

**MINUTES OF MEETING
MEADOW POINTE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Meadow Pointe Community Development District was held Thursday, September 18, 2008 at 6:30 p.m. at Clubhouse I, Meadow Pointe I Community Park, 28245 County Line Road, Wesley Chapel, Florida.

Present and constituting a quorum were:

Lutfi Jadallah	Chairman
Bob Koryus	Vice Chairman
Dennis Smith	Treasurer
Ed Zerbe	Assistant Secretary
Patricia Asklar	Assistant Secretary

Also present were:

Residents

The following is a summary of the discussions and actions taken at the September 18, 2008 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order, Roll Call and Pledge of Allegiance

Mr. Jadallah called the meeting to order and all Supervisors identified themselves and the Pledge of Allegiance was recited.

SECOND ORDER OF BUSINESS

Consent Agenda

A. ARC Application

Mr. Jadallah asked for questions or comments on the consent agenda; there not being any,

On MOTION by Mr. Zerbe seconded by Ms. Asklar with all in favor the consent agenda was approved.
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THIRD ORDER OF BUSINESS

Deed Restriction and Architectural Review Matters

Mr. Smith reported on the trial he and Mr. Fisk attended regarding 1444 Bent Tree Drive. At the trial the judge instructed the homeowner to comply with the District's deed restrictions

and instructed the District's Attorney to prepare a Judgment in the amount of \$2,000 plus attorney's fees.

Mr. Smith asked the Board if they had any questions or additions on the Deed Restriction Interpretations he handed out at the last meeting?

Ms. Asklar responded she thought it was pretty clear and could not think of anything to add.

Mr. Zerbe responded he thought they were all valid and wanted to change some of the wording by taking out the word *evenly* and add *and/or unsightly*.

The Deed Restriction Interpretation continued to be discussed and Mr. Smith made the suggested changes. The revised/completed document will be submitted to the District's Attorney for review and then distributed to the DRVVB and will be published.

FOURTH ORDER OF BUSINESS

Audience Comments

Ms. Cantelmo asked to include unsightly grass growing in the street in the Deed Restriction Interpretation document and Mr. Smith pointed out where that verbiage could be found.

Ms. Cantelmo also inquired about the park issue and Mr. Smith gave an update on the issue noting the following:

- The County had many false starts on developing the property.
- There were all kinds of proposals made; at one point they were going to put a bunch of practice fields back there and there were a lot of concerns on that because of traffic, concerns about lighting, which would have affected the Parklands, Morningside, Meadow Pointe I and Meadow Pointe II.
- They had \$200,000 to use for developing the property.
- At that time Trout Creek had not fulfilled their obligation to get a road back to the property. In the law suit that Trout Creek filed against the County there was a settlement that resulted in Trout Creek being required to put the road in by a time specific or they would have to pay the County \$450,000. The road was finally put in. The County spent about \$25,000 to go back in to clear it out. It is a 55 acre site with a little over 20 acres of uplands and the rest is conservation and wetlands.
- Three sides are within the Meadow Pointe community and it is a well buffered, 20

acre site. It is buffered by trees, distance and other vegetation from the homes both in the Parklands and Morningside.

- As a result of Amendment 1, the County decided that even though they had money to develop the park, they did not have the money to operate and maintain it; nothing was being done.
- With the approval of the Board, Mr. Smith went to a meeting to try to get sod planted on a couple of acres to be used for unorganized athletics, picnics, walking dogs or whatever. At least the property would start being used. The meeting was in early April.
- It was explained to Mr. Gallagher that it was almost criminal that 10 to 15 years ago it was advertised that there would be a County park and nothing was done. Mr. Gallagher noted because of Amendment 1 there was no money to operate the parks and asked to have the property deeded to the District or give them a long term lease on it.
- The request was discussed and the Board came up with conditions under which we would agree to do it, which included them setting it up for us. One of the things asked for was that the District be excluded from paying two taxes; one is stormwater management and the other is for solid waste. If the District takes over the operation and maintenance of a public park, then the District should be excluded from paying those taxes. Almost everything we asked for was agreed upon except for the one thing they could not free us up on, the \$3,000 of taxes we are paying to the County for two current park sites.
- Toward the end of the meeting, Mr. Rick Buckman, the Chief of Parks and Recreation for the County, said Meadow Pointe II has concerns about this and in fact they asked to attend both meetings and they were told no. We have to address their concerns.
- Mr. Gallagher asked for another meeting, bringing in Meadow Pointe II, asking them what their concerns are and we will incorporate things in to an agreement with the County, between the District and the County to protect their interests. For example, there would be no league play back there unless both Meadow Pointe I and Meadow Pointe II CDD's agreed to it.

- A meeting was held on September 12, 2008 and Mr. Smith suggested that Mr. Lynn, the Meadow Pointe II Chairman attend that meeting.
- Between the August and September meetings, they were provided a checklist we made up with the County's understanding of what was agreed to at the meeting.
- Meadow Pointe II had a CDD meeting on September 10th and that was cast out. There are two people running in opposition to two seated CDD Board members there who put out an alert that included misinformation. They retyped Mr. Smith's notes and made errors in it. The two people who put it out are Morningside residents, running for their Board and one of them is an ex-member of their board who resigned.
- The entire park property is within the boundaries of Meadow Pointe I but the entrance to it is from Meadow Pointe II.
- Mr. Gallagher suggested having another meeting between himself, Ms. Pat Mulieri and Mr. Jerry Lynn and Mr. Smith in order to speak frankly.
- Meadow Pointe II wants to either own the property or own it jointly with Meadow Pointe I. Mr. Smith expressed his concern that nothing would ever get done in those circumstances; the two Boards would never agree on anything.
- Mr. Smith recommended giving the ownership to Meadow Pointe I as anything that will be done to develop the property will require permits from the County. The District is even willing to stipulate in the agreement with the County that at the same time the permits are submitted to the County, we will give them a copy of it so that they can bring up their issues to the County to act as a disinterested third party, who would determine who is right and who is wrong.
- Charging user fees was in the proposed agreement and Mr. Smith offered to submit any fee schedule to the County for approval before they would be implemented.
- The County is talking about putting sod on two acres for us in getting it established and they will put up a gate and sign stating contact Meadow Pointe I for park rules or something to that effect.
- At the last meeting, Ms. Mulieri suggested waiting until after the general election because there are three Board of County Commission members who are up for re-

election this year. She does not want to place any of those three in a position where they would have to side with either Meadow Pointe I or Meadow Pointe II.

- Nothing will happen until next spring.

FIFTH ORDER OF BUSINESS

Chairman's Comments

- Mr. Jadallah reported that the radar machine that had been out of commission is working today.

- The parking lot repairs will begin when the weather is dryer. There is a camera mounted on the traffic lights at County Line Road and Arronwood. Mr. Smith noted the County will have to pass an ordinance to use the cameras for enforcement. The traffic light will not be operational until the right hand lane is completed. After completion, the lights will be flashing for 72 hours before they are activated for the proper signals.

- JAH Architects will be discussed by Mr. Smith.
- The invoice for Pinedale Park painting has not been received.
- Mr. Costa has asked Mr. Fisk how much money the District had for the equipment for the workout room.

- Mr. Fisk spoke with Mr. Rich Hollingsworth who is with the engineering inspection division and they talked about the time remaining on their contract for the lights.

- Trees on the south side center island will be trimmed.

- The street on Arronwood was resurfaced. The flooding issue at the entrance of Arronwood and Bruce B. Downs was mentioned to Mr. Fisk and he will talk to the County about that.

- The extension of Route 56 was approved and the widening of Bruce B. Downs was approved.

- The joint agreement with Meadow Pointe IV was sent to the attorney for review.

- UESI, a company that was contacted by TECO, proposed to seal any leak in the duct system in the attic, in the roof of any homes in the District free of charge; this procedure is done for energy conservation and paid by TECO.

- The center island at Arronwood Boulevard, Outback project, has been installed

and Mr. Fisk will talk to OSI to discuss the repairs. Mr. Smith added that Mr. Fisk needs to contact the individual at the County who is in charge of that project to keep them up to date as they will sign off on that project and the District will be at the mercy of the contractor. Ms. Asklar noted he already talked with the County.

- When work was being done to the traffic light near the clubhouse, somehow all the street lights on the other side of the street were taken out. Mr. Smith suggested finding out when that was reported to TECO and noting when they will service the street lights in order to request the District not be charged for the affected street lights for that period of time.

SIXTH ORDER OF BUSINESS

Supervisor's Comments

Ms. Asklar is concerned about the work being done at 56, putting new sections in for the commercial properties. They have blocked off all the old exits out of Publix Plaza, going to the red light at 56 and Bruce B. Downs; the only way to get out of there is making U turns on Bruce B. Downs. Right now, until March, there will not be a red light to be used. There will never be a left turn on 56, you will have to go out, right and then make a U turn.

Mr. Smith commented on the following:

- Mr. Fisk's medical insurance was discussed noting the following: this year the District paid \$4,611.22 for his health, dental, life and disability. Next year this will go up to \$5,129.28, which is an increase of \$518.08. On his family coverage, this year's premium was \$7,947.88 and he paid \$2,947.88. Next year the premium for his family will go up to \$9,035.76, which is an increase of \$1,087.88. The total increase for Mr. Fisk and his family is \$1,605.96. We need to continue to pay his full coverage and if he will maintain his family coverage with the District. The question is how much of that \$1,087.88 should the District pay and how much should he pay? Mr. Smith suggested the District increase its portion of that from \$5,000 to \$6,000, which would leave him \$87.88 to pay of the \$1,600 increase. The District would increase their contribution to his family coverage by \$1,000; from \$5,000 to \$6,000. The remainder of the Board was in agreement with Mr. Smith's suggestion.
- Regarding the District's liability and property insurance, the premium for this current year was \$27,246 and it went down by \$5,289. The new amount is \$21,957. The Workers Compensation also went down; this year it was \$7,375 and

it went down by \$327. The total package went down by approximately \$5,500.

- For the last two years Meadow Pointe II paid the District's Trustee fees for the bond issue, which is approximately \$3,300 per year. We owed MP II approximately \$6,700, which we already paid. The new Trustee fee for this year is \$3,300.
- There was an additional invoice for reclaimed water, which is for the meter at Summerbrook. The bill was for the period July 1997 to last month, but they only charged us \$800; we will have to start paying for that.
- Regarding the architect, an email was received from Mr. Robin and copies of the email were distributed to the Board. Mr. Smith met with JAH Architects and discussed the modifications and a new proposal was submitted but it was sent back to them for changes as Mr. Smith found it unacceptable. A revised proposal that is considerable was submitted. *Mr. Smith distributed the most recent proposal submitted by JAH Architects to the Board and the continued Board discussion referred to the proposal.*

Mr. Ricciardi and Mr. Robin have reviewed the JAH proposal and Mr. Ricciardi made comments regarding the proposal, and Mr. Smith read them to the Board. Comments made by Mr. Robin were also discussed.

The discussions concluded by Mr. Smith stating that if everyone is in agreement, Mr. Fisk will be told that once he has the answer on the CAD, he can go ahead and sign it.

Mr. Koryus noted the following:

- Someone from the staff should contact Mr. Mike Buck or someone in the County, in Traffic Operations & Signs and have them do a visual on many of the signs in this Community. A lot of signs in the community are faded out and should be replaced.
- Walgreens approached Mr. Koryus about possibly using the clubhouse facility for giving out flu shots; possibly on a Saturday for a few hours. Availability would have to be worked out with Mr. Fisk and his staff. Mr. Smith and Mr. Zerbe expressed their reluctance to grant the request. Mr. Smith would agree to the request if the flu shots were administered for free. Mr. Jadallah and Ms. Asklar expressed that they would be for allowing the use of the clubhouse by Walgreens

for the requested flu shot administration. Mr. Koryus will inform Walgreens that their request was not granted.

Mr. Zerbe noted the following:

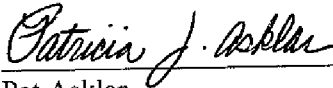
- He failed to get an appointment with the Code Enforcement Officer, Mr. Ortiz, but he will continue his pursuit.
- He was delighted to get the notes of the previous meeting before this meeting and it was very useful.

SEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Koryus seconded by Mr. Zerbe with all in favor the meeting was adjourned.



Pat Asklar
Assistant Secretary



Lutfi Jadallah
Chairman