

**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, December 4, 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:

Dennis Smith	Chairman
Mark Foster (via telephone)	Vice Chairman
Lutfi Jadallah	Treasurer
Kelly Garvin Rodriguez	Assistant Secretary
Dawn Khalil	Assistant Secretary

Also Present:

John Ricciardi	District Manager
Keith Fisk	Operations Manager
Residents	

*The following is a summary of the discussions and actions taken at the December 4, 2008 Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Call to Order & Pledge of Allegiance**

Mr. Smith called the meeting to order and all Supervisors identified themselves.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The pledge of allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Consent Agenda**

- A. Minutes of the October 16, 2008 and November 6, 2008 Regular Meetings**
- B. ARC Applications**
- C. Approval of Financials and Invoices through October 31, 2008**

Mr. Smith asked if there were any items to be pulled from the consent agenda.

Mr. Jadallah requested changes be made to the October 16, 2008 minutes, on page 3, in the motion box changing Mr. Jadallah to Mr. Zerbe as the Supervisor who seconded the motion.

A change was also requested on page 4 changing *A new 6' by 10' flag was purchased to A new 6' by 10' flag was donated by Mr. Jadallah.*

Mr. Ricciardi requested a change be made to the November 6, 2008 minutes, on page 7, second sentence deleting the words *tax on.*

Corrections to the minutes were noted and will be made part of the public record.

On MOTION by Mr. Jadallah seconded by Ms. Khalil with all in favor the consent agenda, including the minutes as amended was approved.

**FOURTH ORDER OF BUSINESS**

**Audience Comments**

Mr. Smith noted Mr. Costa is here this evening. A meeting on the Community Fair was held last week.

*A copy of the Community Fair Rules and Procedures was handed out.*

The same terms as last year, with just a few minor changes was agreed upon. Things did not go as planned last year because the agreement was reached late and it was difficult to get things coordinated. The last action taken by this Board was to take the Community Fair away from the Community Council. If you approve these rules, then we will be changing that decision.

It was proposed that Mr. Costa and Mr. Smith would serve as co-chairman and they would have meetings with Mr. Fisk being involved in order to work out the details.

It was noted the Community Council has a very low balance and accountability for them is no longer an issue for Mr. Smith. It was also noted that the Community Council recently made a donation of \$1,100 that was added to the monies that the CDD received from the last two community fairs to purchase equipment for the fitness facility. They would not have had to make that \$1,100 donation and it did not go unnoticed by Mr. Smith and should not go unnoticed by anyone else.

Another change in the rules is Mr. Costa asked if they could keep the profits from the sale of the food items. Mr. Smith did not see a problem with that.

*The record will reflect Mr. Foster joined the meeting via telephone.*

On MOTION by Ms. Rodriguez seconded by Mr. Jadallah with all in favor except Mr. Foster who abstained due to not being able to see a copy of the proposal, the Community Fair rules proposal as outlined by Mr. Smith including Mr. Smith and Mr. Costa serving as co-chairmen was approved.

*A copy of the Community Fair Rules & Procedures is attached hereto and made part of the public record.*

Mr. Smith proposed getting a plaque acknowledging Community Council donations.

Ms. Linda Straw, new Chairperson of Meadow Pointe II introduced herself to the Board and offered to work together with Meadow Pointe.

Mr. Smith noted he and the Board are wide open to having a joint meeting. He suggested Ms. Straw get with her Board, come up with a proposed agenda and Mr. Smith will bring it to the Meadow Pointe Board. The Board will add what they would like to see on the proposed agenda and then each Board should have a chance to discuss those items before they meet jointly.

Ms. Straw agreed and noted that was a good idea.

A resident, Mr. John Veto of Summerbrooke inquired about a deed restriction regarding 29525 Crossland Drive. He explained that a family is causing problems involving obscene language with their neighbors and police have been called to the house numerous times. Neighbors in this area have signed a petition to be presented to the Board and request the Board address this family notifying them to cease and desist their offensive and obnoxious behavior.

Mr. Smith explained that this situation is probably not something the deed restriction violation board would be able to help the area neighbors with. He suggested that Mr. Veto fill out a deed restriction violation form and leave the petition with the Board. The DRV board can send the owners in question a letter referencing paragraph 6 of the deed restrictions "no noxious or offensive activities will be done" and they can take it that one step, but it was noted that a notification letter would probably not help this situation.

Ms. Rodriguez agreed that sending out a letter is a good start and Mr. Foster also agreed.

Mr. Smith will meet with Mr. Fisk to prepare a letter to be sent to the property owner for a paragraph 6 violation.

Ms. Asklar asked if the Newsletter is up on the website and Ms. Khalil replied affirmatively.

**FIFTH ORDER OF BUSINESS****Deed Restriction and Architectural Review Matters****1444 Bent Tree**

Mr. Smith explained this is the property that has a judgment put on it; they have not paid the fine and they are still out of compliance. The District's Attorney had suggested waiting until after the first of next year. Mr. Smith requested that Mr. Robin attend the January 8, 2009 meeting to discuss this case, which will also give the new Supervisor's an opportunity to ask the attorney any questions they may have about deed restriction or architectural review.

It was suggested to the Board to get a copy of the deed restrictions in order to be prepared to ask questions. There are approximately 20 deed restrictions, which are basically all the same. At the December 17<sup>th</sup> meeting Mr. Smith will conduct a training session on architectural review procedures.

**SIXTH ORDER OF BUSINESS****Operations Manager's Report**

Mr. Fisk reported the following:

- A copy of the JAH Architects report on the outdoor racquet ball court was given to each Board member. The architect has asked for WilsonMiller to give information on items A, B, C and D listed on the architects report; the wetlands, parking lot layout and the flood zone. Ms. Stewart forwarded the costs for these items to Mr. Fisk in an email and they are as follows: \$1,000 to determine the parking lot layout, if it is a class 1 wetland a 25 foot set back is needed, for the engineer to come out to give the boundaries for where the wetlands are located there were two prices quoted, \$400 to do just the structure and the tennis slab and the other price is \$700 to do the whole parcel of our community park up here, and we would have all the boundaries marked out.

Mr. Smith explained the history of the JAH Architect project for the new Supervisors' benefit.

It was suggested by Mr. Smith that the Board approve an expenditure of \$1,700 to have WilsonMiller undertake the items explained and discussed by Mr. Fisk.

On MOTION by Mr. Jadallah seconded by Ms. Rodriguez with all in favor the expenditure of \$1,700 to WilsonMiller to prepare the parking lot layout and wetland class delineation of the flood zone was approved.

- Mule replacement quotes for a John Deer Gator HPX 4x4 gas were discussed. Coastal Equipment Systems gave the lowest quote of \$9,375.

On MOTION by Mr. Jadallah seconded by Ms. Khalil with all in favor the purchase of a John Deer Gator HPX 4x4 from Coastal Equipment Systems in the amount of \$9,375 was approved.

- Preventative termite control cost estimates were discussed.

On MOTION by Mr. Jadallah seconded by Mr. Foster with all in favor termite control services from Terminix Pest Control at a cost of \$850 plus \$195 renewal fee with a \$1,500,000 repeat retreatment warranty was approved.

*The record will reflect Mr. Foster left the meeting.*

- Pool drain covers were discussed. Two companies submitted proposals and both quoted the same price; \$1,080 to replace 4 drain covers. It was recommended to accept the quote from Triangle Pool Service.

On MOTION by Ms. Rodriguez seconded by Mr. Jadallah with all in favor the expenditure of \$1,080 for 4 pool drain covers purchased from Triangle Pool Service was approved.

- The Greenview Landscaping proposal for resodding of the median on County Line Road and Bruce B. Downs was discussed.

On MOTION by Mr. Jadallah seconded by Ms. Khalil with all in favor the Greenview Landscaping proposal for resodding the median on County Line Road and Bruce B. Downs in the amount of \$2,300 was approved.

Mr. Smith recommended checking with Pasco County Utilities before beginning the resodding explaining that this project was started in July. If they approve, then the work can begin.

- Greenview scored a 93% on the last landscape inspection. The next inspection is scheduled for December 23<sup>rd</sup> at 1:00 P.M. One Board member may attend the inspection. Ms. Khalil volunteered to attend the inspection.
- Trash cans along County Line Road were discussed.

On MOTION by Ms. Khalil seconded by Mr. Jadallah with Ms. Khalil, Mr. Jadallah and Mr. Smith voting Aye and Ms. Rodriguez voting Nay purchasing six trash cans for placement along County Line Road at a cost of \$2,694 was approved.

- School zone signs were discussed.

Mr. Fisk will contact the Sheriff's Department to see if they will have a school zone sign put up. Ms. Khalil is also trying to work with the school board regarding the sign.

## SEVENTH ORDER OF BUSINESS

### District Manager's Report – Consideration of the Arbitrage Engagement Letter from Deloitte Tax LLP for the Series 1999 Capital Improvement Revenue Refunding Bonds

Mr. Ricciardi reported on the following:

- At the last meeting the Board asked us to put \$200,000 in a nine month CD and this will be done next week. The lengthy and complex paper work involved in the initial set up of the CD is the cause of the delay. Once the initial CD is set up, any other increments done after that will go very quickly.
- Setting up a separate bank account so that the operating cash is in two separate accounts will be finished next week and it will be with SunTrust. Part of the operating cash will be with Wachovia and part at SunTrust.
- The claim against the District by Ms. Spittler was supposed to go before the judge on October 28<sup>th</sup>. At that hearing the judge sent it back to the plaintiff's attorney who has to find out exactly where the accident occurred. Once the plaintiff's

attorney comes back with exactly where the accident occurred, then our attorneys will move to a motion to dismiss at that time.

- In relation to the new budget, you will notice there is a line item that deals with operating transfer in. We budgeted \$123,664 and we just received a check for \$157,860.78, which is \$34,196 for the good. This money is coming from the bond and as we make bond payments the bond debt service reserve fund decreases and your indenture allows the District to utilize these funds for any lawful purpose.
- The Chairman wanted a report on where we were in terms of the assessments and what we received versus what we had budgeted. The analysis was done and it turned out we were short \$991, which is one residential assessment. After getting a report from the County, they reported there was one tax certificate that was not purchased. The claim on the money is still with the County, waiting for someone to purchase the tax certificate. This may not be purchased until next year but the \$991 is still on the books. In this economic climate, it is a very positive thing for only one certificate to remain unsold.

Mr. Smith reported we received about 94 ½ % of the assessments and we should receive 94%.

- We are losing a little bit of money within our SBA account; SBA is the State Board Account. Previously many governmental agencies invested their money in SBA accounts because it was a government run account that paid a little bit higher interest than the normal bank cash accounts. The money in these accounts could be obtained very quickly if bills needed to be paid. Last year there was a run on the State Board and it turned out that one reason they were paying a little bit higher interest was that the money was being put into commercial paper. As a result, the commercial paper investments all went south and there was a run on the SBA. The governor and the treasurer of the State froze the accounts. They ultimately released certain portions of the money. The balance sheet notes a line item stating State Board Restricted. We have taken all of our money out except a very small amount; about a little over \$13,000. Ultimately, those line items will go away in next year's budget.

Mr. Smith noted right now we are at our lowest balance of the year because the way the income comes in, it starts coming in in November usually with the operating transfer, which we got during the month of November and it will show up next month in your report. Then the next big infusion of cash is in December when we get most of our assessments. For the rest of the year we are drawing that money down. September, October and November will be low interest months in comparison to other months. This is being tracked because we budgeted \$10,000 for interest and we may or may not hit that, but we will make up for it in other places.

The accountant was asked to compare how we ended on September 30<sup>th</sup> versus what we projected in our budget that we were going to end the year at. We actually came in \$42,000 higher than we budgeted for. We started the year with \$42,000 more in the bank than we anticipated and the next thing that happened is we got \$34,000 more than we anticipated in the operating transfer from the debt service fund, so we are in good shape.

Mr. Ricciardi explained when you are looking at three different documents, your budget, your monthly financials and your balance sheet they each serve a different purpose and they do not necessarily tie into one another and that is confusing. If there are any questions do not hesitate to bring them up.

- The Arbitrage Engagement Letter was discussed.

It was explained the arbitrage rebate is a requirement of the IRS. An outside agency must conduct a calculation to ensure we are not making more on the bonds than what we are supposed to be making. If we do make more, we refund it to the government. An annual calculation is done on the bonds and there is a \$1,575 fee, which has been budgeted. Deloitte is recommended to perform this service for the District.

On MOTION by Mr. Jadallah seconded by Ms. Rodriguez with all in favor the arbitrage engagement letter with Deloitte Tax LLP to do the annual calculation on the Series 1999 Capital Improvement Revenue Refunding Bonds was approved.

**EIGHTH ORDER OF BUSINESS****Chairman's Comments**

Mr. Smith discussed the following:

- Last month age restrictions for the fitness center were discussed. A sample "release of liability" statement was obtained and the District's Attorney will be asked to review the sample at the January meeting.
- Meeting with Ms. Pat Mulieri on the park site. Mr. Smith distributed a drafted letter to go from Mr. John Gallagher, to Ms. Straw the new Chairperson at Meadow Pointe II. During the meeting with Ms. Mulieri Mr. Smith asked her if she would take the letter to Mr. Gallagher for him to send the letter back to Meadow Pointe II. The key paragraph in the letter informs Meadow Pointe II that one more meeting will be scheduled with them for the purpose to only discuss suggestions on what protections they want included in an agreement between Pasco County and Meadow Pointe CDD to protect their interests in this matter. Ms. Mulieri has agreed to do this.

*The record will reflect the meeting recessed.*

After the Board had an opportunity to review the drafted park site letter there was Board consensus for Mr. Smith to submit the drafted letter for consideration.

- The website homepage verbiage for Meadow Pointe in general and Meadow Pointe I has been rewritten by Mr. Smith.
- A handout on the website update was distributed.

**NINTH ORDER OF BUSINESS****Supervisors' Reports, Requests and Comments**

Mr. Jadallah reported the following:

- The speed detector is working.
- Adopt A Pond – Information will be put in the Newsletter and interested residents will contact Mr. Jadallah if they are interested.
- Roof painting will be discussed in January.
- A date for the employee appreciation dinner will be looked into by Mr. Jadallah and Mr. Fisk.

Ms. Khalil discussed the following:

- Will the Board reconsider giving funds from the recycling dumpster to the PTA?

Mr. Smith offered his opinion and noted that \$4,000 to \$5,000 per year comes in from the recycling. This money can be spent by the CDD to benefit everyone in Meadow Pointe I, whether they have children or not. He has a problem with a governmental agency forcing him to make a donation to a non-profit organization. If the recycling money does not go into the District treasury, either the assessments will be raised by \$4,000 or \$5,000 or we have to reduce District services by \$4,000 or \$5,000.

It was decided that Ms. Khalil will introduce the recycling dumpster issue at the next meeting, when Mr. Foster has an opportunity to be involved and the Board will discuss it further.


- The meeting minutes for web posting were discussed. The approved minutes of the second meeting of the month and approved minutes of the preceding month's first meeting of the month are forwarded together for website posting.

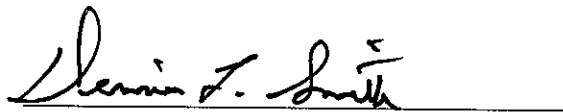
**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Jadallah seconded by Ms. Khalil with all in favor the meeting was adjourned.

  
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 John Ricciardi  
 Secretary

  
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 Dennis Smith  
 Chairman