

**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, June 4, 2009 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	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 (2)	

The following is a summary of the discussions and actions taken at the June 4, 2009 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order

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 May 7, 2009 and May 21, 2009 Regular Meetings**
- B. ARC Applications**
- C. Approval of Financials and Invoices through April 30, 2009**

There being no comments on the consent agenda,

On MOTION by Ms. Khalil seconded by Ms. Rodriguez with all in favor the consent agenda was approved.
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ARC Case A2009021

Dale and Frances Sigle of 28708 Moss Loop requested to use material from a different manufacturer to re-roof their house.

On MOTION by Mr. Foster seconded by Ms. Khalil with Ms. Rodriguez, Ms. Khalil, Mr. Foster and Mr. Smith voting Aye and Mr. Jadallah voting Nay the request submitted by Dale and Frances Sigle to use a different material for re-roofing their house was approved.

FOURTH ORDER OF BUSINESS

Recreation Capital Improvement Project

Mr. Smith reported on the following regarding a schedule he received from WilsonMiller for the project:

- It is anticipated that the site plan for approval to the County will be submitted by June 18th and should be approved by the County by September 18th.
- The SWFWMD permitting will be submitted by June 19th and it is anticipated that the approval will happen by September 14th.
- Construction documents will be completed within one week.
- It is anticipated that building can start by September 18th.
- The sewer line from the manhole will cost \$10,120. The other option of using the existing lift station would cost \$18, 697, which would be \$8,600 more expensive than running it from the manhole.

Mr. Smith recommended and the consensus of the Board was for the sewer line to come from the manhole and water will come from the clubhouse. WilsonMiller will be notified by Mr. Smith of the Boards decision on the sewer line.

It was also reported that WilsonMiller had a pre-application meeting with the County and no issues came up, except that the existing fire hydrant is 260 feet plus or minus from the new building and the County requirement is 250 feet. However, a fire department representative said that is not a problem.

FIFTH ORDER OF BUSINESS

Audience Comments

There not being any, the next item followed.

The record will reflect a representative of the Community Council joined the meeting.

SIXTH ORDER OF BUSINESS

Deed Restriction and Architectural Review Matters

The Deed Restriction Update provided by Mr. Fisk was discussed.

A copy of the update is attached hereto and made part of the public record.

Case 28436 Open Field Loop

Dismantled Vehicle – The owner has already been fined to the max. A judgment against the owner will be pursued.

Mr. Fisk will contact the owner again and he will suggest companies that handle junk cars.

SEVENTH ORDER OF BUSINESS

Operations Manager’s Report

Mr. Fisk discussed items on his Action Item List.

A copy of the Action Items List is attached hereto and made part of the public record.

The tennis court repair and resurfacing was discussed.

On MOTION by Mr. Foster seconded by Mr. Jadallah with all in favor the repair and resurfacing of tennis courts 3 and 4 by Florida Courts in the amount of not to exceed \$6,480 was approved.

The stump removal item of the Action Item List was discussed and Mr. Fisk noted Greenview has submitted prices for landscape improvements to be done after the stumps are removed.

On MOTION by Mr. Jadallah seconded by Ms. Khalil with all in favor the landscape improvements submitted by Greenview Landscape in the amount of not to exceed \$820 was approved.

An update on the County Line Road planting was discussed. A Native Design landscaping company has been hired to complete the work in the medians.

The old Mule, which is currently behind the back shed, will not be repaired or used again. There are people interested in buying it but a value must be declared on it.

Mr. Ricciardi suggested that the District dispose of the Mule.

On MOTION by Ms. Khalil seconded by Mr. Foster with all in favor Mr. Fisk was authorized to dispose of the old Mule at the best interest of the District.

Mr. Fisk reported the next OLM – Greenview inspection is scheduled for Tuesday, June 23rd at 1:00 P.M.

EIGHTH ORDER OF BUSINESS

District Manager's Report

Mr. Ricciardi reported on follow up items:

- Assessments collections; last month we were at 95% collected and as of May 14th we at 97% collected. We were at 97% at this time in 2008; we are trending just as we were last year.
- Regarding Mr. Koryus and the Workers Compensation issue, the District is a reimbursable employer and by law cannot be relieved of charges when benefits are paid. As Mr. Koryus applied for the benefits, the District has to pay the benefits. The Florida Department of Revenue was contacted and beginning in January, 2009 elected officials will no longer be reported on quarterly wage reports and therefore in the future we will not have to pay if it is ever claimed again by anyone. Prior to January, 2009 all Board members were being reported as wage earners and we had to participate in Workers Compensation.
- Information on Perennial Peanut, a ground cover plant, was forwarded to Mr. Fisk.
- The Bracken Engineering report on the physical structures at West Meadows was discussed. It was explained that Bracken would do an assessment of the District's physical structures and provide a written documented report. They provide photographs of all the items they document, which is very helpful to the field staff. The cost of the West Meadows report was \$2,800.
Board consensus was to discuss obtaining a similar report for Meadow Pointe at a future meeting after the entire Board has had a chance to review the report that Bracken Engineering prepared for West Meadows.
- SWFWMD Inspections – There are 2 more inspections due for 2009 and there will be 7 in 2010.

**Distribution of the Proposed Budget for
Fiscal Year 2010 and Consideration of
Resolution 2009-2 Approving the Budget
and Setting the Public Hearing**

Mr. Ricciardi explained the Board has been working through the draft budget for a few months. Tonight a draft budget will be adopted and this budget will set the high water mark. Because of the TRIM we cannot exceed the assessments for the General Fund indicated in this draft budget. The Debt Service budget tracks the amortization of the Debt Service.

Mr. Smith explained tonight we will basically approve a draft budget that will be used to send the information to the County and for the Tax Collector to send out TRIM notices. The assessments approved tonight for the TRIM will be the maximum assessment that can be imposed when the final budget is adopted in September. A public hearing will be held prior to the final budget adoption on September 3, 2009 at 6:30 P.M. at the clubhouse location.

The proposed budget has been kept the same as the Fiscal Year 2009 budget with some exceptions.

Some of the comments made by Mr. Smith regarding the proposed Fiscal Year 2010 budget were as follows:

- The interest investments, we budgeted \$10,000 this year because of what is going on with interest rates. We will probably get \$5,800.
- The special assessment on roll will be determined tonight.
- The discounts will also be determined.
- Other Miscellaneous Revenues – we will probably hit the \$10, 425 this year, but it is not certain; one is the \$2,000 from SwimKids and we got \$1,800 from the Community Fair.
- Expenditures: P/R Board of Supervisors is the same.
- ProfServ-Recording Secretary, \$1,500, which was for the transcription of the minutes of the second CDD meeting of the month will be kept the same even though the minutes are currently being transcribed by Mr. Smith for that meeting.
- Auditing Services has been increased by \$250 because we are paying \$250 more this year than we budgeted for.
- Communication Telephone is whatever Severn Trent spends on our behalf on telephone services.

- The Insurance - General Liability has been decreased by \$7,000 for next year because we are under this year, but we do not know what will happen with insurance rates. The largest portion of the \$22,000 is actually liability insurance and the automobile insurance is also included in there. As far as physical structures go it is not that big a portion of that but we will have to get construction insurance and our premium will probably go up because the building will be worth more.
- Miscellaneous Services include bank fees and we probably will not spend \$3,000, but it is good to keep it at that amount.
- The Assessment Collection Fee is 2% of whatever the assessments are and this will be recalculated according to what is approved.
- Miscellaneous Taxes are two County taxes; one for stormwater management and one for trash.
- Road and Street Facilities – Electricity – Streetlighting, \$138,000 includes any increases to electric rates or fuel adjustment charges. The difference between \$125,000 and \$138,000 will be enough to cover that.
- Parks and Recreation – General – Payroll-Salaried - \$10,000 was cut out from the adopted budget for 2009. This year we will come in under that figure.

The Deed Restriction Enforcement Fund page of the budget was discussed.

The Debt Service Fund page of the budget was discussed. It was explained this shows what we will make in payments this year and next year.

Mr. Ricciardi explained the excess amount \$118,644 listed on the Debt Service Fund page under Operating Transfers-Out gets transferred to the District General Fund for any lawful purpose. That is why it has been built in as an Other Operating Transfer.

The Amortization Schedule will be adjusted as the Accountant will get an actual revised amortization schedule from the Underwriter based on the \$100,000 extraordinary payment. The final budget will have an up to date amortization schedule in it.

The last page of the proposed budget, Proposed Assessment Summary FY 2010 was discussed. Mr. Smith noted it went from \$990.21 total to \$1,002.15, which is a \$12 increase after no increase last year.

Mr. Smith suggested adding \$20,000 as an additional cushion; on the TRIM the assessment would go up \$9. Instead of announcing in the TRIM notice an assessment of

\$1,002.15 it would announce an assessment of \$1,011.

A notice would be placed in the News Letter explaining that the TRIM notice that owners will receive in August does not reflect what will actually be taxed.

Mr. Ricciardi noted it is very typical for all CDD's, at this point, to build in a cushion of whatever percent. The percent typically runs anywhere between 3% and 10%. The reason this is encouraged is because of the way the budget process is formatted, you have to approve a draft budget that is your high water mark. We encourage you to be either 100% comfortable with this amount as the high water mark or build in what is called a gross-up. We are putting in a line item called Contingency TRIM so that when the budget comes to everyone between now and the public hearing, everyone knows you have whatever that percentage is built in for TRIM purposes. You can just wipe it out after the public hearing.

Mr. Smith recommended approving the proposed budget plus \$20,000.

Mr. Ricciardi explained whatever the Board decides tonight will be sent to Ms. Rowley, the Accountant, tomorrow and a revised budget will be forwarded to the Board by Monday or Tuesday at the latest; the new assessment will be in there.

On MOTION by Mr. Jadallah seconded by Mr. Foster with all in favor the proposed Fiscal Year 2010 budget, plus \$20,000 was approved.

On MOTION by Mr. Jadallah seconded by Ms. Rodriguez with all in favor Resolution 2009-2 approving the budget for Fiscal Year 2010 and setting a public hearing on the adoption of the final budget for September 3, 2009 at 6:30 P.M. at the Meadow Pointe I Community Park Clubhouse, 28245 County Line Road, Wesley Chapel, Florida was adopted.

The record will reflect a 5 minute break was taken.

NINTH ORDER OF BUSINESS

Chairman's Comments

Mr. Smith reported the Community Council is looking at doing a Fall Fest, which would be similar to what was done a few months ago. This event will be for arts and crafts. It is proposed for either the last Saturday of October or the first Saturday of November. There would be approximately 30 vendors participating. The Board was asked to consider this event for

approval and Board consensus was to approve the event.

It was also reported that a meeting with the County regarding the Park Site will be held next week.

Topics for the Joint Meeting with Meadow Pointe II should be decided tonight. Mr. Smith proposed that the Park Site, Joint Use Agreement and Scheduling of Joint Meetings for Fiscal Year 2010 should be discussed in order to advertise the meetings along with the annual meeting schedule.

Mr. Smith discussed a survey sent out to Meadow Pointe II residents by their Board of Supervisors regarding the Joint Use Agreement.

Consensus of the Board was to instruct Mr. Ricciardi to notify the Meadow Pointe II Board that the three subjects noted by Mr. Smith above are requested as agenda items for the joint meeting. If the Meadow Pointe II Board declines to discuss the Joint Use Agreement at the joint meeting scheduled for July 1st due to the response date of their survey, the Meadow Pointe (1) Board will cancel the meeting.

TENTH ORDER OF BUSINESS

Supervisors' Reports, Requests and Comments

Mr. Foster relayed a suggestion to the Board made by a resident regarding the new building and ways to utilize the space opposite the racquet ball court; he suggested pool tables or ping pong tables. The resident also suggested having residents fill out a survey on what they might like to have in that room.

Ms. Khalil reported we went down a little in May for the website hits. The page that received the most hits was Meadow Pointe (1), then the News Letter.

Mr. Jadallah reported in the future the invoice packets will be sent out for review at the end of the month.

Mr. Fred Barthmus of 28420 Open Field Loop had 3 items to discuss as follows:

- Are we leaning hard on the County to resolve the issue with the utilities to get Road 56 finished in order to cut down on the traffic in the community?

Mr. Smith responded as described by Mr. Mark Sifford at the last meeting, the dispute is between the County and TECO on who should pay to move the utilities to get the intersection at 56 done. On the advice of the County Attorney, he asked the District to send a letter to the Public Service Commission telling them the

importance of opening 56 to relieve traffic on County Line Road. The letter was submitted to the Commission a few weeks ago. It may not help but we gave whatever support we could. The way the County Commission can resolve the issue is to give a couple million dollars to TECO. TECO says it will cost \$2 Million plus to move the utilities and the Developers or Pasco County are responsible for doing that. The Developers will not do it. It is the position of the County and the Developers that according to the rules of the Public Service Commission, TECO is responsible for doing it. The issue is who should pay to move the utilities at the intersection of Bruce B. Downs and 56.

- Properties in foreclosure that are deteriorating – What is the CDD recourse?

Mr. Smith explained we can fine them up to \$1,000 through the Deed Restriction Process and if the property is in foreclosure, the District cannot do more than that; they cannot be taken to court.

- Garages are being left open late at night. It was suggested putting this issue in the Newsletter and website again.

Mr. Jim Taylor asked why Deed Restriction fines are imposed on homes in foreclosure if the fines will never be paid?

Mr. Smith explained we have to make a decision on whether we want to take them to court to get a judgment and even when that happens you still do not necessarily resolve the case or get the money. Another avenue would be to ask the court to issue an injunction that required the owner to comply with the deed restrictions. If they do not comply, they can be found in contempt of court. All of these avenues cost money.

ELEVENTH ORDER OF BUSINESS

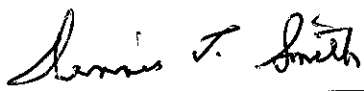
Adjournment

There being no further business,

On MOTION by Ms. Rodriguez seconded by Mr. Foster with all in favor the meeting was adjourned.



 John Ricciardi
 Secretary



 Dennis Smith
 Chairman