

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 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

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Tuesday, August 16, 2005 at 9:00 a.m.** at the Mirabay Welcome Center, located at 205 Manns Harbor Drive, Apollo Beach, FL 33572.

Present and constituting a quorum were:

Don Whyte	Board Supervisor, Chairman
Chris Coughlin	Board Supervisor, Vice Chairman
Brenda Kunkel	Board Supervisor, Assistant Secretary
Lisa Wrenn	Board Supervisor, Assistant Secretary

Also present were:

Deborah Bayne	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer Smolker & Bolves, P.A.
Jamie Scarola	District Engineer, Scarola Associates Engineering Design and Land Consultants, P.A.
Erika Werkheiser	MiraBay Club Manager
Kathy Harp	Representative, Greenacres Properties, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Bayne called the meeting to order.

SECOND ORDER OF BUSINESS

**Consideration of Minutes of the
Board of Supervisors' Meeting
on July 19, 2005**

Ms. Kunkel stated that "Wren" should be corrected to "Wrenn".

On MOTION by Mr. Whyte, seconded by Ms. Kunkel, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on July 19, 2005 (as corrected) for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for August**

On MOTION by Ms. Kunkel, seconded by Ms. Wrenn, with all in favor, the Board approved the Operation and Maintenance Expenditures for August (\$281,969.22) for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2002
Construction Requisitions #342-#355**

On MOTION by Mr. Coughlin, seconded by Ms. Kunkel, with all in favor, the Board approved the Series 2002 Construction Requisitions #342-#355 (funded by the Developer, as the construction fund has been depleted) for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Maintaining Tract
D-14A**

On MOTION by Mr. Whyte, seconded by Mr. Coughlin, with all in favor, the Board approved that the District begin to maintain Tract D-14A (the waterside of the retaining wall) for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

**Public Hearing on Fiscal Year 2005/2006
Final Operating Budget and
Consideration of Resolution 2005-05,
Adopting Fiscal Year 2005/2006 Final
Operating Budget**

On MOTION by Mr. Whyte, seconded by Mr. Coughlin, with all in favor, the Board opened the public hearing on the Fiscal Year 2005/2006 Final Operating Budget for Harbor Bay Community Development District.

There was no public comment or testimony.

On MOTION by Mr. Coughlin, seconded by Ms. Kunkel, with all in favor, the Board closed the public hearing on the Fiscal Year 2005/2006 Final Operating Budget for Harbor Bay Community Development District.

On MOTION by Mr. Whyte, seconded by Mr. Coughlin, with all in favor, the Board approved Resolution 2005-05, Adopting Fiscal Year 2005/2006 Final Operating Budget (\$2,028,625) for Community Development District.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel
No report.

B. District Engineer

Mr. Scarola provided a brief report, stating he attended the Mira Bay Boaters Club meeting. It was discussed that some of the boats using the canal do not belong to the residents of Mira Bay and their high speeds could ultimately affect the structure of the sea walls. They are implementing a Canal Leaders Program. Mr. Coughlin stated he was part of the Environmental Control Committee of Harbor Bay (ECC), a subcommittee of the HOA, and that they were asking for reallocation of the Sheriff's time, stating that currently they patrol during the week on a specific day. He stated the request has been made to patrol on weekends. It was also stated if the "no wake" offender was not caught in the act, no action can be taken. It was also stated Mira Bay Residents who violate the "no wake zone" should be reported to the HOA, who will send them a letter of violation. General discussion ensued.

A Board Member suggested that the District Engineer draft a letter to be mailed out to all the residents providing a representation of the impact for not complying with the "no wake zone" and the future expenses that may arise will be assessed to the residents. General discussion ensued regarding the signage that is currently in place. Currently, there are ten hours of water patrol per month. A Board Member recommended that ten hours be taken from the land patrol allocation and be added to water patrol. Ms. Harp stated that she would discuss this with the Deputy. General discussion ensued regarding the difference of off-duty and on-duty patrol. Further information will be obtained and presented to the Board at a later date.

C. District Manager
No report.

D. Property Manager
No report.

EIGHTH ORDER OF BUSINESS

**Supervisor Requests and
Audience Comments**


Ms. Bayne stated that the next item on the agenda was Supervisor requests and audience comments. She stated that there were audience members present. Ms. Bayne asked if there were any comments or questions. There were none. Ms. Bayne asked if there were any Supervisor requests. Ms. Werkheiser asked a question regarding the storm drained repairs. It was stated that these repairs should be addressed immediately and not held until the development is completed. A Board Member stated that any incidents seen should be reported to Mr. Coughlin, who will address it immediately with the builder responsible.

NINTH ORDER OF BUSINESS

Adjournment

Ms. Bayne stated that there were no further agenda items to come before the Board and asked for a motion to adjourn. The meeting was adjourned at 9:10 a.m.

On MOTION by Mr. Coughlin, seconded by Mr. Whyte, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.


Secretary / Assistant Secretary


Chairman ~~Vice Chairman~~