond 5D, Pond 52 and whatever needs to be done on Pond 9.

On MOTION by Mr. Callarman seconded by Mr. Keen with all in favor the Board authorized repairs per the King Engineering Report in an amount not-to-exceed \$25,000.

**FOURTH ORDER OF BUSINESS**

**Supervisor Requests and Comments**

- There not being any, the next item followed.

**FIFTH ORDER OF BUSINESS**

**Audience Comments**

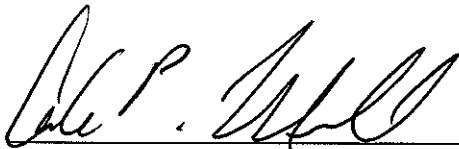
- There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS**

**Adjournment**

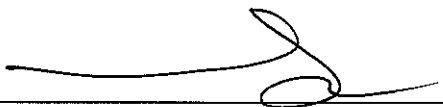
There being no further business,

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




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Andrew P. Mendenhall  
Secretary




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Michael Ceparano  
Vice Chairman