



On MOTION by Mr. Jadallah seconded by Ms. Khalil with all in favor the consent agenda was approved.

**FIFTH ORDER OF BUSINESS**

**Deed Restriction and Architectural Review Matters**

Mr. Smith introduced Mr. Robin and noted he asked Mr. Robin to attend this meeting to discuss what the Board should do with the 1440 Bent Tree Drive property.

Mr. Robin reported as a result of the last action taken, a judgment came back in the amount of \$5,000 in October, but the property is now in foreclosure. There are remedies that the District can still take regarding this property. He recommended letting the foreclosure run its course and not spending any additional District money.

Mr. Smith asked if deed restriction violations should continue to be documented for this property and Mr. Robin responded affirmatively.

Mr. Robin was also asked for his advice on whether to start the deed restriction violation process from the beginning or can it be referred directly to the deed restriction violation board. It was recommended to start with the preliminary demand letter before sending the case to the DRVB.

Mr. Smith asked if the new Supervisor's had any questions for Mr. Robin and there were none.

As discussed at a previous meeting, a resident submitted a request to have his underage child, along with the parent, use the exercise equipment in our fitness facility. This request is currently being considered by the Board and Mr. Robin was asked for his advice on this matter.

Mr. Robin explained the policy in this matter would be a Board decision. Regarding the possibility of requiring the parent to sign a waiver would be a better mechanism but the District has sovereign immunity up to a few hundred thousand dollars and the District carries additional insurance of \$1 Million per occurrence. If the District does not require a signed waiver, it was suggested to have signs put up indicating that use of the fitness equipment will be at the users own risk.

Mr. John Vito, a resident of Summerbrooke, updated the Board on incidents occurring regarding the residents at 29525 Crossland Drive since the last meeting. Mr. Robin advised Mr. Vito that he has the right to initiate and go forward with the deed restriction violation process himself and can take the same steps as the Board does regarding deed restrictions.

Mr. Robin also noted that the District does not have police powers, its powers are extraordinarily limited and these types of noxious activity events border on being both zoning types of violations and civil infractions that are beyond the District's powers. At the Board's direction, a letter will be sent to the property owner of 29525 Crossland Drive from the District's Attorney and a copy of the letter previously sent to the property owner by Mr. Smith will be forwarded to Mr. Vito.

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

## **SEVENTH ORDER OF BUSINESS**

### **District Manager's Report**

Mr. Ricciardi updated the Board on some items from the last meeting as follows:

- Assessment Trends – As of the end of December, 2008, we collected 87% of the outstanding assessments. This compared to last year's collection, in the same time period, of 89%. Therefore, we are running 2% under, which is not significant and we will continue to monitor the collections.
- Investment of the \$200,000 CD – The CD has been invested with Central State Bank, earning 2.71% interest; it is a 9 month CD and will mature in September 2009.
- Set Up of a Separate Checking Account – This was done in order to separate the District's operating funds in two different banks. An account has now been opened at SunTrust and the existing account is with Wachovia. Funds will be transferred to the SunTrust account next week, which will be indicated on the next set of financial statements; the financials will show two separate operating accounts.
- Solid Waste Tax – As indicated in the financials, we received the revised solid waste tax from the County, which was revised downward at \$1,822 based on the 3% early payment discount.
- Web Posting of Approved CDD Meeting Minutes – The approved meeting minutes are being forwarded to Ms. Khalil for website posting.

### **Ratification of Amended Resolution 2009-1 (Designation of Officers)**

Mr. Ricciardi explained the Assistant Treasurer designated in the resolution presented and accepted at the November 20, 2008 meeting needs to be corrected, as Ms. Pamela Rower,

was the former Severn Trent Accounting Manger and Mr. Stephen Bloom is the current Accounting Manager.

On MOTION by Mr. Jadallah seconded by Mr. Foster with all in favor Amended Resolution 2009-1 designating the District officer structure was adopted.

#### **FOURTH ORDER OF BUSINESS**

#### **Audience Comments**

Ms. Parry asked about a banner that is on the white fence at the entrance and Mr. Fisk was directed to take it down and return it to the owner if it was still up.

Mr. Smith was asked if he had any update on the park issue and he noted that a meeting is scheduled for Tuesday with Mr. Gallagher, Ms. Mulieri and himself.

#### **Deed Restrictions (continued)**

Mr. Smith explained the Deed Restriction Update Form that he asked Mr. Fisk to make up.

Lists of all the deed restrictions for Meadow Pointe 1 and the differences between the deed restrictions were handed out by Mr. Smith.

#### **SIXTH ORDER OF BUSINESS**

#### **Operations Manager's Report**

Mr. Fisk reported on items from his Action Item List.

Mr. Smith reported regarding the architects report on the outdoor racquet ball court, the information provided by District Engineer, Ms. Stewart of WilsonMiller was not sufficient. An expenditure of \$1,700 to provide this information was approved by the Board at the December 4, 2008 meeting. The question of whether the area in question was a class 1 or class 2 wetland was unclear. After a conference call with the architect, Mr. Huggins, it was noted by Mr. Huggins that the County told him the area was a class 2 wetland. Both Mr. Huggins and Ms. Stewart assured Mr. Smith that the District could do what they want to do on that land.

Mr. Huggins recommended the requests be submitted as one building permit packet; it will not be a zoning action, which should eliminate the question of the wetland classification. He also recommended going forward with the civil engineering reports.

Mr. Smith recommended that based on the assurances received from the architect and Ms. Stewart, the District should go ahead with the civil engineering with WilsonMiller, at a cost

of not to exceed \$10,000. The charge for the civil engineering work quoted by Ms. Stewart was between \$7,500 and \$10,000.

On MOTION by Mr. Foster seconded by Mr. Jadallah with all in favor contracting with WilsonMiller to perform the civil engineering work for the outdoor racquet ball court as specified by JAH Architects at a cost of not to exceed \$10,000 was approved.

Mr. Fisk continued his report noting the following:

- The pool drain covers have been installed.
- Sidewalk repair work will be sent out for bids.
- The landscape inspection was done and Greenview received a score of 92%. A proposal for removing some of the Juniper located in five areas was requested of Greenview. Mr. Smith suggested putting the removal on hold and wait until a different proposal is received from Greenview to do portions of it. He also requested to go on the next OLM inspection. Mr. Fisk reported that the next inspection will be held on January 27, 2009 at 1:00 P.M.
- The community fair will be held on Saturday, March 28, 2009.

Mr. Smith directed Mr. Fisk to contact Mr. David Peters of Code Enforcement regarding their new volunteer program.

**EIGHTH ORDER OF BUSINESS**

**Chairman's Comments**

Mr. Smith discussed the following:

- The Community Fair – Information on proposed poster board items was handed out to the Board by Mr. Smith. He requested that the Board review the items in order to further discuss them at the next meeting.
- Updates for the web site were discussed.
- The recycle dumpster at Sand Pine has been moved.

**NINTH ORDER OF BUSINESS**

**Supervisors' Reports, Requests and Comments**

Mr. Jadallah asked if there has been further discussion regarding a MP I and MP II joint

meeting and Mr. Smith responded that there has not been any further discussion.

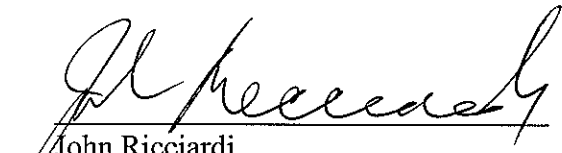
Mr. Jadallah reported that he called several restaurants regarding seating availability and prices for the dinner for staff as previously discussed. The tentative dates for the dinner will be either Saturday, January 17<sup>th</sup> or January 24<sup>th</sup> and Mr. Fisk will discuss those dates with his staff.

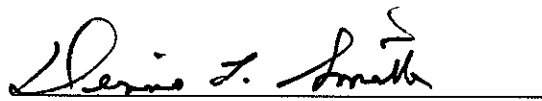
**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
John Ricciardi  
Secretary

  
Dennis Smith  
Chairman