

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 the 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, October 18, 2005 at 9:00 a.m.** at the Mira Bay Clubhouse, the Laguna Room, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572

Present and constituting a quorum were:

Chris Coughlin	Board Supervisor, Vice Chairman
Lisa Wrenn	Board Supervisor, Assistant Secretary
Suzanne Soto	Board Supervisor, Assistant Secretary

Also present were:

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	Greenacres Properties, Inc.
Gary Bleil	Assistant Club Manager
Deborah Bayne	District Manager, Rizzetta & Company, Inc.
Tina Wells	Representative, Rizzetta & Company, Inc.

FIRST ORDER OF BUSINESS

Call to Order

Ms. Wells called the meeting to order at 9:15 a.m.

SECOND ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting on September 20, 2005

Ms. Wells stated that the next item on the agenda was consideration of the Minutes of the Board of Supervisors' meeting on September 20, 2005. She asked if there were any additions, deletions, or corrections. Seeing or hearing none, she asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on September 20, 2005 for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

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

Ms. Wells stated that the next item on the agenda was consideration of the Operation and Maintenance Expenditures for October.

On a Motion by Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board approved the Operation and Maintenance Expenditures for October, (\$168,553.21) for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2002
Construction Requisitions #356 - #359**

Ms. Wells stated the next item on the agenda was the consideration of Series 2002 Construction Requisitions #356 - #359. Ms. Wells stated that all of the requisitions have been approved and signed by the Chairman and the District Engineer.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the Series 2002 Construction Requisitions #356-#359 for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine stated that he received an email from a company representing a resident who is interested in privatizing Bali Bay Road. The email stated that the resident proposed the installation of a gate to prevent people from parking on the road.

Mr. Coughlin stated that there have been several meetings with homeowners. Regarding this issue, Mr. Coughlin explained that it was a District road and that it would be problematic to privatize it. Recently, the developer had a conversation leaving the road as a District road but obtaining some type of gate. The developer is currently working on a plan of this type. This information was supplied by an attorney and that if they wanted to privatize the road there would be installation and maintenance costs for the home owners. A portion of the bond proceeds would be required to initialize the plan.

Mr. Coughlin stated that on December 2004, a homeowners meeting was held with one hundred plus members attending. He stated that the homeowners requested the area be left as a no parking/resident fishing only area. It was noted that there is access from the seawall to the pavement. Mr. Coughlin stated that the developer is working with the homeowners concerning the homeowners' desire to privatize it.

If they attempted to privatize it that it would be a public process, with Hillsborough County possibly stepping in. Mr. Coughlin said he would advise the attorney that the Board discussed this and the developer is working with the homeowners regarding the issue with Bali Bay Road.

The Board discussed keeping the road as a District road with the addition of an unmanned gate. Installing a gate had been discussed in the past. The developer is working with the residents at the present time to come to some type of resolution.

B. District Engineer
No report.

C. District Manager

Ms. Wells introduced a resident to the Board. Her name was Amy Cribbs to the Board. Ms. Cribbs is seeking reimbursement for the damage to her vehicle when the electronic arm at the gate damaged her vehicle. As Ms. Cribbs was entering the community, her vehicle ran into the gate arm breaking the windshield. The entrance bar has been hit in the past but none where a determination of guilt was present. Per the incident report received verbally from the security company, they found that the reader was not negligent. It was stated that this was the first occurrence of this kind. The gate arm was repaired by the security company within forty-eight (48) hours.

The Board agreed that more was needed to review the incident.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board authorized Mr. Coughlin to research the incident further and to approve reimbursement to Ms. Cribbs with the proper documentation back up, in an amount not to exceed \$1,294.73.

D. Property Manager
Not present.

SIXTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Ms. Wells stated that the next item on the agenda was Supervisor requests and audience comments.

Mr. Coughlin stated that the Chairman, Mr. Don Whyte and Supervisor Brenda Kunkel will be resigning from the Board. They will email their resignations to the District Manager's office and it will be presented at the next meeting.

Ms. Werkheiser stated that the fitness center would be up and running the week of October 24, 2005.

Ms. Harp stated there are a few repairs to be done, (curbing missing, pot holes to be cleaned, etc) and that she was referred to Hillsborough County. According to the plat, the roads are not dedicated to the public but to the district. Ms. Harp stated that she contacted Mr. Kearney of Kearney Development Co., Inc. and he will complete the repairs.


Ms. Wells asked if there were any Supervisor requests. There were none.

SEVENTH ORDER OF BUSINESS


Adjournment

Ms. Wells 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 10:00 a.m.

On a Motion by Ms. Wrenn, seconded by Ms. Soto, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman