

**MINUTES OF MEETING**

**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The regular Meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Monday, December 21, 2004 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	<b>Board Supervisor, Chairman</b>
Chris Coughlin	<b>Board Supervisor, Vice Chairman</b>
Brenda Kunkel	<b>Board Supervisor, Assistant Secretary</b>
Suzanne Soto	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Pete Williams	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves, P.A.</b>
Jamie Scarola	<b>District Engineer, Scarola Associates Engineering Design and Land Consultants, P.A.</b>
Al Getz	<b>Green Acres Property Management</b>
Erika Werkheiser	<b>Mira Bay Club Manager</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Administer Oath of Office to Newly Elected Supervisor**

Mr. Williams stated that the first item on the agenda was the administration of the Oath of Office to the newly elected Supervisor (located behind tab 1). He stated that he was a notary in the state of Florida and therefore authorized to administer the oath. Mr. Williams administered the oath. Mr. Whyte swore and affirmed to the oath.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the  
Board of Supervisors' Meeting  
on November 16, 2004**

Mr. Williams stated that the next item on the agenda was the consideration of the Minutes of the Board of Supervisors' Meeting held on November 16, 2004 (located behind tab 2). Mr. Williams asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Ms. Soto, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on November 16, 2004 for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Operations and  
Maintenance Expenditures for  
November 2004**

Mr. Williams stated that the next item on the agenda was the consideration Operations and Maintenance Expenditures for November 2004 (located behind tab 3). Mr. Whyte motion to approve as listed behind tab 3.

On MOTION by Mr. Whyte, seconded by Mr. Coughlin with all in favor, the Board approved the Operations and Maintenance Expenditures for November 2004 for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Series 2002  
Construction Requisitions #301, #302,  
3304, and #305 and Change Orders**

Mr. Williams stated that the next item on the agenda was the consideration of Series 2002 Construction Requisitions #301, #302, #304, and #305 and Change Orders (located behind tab 4). He reviewed these for the Board. Mr. Williams asked if there were any questions. There were none. He asked for a motion to approve.

Requisition Number	Contractor	Amount
<b>Requisitions</b>		
301	Ballenger & Company, Inc.	\$23,950.00
302	Reuben Clarson Consulting, Inc.	\$250.00
304	Newberg Irrigation	\$10,721.20
305	Kearney Construction Co., Inc.	\$512,011.10
<b>Change Orders</b>		
46	Kearney Development Co., Inc.	\$2,340.00
47	Kearney Development Co., Inc.	\$164,418.15
48	Kearney Development Co., Inc.	\$73,277.77

On MOTION by Mr. Whyte, seconded by Mr. Coughlin, with all in favor, the Board approved the Series 2002 Construction Requisitions #301, #302, #304, and #305 (see recap) for Harbor Bay Community Development District.

Mr. Williams stated that there were change orders for Kearney Development Co., Inc. He reviewed these for the Board. Mr. Williams asked if there were any questions. There were none. He asked for motion to approve.

On MOTION by Mr. Coughlin, seconded by Mr. Whyte, with all in favor, the Board approved Change Orders #46 - #48 (see recap) for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer  
Mr. Scarola provided an update on the pond repairs (under separate cover). Mr. Williams requested a motion to ratify the previous actions authorizing the Chair and District Engineer to proceed with the repairs as needed.

On MOTION by Mr. Whyte, seconded by Mr. Coughlin with all in favor, the Board authorized Chair and District Engineer to proceed with pond repairs (as needed) for Harbor Bay Community Development District.

C. District Manager

No report.

D. Property Manager

Mr. Getz provided a brief overview of the recent Sheriff's enforcement of speeding and security patrol hours. There was general discussion regarding the possibility of implementation of Neighborhood Watch in the District by Residents. General discussion ensued regarding removal of certain species of plants, and the accidental trimming of others.

E. Club Manager

No report.

**SEVENTH ORDER OF BUSINESS**

**Supervisor Requests and  
Audience Comments**

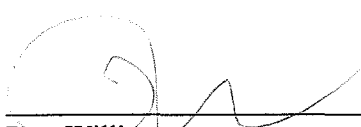
Mr. Williams stated that the next item on the agenda was Supervisor requests and audience comments. He stated that there are no audience members in attendance other than those listed at the onset of the meeting. Mr. Williams asked if there were any Supervisor requests. There were none.


**EIGHTH ORDER OF BUSINESS**

**Adjournment**

Mr. Williams stated that there were no further agenda items to come before the Board and asked for a motion to adjourn at 9:18 a.m.

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

  
Pete Williams  
Secretary

  
Don Whyte  
Chairman