

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 continued meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Wednesday, August 9, 2011 at 3:00 p.m.** at the MiraBay Clubhouse, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Present and constituting a quorum were:

Ed Stone	Board Supervisor, Chairman
Rip Ripley	Board Supervisor, Vice Chairman
Julie Guill	Board Supervisor, Assistant Secretary
Paul Stumpf	Board Supervisor, Assistant Secretary
Tom Hatcher	Board Supervisor, Assistant Secretary

Also present were:

Scott Brizendine	District Manager, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping, Green & Sams, P.A.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Brizendine called the meeting to order and conducted roll call.

THIRD ORDER OF BUSINESS

Shade Meeting

Mr. Brizendine announced that the purpose of today's meeting was to hold a shade meeting relating to the ongoing litigation. Mr. Earlywine stated that the meeting should last approximately 60 minutes and named the parties attending the shade session.

Mr. Brizendine called for a recess of the regular meeting at 3:02 p.m.

Mr. Brizendine reconvened the meeting at 3:45 p.m., with all those in attendance at the onset of the meeting still in attendance.

FOURTH ORDER OF BUSINESS

Follow-up on Shade Meeting

Mr. Earlywine reminded the Board that everything discussed during the shade meeting is confidential and emphasized the need to maintain that confidentiality for fear of ethics and other violations.

Mr. Earlywine also stated that the litigation attorney has requested another shade meeting be held at the next meeting.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Earlywine stated that he has received a signed copy of the Agreement with Crosland, but payment has not been received to date. However, he has no reason to believe that they would sign the agreement and not make the payment given the terms of the agreement.

A brief discussion ensued regarding the settlement agreement with Greenbriar. It was stated that their attorney has reviewed the agreement and forwarded it on to Greenbriar. A request was made to try and ensure that the agreement is finalized before the next meeting if possible assuming any changes they ask for are minimal. Discussions were also held regarding obtaining pricing for the changes to the LTK contract so it can be incorporated in the budget.

A brief discussion was held regarding the anticipated attendance at the budget hearing and the need to be prepared to respond to questions regarding the proposed increase and the litigation costs for both the seawall and the bid protest. The possibility of changing the methodology for future years was put forward and subsequently dismissed.

SIXTH ORDER OF BUSINESS

Supervisors

Ms. Guill volunteered to work with District Management as the Board liaison for landscaping. Mr. Brizendine reviewed how other Districts have utilized liaison positions, for example participating in the field inspections, and acting as another point of contact for the residents. He explained that the individual does not have the authority to approve proposals, etc.

On a Motion by Mr. Ripley, seconded by Mr. Hatcher, with all in favor, the Board appointed Julie Guill as Board Liaison for landscaping for Harbor Bay Community Development District.

SEVENTH ORDER OF BUSINESS

Adjournment

On a Motion by Ms. Guill, seconded by Mr. Stone, with all in favor, the Board adjourned the meeting at 4:10 p.m. for Harbor Bay Community Development District.


Secretary/Assistant Secretary


Chairman/ Vice Chairman