

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

The regular meeting of the Board of Supervisors of the Meadow Pointe II Community Development District was held on Wednesday, April 16, 2008 at 6:34 p.m. at the Meadow Pointe II Clubhouse; 30051 County Line Road; Wesley Chapel, Florida.

Present and constituting a quorum were:

Gerald Lynn	Chairman
Jim Bovis	Vice Chairman
Diana Ricker	Secretary
Harold Ziegler	Treasurer
Brian Shahin	Supervisor

Also present were:

Andrew Mendenhall	District Manager
Bob Valentine	District Engineer
Bill Snyder	Property Manager
Renee Glassman	Architectural Review Committee
Yolanda Bush	Deed Restrictions Committee
Jamie Childers	Resident Council Representative
Residents	

*The following is a summary of the minutes and actions taken at the April 16, 2008 Meadow Pointe II Board of Supervisors regular meeting. A copy of the recording of the meeting is on file at the District Office.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Lynn called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

*The record will reflect Mr. Shahin joined the meeting.*

**THIRD ORDER OF BUSINESS**

**Guest Speakers**

There not being any, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Audience Comments (Limited to 3 minutes per speaker)**

- Ms. Renee McLaughlin – former employee addressed issues with her post employment situation.
  - Ms. McLaughlin distributed a letter to the Board and backup documentation.
  - On February 25 was told by Mr. Snyder her position had been eliminated.
  - Ms. McLaughlin is requesting unused vacation time of 56 hours.
  - Ms. McLaughlin stated Mr. Snyder requested she note in writing things she had contributed, as well as things she could contribute in the future should a position become available.
  - She was informed by Mr. Snyder it was going to be placed under further review and action.
  - To date she has received no correspondence concerning the status.
    - Ms. Ricker noted her concern is the Board never received the letter as stated.
    - Mr. Lynn inquired if there was any further review with Severn Trent, Ms. Johnson-Velez or Mr. Mendenhall? *Mr. Snyder responded not after the letter went out. It was Ms. Lynn Jackson and I believe Ms. Paula Davis.*
    - Mr. Lynn stated the question is do we owe vacation pay or do we not. *Mr. Mendenhall stated I believe, at the last point we were involved, Ms. McLaughlin had not been officially released from her job and there was no action to be taken at that time.*
    - Mr. Bovis noted if she is owed seven days vacation, she should receive it.
    - Mr. Snyder reviewed what has transpired to date with Ms. McLaughlin.
    - Mr. Snyder noted he put it back in Severn Trent's hands and Mr. Mendenhall and Ms. Jackson were notified. Ms. Jackson contacted Carolyn and it went to Ms. Davis and that is where it has been.

- Ms. Ricker asked why was she being relieved as office manager? *Mr. Snyder responded she did not get along with the staff. She was abusive to them.*
- Ms. Ricker asked did you have it written where she signed it? *Mr. Snyder responded we have it documented.*
- Mr. Snyder stated we had pens thrown in people's faces. I can pull the file. I did not know we were going to discuss it tonight.
- Mr. Bovis stated I do not know if it is appropriate to discuss this situation in public.
- Mr. Lynn asked when is Ms. Johnson-Velez coming back? *Mr. Mendenhall responded Monday.*
- Mr. Lynn noted he would like Mr. Mendenhall, Ms. Johnson-Velez and Mr. Snyder to get together. Let me know when and we can discuss the issue and what has, or has not, been done and take care of it at that point in time.
- A response needs to be to Ms. McLaughlin no later than one week from Friday.
- Ms. McLaughlin stated you should review my personnel file because at no time was I issued an employee warning.
  - Mr. Snyder noted they were submitted but Ms. McLaughlin did not sign them.
  - Mr. Snyder stated this is not the place to discuss it. If you were to have future employment somewhere else it will be on the minutes or tapes.
  - Ms. McLaughlin noted she has been actively seeking employment and has unfortunately been unable to obtain employment. She was advised today by a potential employer they could not verify her employment with Meadow Pointe II because Mr. Snyder has not returned their call. Several have said they have called and could not receive verification she worked here.

- Mr. Snyder stated that is correct because I never received a letter from you stating you were not coming back.
  - Mr. Lynn stated we need to get this resolved by the end of next week. Whatever paperwork is necessary have it issued accordingly.
  - Ms. McLaughlin stated please keep in mind I am collecting unemployment which had to be approved through Ms. Davis at Severn Trent.
- Ms. Renee Glassman stated know this is not to be for discussion here but it was brought up. If somebody is asking for references whether you are employed here or not you should be able to give references that she worked here. Whether she handed papers in or not does not mean she was not working here.
  - Mr. Lynn noted the Board would not be discussing this item further.
- Mr. Michael Hoyes, Colehaven, stated I would like to thank the Board for their prompt response to my problem in the lake behind my home.
  - There were two signs put up but they were not permanent signs and the wind tore one apart.
  - One sign is very close to and facing Mr. Hoyes house.
  - Mr. Hoyes request when the sign is replaced it be placed in the alley where the trespassers come from.
  - Mr. Snyder stated there are two signs until the metal signs are produced.
  - Mr. Lynn requested more signs be put where they are visible.
- Mr. Kevin Carter, Vermillion HOA representative, asked has the CDD received a letter from Sterling Management, our property manager, regarding pothole repairs? If so, do you have any updates?
  - Mr. Lynn responded I have not seen a letter.
  - Mr. Carter noted the property manager emailed the HOA board on April 4 stating she sent a letter to the CDD regarding the issue.
  - Mr. Shahin asked do you know whom it was addressed to? *Mr. Carter responded I will have to find out.*
  - The Board noted they have not seen a letter.

- Mr. Lynn requested a copy be given to Mr. Snyder.
- Mr. Carter will notify the property manager the letter has not been received.

**FIFTH ORDER OF BUSINESS**

**Resident Council Representative**

- Ms. Jamie Childers discussed their recent meeting:
  - There was a question about what the plans were for advertising for the garage sale and plans for signs.
  - Signs for “no fishing” was mentioned for the large pond at Morningside.
    - Mr. Snyder noted signs have been ordered.
  - Ms. Childers has inquired as to placing recycling containers in the playground as there are many cans and bottles thrown in the trash.
    - Mr. Snyder is getting the information.
    - Mr. Lynn asked do we have recycling pick up in the community?  
*Mr. Snyder responded no. They pick up the blues bags within the Villages.*
    - Mr. Snyder stated it would not just be for the playground, we can probably put one at the tennis courts, basketball and other places.
    - Ms. Ricker stated it might be something Sand Pine Elementary can help with because they get money for the aluminum.
    - Mr. Lynn stated we need it in the pool area as well and it is something to look at.
  - Ms. Childers noted the people who were to present to the Board at the emergency meeting came to the Residents’ Council meeting and gave the presentation.

**SIXTH ORDER OF BUSINESS**

**Committee Reports**

**B. Deed Restrictions**

Ms. Bush distributed the Deed Restriction Report for review, which is attached hereto and made part of the public record.

- It was noted #5 is the only item that does not have a deed restriction. The basketball hoop is in the driveway.

- The Sheriff's office has advised them somebody playing basketball during the day is not a violation of county code.
- It is not a deed restriction violation and not a CDD matter.

On MOTION by Mr. Ziegler seconded by Ms. Ricker with all in favor, the recommendations from the Deed Restriction Violation Report were approved as presented.

- Mr. Lynn noted a letter should be sent notifying the resident it is not a deed restriction and any issues need to go to Code Enforcement or the Sheriff's office.

**A. Architectural Review**

Ms. Glassman distributed the Architectural Review Report for review, which is attached hereto and made part of the public record.

- It was noted the only item of concern is 2008-116.
  - Ms. Glassman believes it is on the property line on the side of the property.
  - Did not submit the color of the shed.
  - Pasco Code states must be five feet from the property line.
  - Previous requests for sheds we told they had to be fenced in.
  - The recommendation is to send a letter deny request unless they place the shed behind the home.
  - It was noted there is a pool behind the home.

On MOTION by Mr. Bovis seconded by Mr. Lynn with all in favor the recommendations from the Architectural Review Report were approved as presented.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There not being any, the next item followed.

**B. Engineer**

Mr. Valentine reported on the following:

- Deer Run Project:

- There was an emergency meeting last week.
- Contractor chosen to do the work and work was begun this week.
- The initial pond is being drained to stop the flow underneath the mat.
- The fish from the pond are being relocated.
- A polymer liner will be installed on the slopes of the pond to prevent future infiltration of water under the berm. The area to be covered is the south end of the pond.
- Mr. Lynn asked have you had contact with him since he has started? *Mr. Valentine responded no.*
- Mr. Lynn noted they need to make sure he is going toward the area at Manor Isle. *Mr. Valentine believes they are as there is some clearing in the area and also de-watering.*
- Once drained the entire pond needs to be inspected to make certain previous repairs are satisfactory.
- Mr. Valentine noted there is still a little water flowing in from the wetland area. There maybe some minor erosion in the area, which can be repaired while it is dry.
- Would placing a mat in this area help? *Mr. Valentine responded he does not think it will in this area, as there will always be water infiltration from the backside due to the wetland area. Cement bags will stop the erosion.*
- Have the homeowners been contacted to let them know what is going on? *Mr. Snyder will have someone out tomorrow informing the residents.*
- Mr. Lynn noted there were four companies and most companies were going to put a band-aid on it. The decision was made to do a permanent fix, as the feeling was it would be more costly to do the band-aid fix and continually moving and fixing as the erosion moved.
- There is a warranty of five years on the repairs.
- Ms. Ricker noted they came down in price.

- Mr. Lynn stated we could not accept the \$160,000 bid because it was over the amount where we have to go out for bid. We addressed the issue with them and they negotiated down to \$120,000.
- The work will take about one month.
- Mr. Bovis asked when the water is out of the pond for a period could it cause caving of the properties nearby? *Mr. Valentine responded there is always that potential because the water is not there. What may happen is if there are heavy rains there may be some erosion that takes place, which may have to be repaired.*
- Further discussion ensued regarding the pond repair process.
- Iverson Tree issue:
  - A resident of MP III contacted the office concerning a tree they felt was a MP II tree with dead limbs.
  - Mr. Valentine and Mr. Snyder have looked at the tree and it is located in MP II.
  - The area should be added to the landscape maintenance.
  - Mr. Lynn noted it was never taken out of the landscape maintenance program.
  - Mr. Snyder noted Nick said they have never taken care of it and would give Mr. Snyder a price for the area.
  - A tree surgeon is being contacted.
- Mr. Valentine noted he is working on the reserve study and will get Mr. Snyder to be certain he has a comprehensive of everything the District has and is maintaining.
  - Mr. Lynn noted they need a preliminary as soon as possible as it is budget time.
  - Mr. Lynn requested Mr. Mendenhall send a preliminary budget to all of the Board members.
  - Mr. Mendenhall noted the budget this year is due to the county by June 15.



- Mr. Mendenhall plans to circulate the budget, get input from the Board and staff and hopefully accept the preliminary budget at the second May meeting.
- Mr. Lynn noted numbers will go up in certain Villages due to the vandalism costs.
- Ms. Ricker inquired as to when she will receive the payroll items she requested at the March 5 meeting? *Mr. Snyder responded I will see that you get them.*
- Mr. Snyder inquired about the dip on the road in Morningmist.
  - Mr. Valentine noted the county has repaired it.
  - Ms. Ricker stated there were two different spots. This one is located after the second bend on Morningmist.
  - Mr. Lynn stated we need to get the county to look at it, find out when they are going to do the repair work, and if they are going to do the repair work. We need to find out what they are going to do so we can get it taken care of or get them to take care of it.
  - Further discussion ensued concerning the dip in the road with the outcome being to contact the county.
  - Mr. Shahin asked would Mr. Valentine make the request to the county? *Mr. Valentine responded typically I do not because they want a resident and an address of where you live by the problem.*

### **C. Property Manager**

Mr. Snyder reported on the following:

- The recycling containers were previously discussed and Mr. Snyder is getting a price.
- Hopes to have the pool in operation on Friday.
  - It has to have 24 hours of no over tests.
  - The problem with the deck was a broken pipe.
  - When the repair was started a 4' x 2' void was discovered under the concrete that was completely around the pool.
  - The void was filled with concrete to stabilize the deck surface.

- Sherwin Williams commercial has been involved in the process and they are in the process of getting the deck certified for the warranty.
- The chemical balance is coming back in the pool. There was a maintenance problem on the pump.
- The lift has been ordered and the painting of the poles will be started Tuesday.
- Six lights at Colehaven, three on each monument, were destroyed.
  - Mr. Snyder has ordered 2" galvanized 3' sections to replace the PVC sections in the ground for the lights to go on.
- The gate at the basketball court has been an issue over the last two weeks.
  - It appears to have been opened with a crowbar.
  - Mr. Snyder got a commercial striker.
  - It has been an inconvenience to the basketball players as it had to be locked.
  - It is being patrolled after 10:00 p.m.
- Wrencrest received two new operators today.
- Iverson will be next week – the pedestal has to be demolished. It has to be 12" in the ground.
- Cameras 8, 9 and 13 have not worked for over one month. Mr. Palmer is going to analyze if it is the DVR. It seems to be too much motion on County Line Road.
- The clubhouse received some plants leftover from the entrances.
- The roads were previously discussed and Mr. Snyder believes the best thing to do is get a contact that can be consulted when this comes up.
- Vandalism is taking a great deal of time every morning to deal with.
- Charlesworth gates to the entrances were completed.
- Shadowboxes were installed for safety.
- A new key pad was installed at Manor Isle.
- Mr. Snyder inquired if as part of the budget process if heavier Plexiglas should be considered over the lights.
- Mr. Snyder inquired if Mr. Mendenhall is experiencing vandalism problems in any other Districts. *Mr. Mendenhall noted it is a huge problem in Pasco County.*

- Ms. Ricker noted before the meeting it was mentioned MP III is now having problems.
- Further discussion ensued regarding vandalism with the outcome being to possibly do a test area to try raising some of the lights so they are shining down on the wall instead of up from the ground. It was noted this will require a licensed electrician.
- Mr. Lynn noted the contractor for the pull bath has pulled out of the job. Our general contractor is trying to find another electrician and plumber to do work within the budgetary restraints. At this point, it is on hold and we are unable to get permitting until there is an electrician and a plumber.
  - The contractor had numerous reasons for pulling out of the job – such he has too much work, we did not sign the contract, and the person who had agreed to do the work was fired.
  - Mr. Snyder feels when he was contacted by the general contractor it may have scared him as he possibly did not have the license to do the work.

**D. Manager – Acceptance of the Audit for Fiscal Year 2007**

Mr. Mendenhall reported on the following:

- The audit was included in the meeting package and Mr. Mendenhall distributed hard copies at the meeting.
  - It is a positive audit.
  - The Management Letter highlights a couple of things – there were no corrective actions found by the auditors, and nothing noted in the previous year to be fixed as well they did not note any this year.
  - They check to make sure the way the financials are kept is in accordance with Florida State Statute 218 and found the District did comply.
  - The auditor will make recommendations to the Board if they had some sort of finding. As there were no findings, there were no recommendations.

- The District did not meet any of the conditions of Section 1.554(1)(i)7.a. Rules of the Auditor General. This is a good thing and means you did not meet a financial emergency.
- Ms. Ricker noted it was completed in a very timely fashion.
- Mr. Ziegler inquired as to the increased cost for GASB34. *Mr. Mendenhall responded GASB34 was implemented two years ago and the cost is for the accounting associated with it.*
- Mr. Ziegler asked have the auditors ever come on site? *Mr. Snyder responded no.*
- Mr. Ziegler noted a concern as to how they know what the internal procedures are and assumed as part of the audit they would come to the clubhouse.
- Mr. Mendenhall stated the rules of an audit for this type of government entity are probably going to be a little bit different as far as the deep dive you might typically see in a business or the banking environment. My thought would be that is probably why they do not come on site to do that type of internal review. What they probably consider an internal review is coming to Severn Trent's site, pulling the records, and looking at it in that capacity. I can ask what their procedure is.
- Mr. Lynn noted Severn Trent would have all of the records showing cash on hand.
- Mr. Ziegler noted we have some time delay problems between us and Severn Trent and that might be something for them to take a look at.
- Mr. Bovis noted he reviewed the audit extensively and thought they did a nice job, good or better than previous audits.

On MOTION by Mr. Bovis seconded by Ms. Ricker with all in favor the audit for fiscal year ended September 30, 2007 was accepted.

- Mr. Mendenhall noted the one thing he would like to mention about the budget and is something that always comes up is for Pasco County TRIM purposes the District is setting a high water mark.

- Once the budget is submitted June 15, it cannot go higher.
- Mr. Shahin requested a copy of the budget be forwarded to the Board for review and reiterate the milestone dates.

**EIGHTH ORDER OF BUSINESS**

**Approval of Minutes of the March 19, 2008 Meeting**

Mr. Lynn stated each Board member received a copy of the minutes of the March 19, 2008 meeting and requested any additions, corrections or deletions.

Mr. Shahin noted on page seven the three bullets under his statement were general discussion and not his comments.

On MOTION by Mr. Ziegler seconded by Mr. Shahin with all in favor the minutes of the March 19, 2008 meeting were approved as amended.

**NINTH ORDER OF BUSINESS**

**Other Business**

Mr. Shahin addressed the following:

- Requested any items the Board has in reference to the budget they be as prepared as possible and give the other Board members some information to read so all can be prepared to make intelligent decisions.
  - Mr. Lynn noted if there is anything anyone wants included to give it to Mr. Mendenhall to disperse.
  - Mr. Mendenhall requested the items from the Board be very generic and not include opinions to stay within the Sunshine Law.
- Mr. Lynn inquired if there was any cost associated with the website or the maintenance of the website the Board should look at.
  - Mr. Shahin needs the name of a contact person at Verizon to find out how much bandwidth they give with the DSL the District has.
  - After determining this information he can come back with some costs which will be minor.

- Mr. Mendenhall noted Mr. Shahin should mention to Verizon the District is a government entity as they do sometime give breaks to a government entity.
- Mr. Bovis noted last week he gave Verizon the District's Federal and State Tax-Exempt numbers.

Mr. Lynn addressed the following:

- The construction project for the Mansfield/County Line Road, Aaronwood/County Line Road and Aaronwood/Bruce B. Downs project improvements was approved by the Board of County Commissioners today.
  - A pre-construction meeting will be held in New Port Richey to discuss timing.
  - The contract states they have 180 days from award of contract to completion.

Mr. Ziegler addressed the following:

- A meeting was held for the park site which I was not privy to.
  - Mr. Ziegler emailed Mr. Buckman asking if he had been at the meeting and what transpired.
  - Mr. Buckman did not attend and said to contact Mr. Dennis Smith.
  - Mr. Buckman noted *"he thinks Mr. Smith and the CDD wants to create a more inviting entrance for pedestrian use to some open space. I think the decision was made that if the county cannot do anything the CDD's will need to work together to operate and maintain."*
  - Mr. Ziegler will contact Ms. Asklar to see if she has any information.
  - There is a concern about the gate being open, as the chain has been cut.

**ELEVENTH ORDER OF BUSINESS**

**Approval of March 31, 2008 Financial Statements**

**Mr. Ziegler addressed the following:**

- Noted a discount from Accurate Electronics.
- Confusion with the engineering invoices.
  - Why is the restroom costing a fortune in revisions and the such?

- *Mr. Valentine responded that is exactly what happened. There were several revisions throughout the process. It was originally to be constructed by the District, then it went to being constructed by a contractor, and then there were several revisions to the plans throughout all of those phases.*
- *Mr. Lynn stated we spent a lot of time with the county trying to get them to agree to let the District do it on their own.*
- SWFWMD inspections.
- *Inquired as to the addresses being added at Wellington. Mr. Valentine responded this is for the overall District map.*
- *Have we finished with Alltel? Mr. Snyder responded yes.*
- *Do we ever get a written report from Ecological Consultants? Mr. Valentine responded they give a written report every time they do an inspection.*
  - *Mr. Mendenhall noted for the mitigation areas they submit a report, which goes over the biology of the mitigation areas.*
- *Who is getting the report? Mr. Mendenhall responded he has received it in the past and placed it in the agenda package.*
  - *Mr. Lynn noted if there is a problem identified Mr. Valentine needs to receive the report.*
- *Mr. Ziegler noted the Ecological Consultants invoices should be addressed to MP II CDD not MP CDD.*
- *What does the \$4,200 a month include from Severn Trent? Mr. Mendenhall responded it contains three main components which are a pro-rata share on a monthly basis of the management fee, the recording and accounting.*
- *Mr. Ziegler noted when FEDEX is shipped between STS offices the District pays for this. Is this not part of doing business and should be included in the \$4,200? Mr. Mendenhall responded not necessarily because it is a variable cost and if a district produces a lot of paperwork that has to be shipped between offices it would incur a greater expense than say a district that ships hardly any. The variable costs such as postage are something that is usually billed back to the District.*

- Mr. Ziegler suggested the amount reimbursed to employees for gas should be raised.
- The name of the company for the copy machine is Zero Graphics/DEX Imaging.
  - Mr. Lynn asked where do we stand on the copier? *Mr. Snyder responded it is working.*
  - Mr. Lynn asked are we getting rid of the company? *Mr. Snyder has written them a letter stating he would like a \$487.50 credit for 10-days down time and the cost of extra staff time to get the newsletter out on time. The representative has been by and everything is working with the exception of the scanner.*
  - Mr. Ziegler noted service was the concern.
- Mr. Ziegler inquired about an invoice for Affordable Security Solutions and who authorized that kind of money? *Mr. Snyder responded they billed for four or five different installations. For the basketball court, they had to install a new system, then the gate at the basketball court for the striker, and then four cameras for the basketball court and a DVR with a 16-camera capacity.*
- Mr. Ziegler's concern is that is what not brought before the Board.
  - Mr. Lynn noted individual items were brought before the Board but it was billed in a lump sum to cover everything.
  - Mr. Bovis addressed the fact it seems like there is always something with cameras, they were supposed to be okay and do the job.
  - Mr. Snyder stated the recording time on the DVR was for eight cameras and it was outgrown with the addition of the basketball court.
  - Mr. Lynn noted there are issues with the cameras that are not yet resolved.
- Mr. Ziegler addressed an invoice from Fowler White for August, which was received at Severn Trent in March and is for over \$18,000 worth of charges. The concern is they spend a lot of time researching with numerous clerks for \$175 per hour. A simple question requires 10 to 20 hours of research for an answer. The Board needs to be more cautious about what we ask them to do.
  - It was requested all emails sent by Ms. Johnson-Velez be distributed to all Board members.



- Mr. Lynn asked if the deed restriction items are being separated to be billed to deed restrictions? *Mr. Ziegler responded not all of them are.*
- Mr. Mendenhall noted the only issue he sees with all of Ms. Johnson-Velez's correspondence being distributed to all of the Board is some could violate Sunshine Law if a supervisor has an opinion or question, she would be used as a conduit outside a meeting.
  - Mr. Ziegler stated if she is being asked for an opinion, it is a Board matter, and all are entitled to the information.
  - Mr. Mendenhall stated they are all Board matters but there could be instances where a Board member is conveying an opinion or inclination of how they might feel about a certain issues or vote on a certain issue. Though it is a Board issue with five members you can have five opinions and it becomes a gray area.
  - Mr. Lynn suggested Ms. Johnson-Velez use discretion in what she sends and distribute whatever she can.
- Mr. Ziegler noted some of the billing should have been the prior year budget.
  - Mr. Lynn asked if the billing was verified to be certain it was not previously paid? *Mr. Mendenhall responded we do look back. When we receive an invoice and anything is old we look back to be certain we have not been billed previously or we have paid it.*
  - Mr. Lynn requested Mr. Ziegler speak with Ms. Johnson-Velez on the billing and why the delay.
  - Mr. Mendenhall noted vendors will re-submit an invoice occasionally if it is noted the first one was not received.
- Further discussion ensued regarding the Fowler White billing with the outcome being Mr. Ziegler will contact Ms. Johnson-Velez.
- The process for approval of invoices was addressed.

On MOTION by Mr. Zeigler seconded by Ms. Ricker with all in favor, the financial statements for March 31, 2008 were approved.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

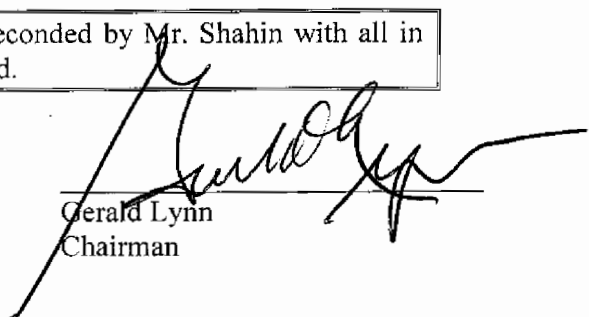
A resident stated I am glad to hear the Board members are concerned with financials.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Zeigler seconded by Mr. Shahin with all in favor, the meeting was adjourned.

  
\_\_\_\_\_  
Gerald Lynn  
Chairman

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

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Gerald Lynn **Jim Bovis Diana Ricker Harold Ziegler Brian Shahin**

Also present were:

Andrew Mendenhall Bob Valentine

Bill Snyder Renee Glassman Yolanda Bush Jamie Childers Residents

Chairman Vice Chairman Secretary Treasurer Supervisor

District Manager District Engineer Property Manager

Architectural Review Committee Deed Restrictions Committee Resident Council Representative

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**SECOND ORDER OF BUSINESS Pledge of Allegiance** The Pledge of Allegiance was recited.

*The record will reflect Mr. Shahin joined the meeting.*

**THIRD ORDER OF BUSINESS Guest Speakers** There not being any, the next item followed.

April 16, 2008 Meadow Pointe II CDD

FOURTH ORDER OF BUSINESS Audience Comments (Limited to 3 **minutes** per speaker)

- Ms. Renee McLaughlin - former employee addressed issues with her post employment situation.

Ms. McLaughlin distributed a letter to the Board and backup **documentation. On February 25 was told by Mr. Snyder her position had been eliminated. Ms. McLaughlin is requesting unused vacation time of 56 hours.**

- Ms. McLaughlin stated Mr. Snyder requested she note in writing things she had contributed, as well as things she could contribute in the future should a position become available.
- She was informed by Mr. Snyder it was going to be placed under further review and action.
- To date she has received no correspondence concerning the status.
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April 16, 2008 Meadow Pointe 11 CDD

- o Ms. Ricker asked why was she being relieved as office manager? *Mr. Snyder responded she did not get along with the staff. She was abusive to them.*
- o Ms. Ricker asked did you have it written where she signed it? *Mr. Snyder responded we have it documented.*
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- o Mr. Bovis stated I do not know if it is appropriate to discuss this situation in public.
- o Mr. Lynn asked when is Ms. Johnson-Velez coming back? *Mr. Mendenhall responded Monday.*
- o Mr. Lynn noted he would like Mr. Mendenhall, Ms. Johnson-Velez and Mr. Snyder to get together. Let me know when and we can discuss the issue and what has, or has not, been done and take care of it at that point in time.
- o A response needs to be to Ms. McLaughlin no later than one week from Friday.
- Ms. McLaughlin stated you should review my personnel file because at no time was I issued an employee warning.
  - o Mr. Snyder noted they were submitted but Ms. McLaughlin did not sign them.
  - o Mr. Snyder stated this is not the place to discuss it. If you were to have future employment somewhere else it will be on the minutes or tapes.
  - o Ms. McLaughlin noted she has been actively seeking employment and has unfortunately been unable to obtain employment. She was advised today by a potential employer they could not verify her employment with Meadow Pointe II because Mr. Snyder has not returned their call. Several have said they have called and could not receive verification she worked here.

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- o **Mr. Snyder stated that is correct because I never received a letter from you stating you were not coming back.**
  - o **Mr. Lynn stated we need to get this resolved by the end of next week. Whatever paperwork is necessary have it issued accordingly.**
  - o **Ms. McLaughlin stated please keep in mind I am collecting unemployment which had to be approved through Ms. Davis at Severn Trent.**
- **Ms. Renee Glassman stated know this is not to be for discussion here but it was brought up. If somebody is asking for references whether you are employed here or not you should be able to give references that she worked here. Whether she handed papers in or not does not mean she was not working here.**
  - Mr. Lynn noted the Board would not be discussing this item further.**
- **Mr. Michael Hoyes, Colehaven, stated I would like to thank the Board for their prompt response to my problem in the lake behind my home.**
  - There were two signs put up but they were not permanent signs and the wind tore one apart.**
  - **One sign is very close to and facing Mr. Hoyes house.**
  - **Mr. Hoyes request when the sign is replaced it be placed in the alley where the trespassers come from.**
  - **Mr. Snyder stated there are two signs until the metal signs are produced. Mr. Lynn requested more signs be put where they are visible.**
- **Mr. Kevin Carter, Vermillion HOA representative, asked has the CDD received a letter from Sterling Management, our property manager, regarding pothole repairs? If so, do you have any updates?**
  - **Mr. Lynn responded I have not seen a letter.**
  - **Mr. Carter noted the property manager emailed the HOA board on April 4 stating she sent a letter to the CDD regarding the issue.**
    - Mr. Shahin asked do you know whom it was addressed to? Mr. Carter responded I will have to, find out.**

- **The Board noted they have not seen a letter.**

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Mr. Lynn requested a copy be given to Mr. Snyder.

- Mr. Carter will notify the property manager the letter has not been received.

FIFTH ORDER OF BUSINESS **Resident Council Representative** • Ms. Jamie Childers discussed their recent meeting:

There was a question about what the plans were for advertising for the garage sale and plans for signs.

Signs for "no fishing" was mentioned for the large pond at Morningside. o

Mr. Snyder noted signs have been ordered.

- Ms. Childers has inquired as to placing recycling containers in the playground as there are many cans and bottles thrown in the trash.

o Mr. Snyder is getting the information.

o Mr. Lynn asked do we have recycling pick up in the community? *Mr. Snyder responded no. They pick up the blues bags within the Villages.*

o Mr. Snyder stated it would not just be for the playground, we can probably put one at the tennis courts, basketball and other places.

o Ms. Ricker stated it might be something Sand Pine Elementary can help with because they get money for the aluminum.

o Mr. Lynn stated we need it in the pool area as well and it is something to look at.

Ms. Childers noted the people who were to present to the Board at the emergency meeting came to the Residents' Council meeting and gave the presentation.

SIXTH ORDER OF BUSINESS **Committee Reports B. Deed Restrictions**

Ms. Bush distributed the Deed Restriction Report for review, which is attached hereto and made part of the public record.

- It was noted #5 is the only item that does not have a deed restriction. The basketball hoop is in the driveway.



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The Sheriff's office has advised them somebody playing basketball during the day is not a violation of county code.

- It is not a deed restriction violation and not a CDD matter.

On MOTION by Mr. Ziegler seconded by Ms. Ricker with all in favor, the recommendations from the Deed Restriction Violation Report were approved as presented.

Mr. Lynn noted a letter should be sent notifying the resident it is not a deed restriction and any issues need to go to Code Enforcement or the Sheriff's office.

#### **A. Architectural Review**

Ms. Glassman distributed the Architectural Review Report for review, which is attached hereto and made part of the public record.

- It was noted the only item of concern is 2008-116.
  - Ms. Glassman believes it is on the property line on the side of the property.

Did not submit the color of the shed.

- Pasco Code **states** must be five feet from the property line. •

Previous requests for sheds we told they had to be fenced in.

The recommendation is to send a letter deny **request unless** they place the shed behind the home.

It was noted there is a pool behind the home.

On MOTION by Mr. **Bovis seconded** by Mr. Lynn with **all in favor the recommendations from the Architectural Review Report were approved as presented.**

**SEVENTH ORDER OF BUSINESS Staff Reports A. Attorney**

There **not being** any, the next **item** followed.

#### **B. Engineer**

Mr. Valentine reported on the following: • Deer Run Project:

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- There was an emergency meeting last week.

Contractor chosen to do the work and work was begun this week. The initial pond is being drained to stop the flow underneath the mat.

- The fish from the pond are being relocated.

A polymer liner will be installed on the slopes of the pond to prevent future infiltration of water under the berm. The area to be covered is the south end of the pond.

Mr. Lynn asked have you had contact with him since he has started? *Mr. Valentine responded no.*

Mr. Lynn noted they need to make sure he is going toward the area at Manor Isle. *Mr. Valentine believes they are as there is some clearing in the area and also de-watering.*

- Once drained the entire pond needs to be inspected to make certain previous repairs are satisfactory.
- Mr. Valentine noted there is still a little water flowing in from the wetland area. There maybe some minor erosion in the area, which can be repaired while it is dry.
- Would placing a mat in this area help? *Mr. Valentine responded he does not think it will in this area, as there will always be water infiltration from the backside due to the wetland area. Cement bags will stop the erosion.*

Have the homeowners been contacted to let them know what is going on: *Mr. Snyder will have someone out tomorrow informing the residents.*

Mr. Lynn noted there were four companies and most companies were going to put a band-aid on it. The decision was made to do a permanent fix, as the feeling was it would be more costly to do the band-aid fix and continually moving and fixing as the erosion moved.

There is a warranty of five years on the repairs. • Ms.

Ricker noted they came down in price.

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- Mr. Lynn stated we could not accept the \$160,000 bid because it was over the amount where we have to go out for bid. We addressed the issue with them and they negotiated down to \$120,000.
- The work will take about one month.

Mr. Bovis asked when the water is out of the pond for a period could it cause caving of the properties nearby? *Mr. Valentine responded **there is always that potential because the water is not there.** What may happen is if there are heavy rains there may **be some erosion** that takes place, which may have to be repaired.*

Further discussion ensued regarding the pond repair process. •

Iverson Tree issue:

- A resident of MP III contacted the office **concerning** a tree they felt was a MP II tree with dead limbs.

Mr. Valentine and Mr. Snyder have looked at the tree **and it is** located in MP II.

- The area should be added to the landscape **maintenance**.

Mr. Lynn noted it was never taken out of the landscape **maintenance** program.

- Mr. Snyder noted Nick said they have never taken care of it and would give Mr. Snyder a price for the area.
- A tree **surgeon is** being contacted.
- Mr. Valentine noted he is working on the reserve study and will get Mr. Snyder to be certain he has a comprehensive of everything the District **has and is maintaining**.
- Mr. Lynn noted they need a preliminary **as soon as** possible as it is budget **time**.

Mr. Lynn requested Mr. Mendenhall send a preliminary budget to all of the Board members.

Mr. Mendenhall noted the budget this year **is due to the** county by June 15.

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- Mr. Mendenhall plans to circulate the budget, get input from the Board and staff and hopefully accept the preliminary budget at the second May meeting.

Mr. Lynn noted numbers will go up in certain Villages due to the vandalism costs.

- Ms. Ricker inquired as to when she will receive the payroll items she requested at the March 5 meeting? *Mr. Snyder responded I Will see thug you get them.*

- Mr. Snyder inquired about the dip on the road in Morningmist. • Mr.

Valentine noted the county has repaired it.

- Ms. Ricker stated there were two different spots. This one is located after the second bend on Morningmist.
- Mr. Lynn stated we need to get the county to look at it, find out when they are going to do the repair work, and if they are going to do the repair work. We need to find out what they are going to do so we can get it taken care of or get them to take care of it.
- Further discussion ensued concerning the dip in the road with the outcome being to contact the county.

Mr. Shahin asked would Mr. Valentine make the request to the county? *Mr. Valentine responded typically I do not because they want a resident and an address of where you live by the problem.*

### C. Property **Manager**

Mr. Snyder reported on the following:

- The recycling containers were previously discussed and Mr. Snyder is getting a price.
- Hopes to have the pool in operation on Friday.

It has to have 24 hours of no over tests.

The problem with the deck was a broken pipe.

When the repair was started a 4' x 2' void was discovered under the concrete that was completely around the pool.

The void was filled with concrete to stabilize the deck surface.

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Sherwin Williams commercial has been involved in the process and they are in the process of getting the deck certified for the warranty.

- The chemical balance is coming back in the pool. There was a maintenance problem on the pump.
- The lift has been ordered and the painting of the poles will be started Tuesday.
- Six lights at Colehaven, three on each monument, were destroyed.

Mr. Snyder has ordered 2" galvanized 3' sections to replace the PVC sections in the ground for the lights to go on.

- The gate at the basketball court has been an issue over the last two weeks.
- It appears to have been opened with a crowbar.
- Mr. Snyder got a commercial striker.
- It has been an inconvenience to the basketball players as it had to be locked.
- It is being patrolled after 10:00 p.m.

Wrencrest received two new operators today.

- Iverson will be next week - the pedestal has to be demolished. It has to be 12" in the ground.
- Cameras 8, 9 and 13 have not worked for over one month. Mr. Palmer is going to analyze if it is the DVR. It seems to be too much motion on County Line Road.
- The clubhouse received some plants leftover from the entrances.
- The roads were previously discussed and Mr. Snyder believes the best thing to do is get a contact that can be consulted when this comes up.
- Vandalism is taking a great deal of time every morning to deal with.
- Charlesworth gates to the entrances were completed.
- Shadowboxes were installed for safety.
- A new key pad was installed at Manor Isle.
- Mr. Snyder inquired if as part of the budget process if heavier Plexiglas should be considered over the lights.
- Mr. Snyder inquired if Mr. Mendenhall is experiencing vandalism problems in any other

Districts. *Mr. Mendenhall noted it is a huge problem in Pasco County.*

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- Ms. Ricker noted before the meeting it was mentioned MP III is now having problems.

Further discussion ensued regarding vandalism with the outcome being to possibly do a test area to try raising some of the lights so they are shining down on the wall instead of up from the ground. It was noted this will require a licensed electrician.

- Mr. Lynn noted the contractor for the pull bath has pulled out of the job. Our general contractor is trying to find another electrician and plumber to do work within the budgetary restraints. At this point, it is on hold and we are unable to get permitting until there is an electrician and a plumber.

The contractor had numerous reasons for pulling out of the job - such he has too much work, we did not sign the contract, and the person who had agreed to do the work was fired.

Mr. Snyder feels when he was contacted by the general contractor it may have scared him as he possibly did not have the license to do the work.

**D. Manager - Acceptance of the Audit for Fiscal Year 2007** Mr. Mendenhall reported on the following:

- The audit was included in the meeting package and Mr. Mendenhall distributed hard copies at the meeting.
  - It is a positive audit.
  - The Management Letter highlights a couple of things - there were no corrective actions found by the auditors, and nothing noted in the previous year to be fixed as well they did not note any this year.
- They check to make sure the way the financials are kept is in accordance with Florida State Statute 218 and found the District did comply.
  - The auditor will make recommendations to the Board if they had some sort of finding. As there were no findings, there were no recommendations.

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The District did not meet any of the conditions of Section 1.554(1)(i)7.a. Rules of the Auditor General. This is a good thing and means you did not meet a financial emergency.

Ms. Ricker noted it was completed in a very timely fashion.

- Mr. Ziegler inquired as to the increased cost for GASB34. *Mr. Mendenhall responded GASB34 was implemented two years ago and the cost is for the accounting associated with it.*

Mr. Ziegler asked have the auditors ever come on site? *Mr. Snyder responded no.*

Mr. Ziegler noted a concern as to how they know what the internal procedures are and assumed as part of the audit they would come to the clubhouse.

- Mr. Mendenhall stated the rules of an audit for this type of government entity are probably going to be a little bit different as far as the deep dive you might typically see in a business or the banking environment. My thought would be that is probably why they do not come on site to do that type of internal review. What they probably consider an internal review is coming to Severn Trent's site, pulling the records, and looking at it in that capacity. I can ask what their procedure is.

Mr. Lynn noted Severn Trent would have all of the records showing cash on hand.

Mr. Ziegler noted we have some time delay problems between us and Severn Trent and that might be something for them to take a look at.

Mr. Bovis noted he reviewed the audit extensively and thought they did a nice job, good or better than previous audits.

On MOTION by **Mr. Bovis seconded** by Ms. **Ricker with all in favor the audit for fiscal year ended September 30, 2007 was accepted.**

- Mr. Mendenhall noted the one thing he would like to mention about the budget and is something that always comes up is for Pasco County TRIM purposes the District is setting a high water mark.



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- Once the budget is submitted June 15, it cannot go higher.

Mr. Shahin requested a copy of the budget be forwarded to the Board for review and reiterate the milestone dates.

**EIGHTH ORDER OF BUSINESS Approval of Minutes of the March 19, 2008 Meeting**

Mr. Lynn stated each Board member received a copy of the minutes of the March 19, 2008 meeting and requested any additions, corrections or deletions.

Mr. Shahin noted on page seven the three bullets under his statement were general discussion and not his comments.

On MOTION by Mr. Ziegler seconded by Mr. Shahin with all in favor the minutes of the March 19, 2008 meeting were approved as amended.

**NINTH ORDER OF BUSINESS**

Mr. Shahin addressed the following:  
Other **Business**

- Requested any items the Board has in reference to the budget they be as prepared as possible and give the other Board members some information to read so all can be prepared to make intelligent decisions.

Mr. Lynn noted if there is anything anyone wants included to give it to Mr. Mendenhall to disperse.

- Mr. Mendenhall requested the items from the Board be very generic and not include opinions to stay within the Sunshine Law.
- Mr. Lynn inquired if there was any cost associated with the website or the maintenance of the website the Board should look at.

Mr. Shahin needs the name of a contact person at Verizon to find out how much bandwidth they give with the DSL the District has.

After determining this information he can come back with some costs which will be minor.

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Mr. Mendenhall noted Mr. Shahin should mention to Verizon the District is a government entity as they do sometime give breaks to a government entity.

- Mr. Bovis noted last week he gave Verizon the District's Federal and State Tax-Exempt numbers.

Mr. Lynn addressed the following:

- The construction project for the Mansfield/County Line Road, Aaronwood/County Line Road and Aaronwood/Bruce B. Downs project improvements was approved by the Board of County Commissioners today.
- A pre-construction meeting will be held in New Port Richey to discuss timing.

The contract states they have 180 days from award of contract to completion.

Mr. Ziegler addressed the following:

- A meeting was held for the park site which I was not privy to.

Mr. Ziegler emailed Mr. Buckman asking if he had been at the meeting and what transpired.

- Mr. Buckman did not attend and said to contact Mr. Dennis Smith.
- Mr. Buckman noted *"he thinks Mr. Smith and the CDD wants to create a more inviting entrance for pedestrian use to some open space. I think the decision was made that if the county cannot do anything the CDD's will need to work together to operate and maintain."*

Mr. Ziegler will contact Ms. Asklar to see if **she has** any information.

There is a concern about the gate being open, as the chain has been cut.

#### **ELEVENTH ORDER OF BUSINESS Approval of March 31, 2008 Financial Statements**

**Mr. Ziegler addressed the following:**

- Noted a discount from Accurate Electronics.
- Confusion with the engineering invoices.
- Why is the restroom costing a fortune in revisions and the such?

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- *Mr. Valentine responded that is exactly what happened. There were several revisions throughout the process. It was originally to be constructed by the District, then it went to being constructed by a contractor, and then there were several revisions to the plans throughout all of those phases.*

Mr. Lynn stated we spent a lot of time with the county trying to get them to agree to let the District do it on their own.

- SWFWMD inspections.
- Inquired as to the addresses being added at Wellington. *Mr. Valentine responded this is for the overall District map.*
- Have we finished with Alltel? *Mr. Snyder responded yes.*
- Do we ever get a written report from Ecological Consultants? *Mr. Valentine responded they give a written report every time they do an inspection.*
  - Mr. Mendenhall noted for the mitigation areas they submit a report, which goes over the biology of the mitigation areas.
- Who is getting the report? *Mr. Mendenhall responded he has received it in the past and placed it in the agenda package.*
  - Mr. Lynn noted if there is a problem identified Mr. Valentine needs to receive the report.
- Mr. Ziegler noted the Ecological Consultants invoices should be addressed to MP II CDD not MP CDD.
- What does the \$4,200 a month include from Severn Trent? *Mr. Mendenhall responded it contains three main components which are a pro-rata share on a monthly basis of the management, fee, the recording and accounting.*
- Mr. Ziegler noted when FEDEX is shipped between STS offices the District pays for this. Is this not part of doing business and should be included in the \$4,200? *Mr. Mendenhall responded not necessarily because it is a variable cost and if a district produces a lot of paperwork that has to be shipped between offices it would incur a greater expense than say a district that ships hardly any. The variable costs such as postage are something that is usually billed back to the District.*

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- Mr. Ziegler suggested the amount reimbursed to employees for gas should be raised.
- The name of the company for the copy machine is Zero Graphics/DEX Imaging.
  - Mr. Lynn asked where do we stand on the copier? *Mr. Snyder responded it is working.*

Mr. Lynn asked are we getting rid of the company? *Mr. Snyder has written them a letter stating he would like a \$487.50 credit for 10-days down time and the cost of extra staff time to get the newsletter out on time. The representative has been by and everything is working with the exception of the scanner.*

- Mr. Ziegler noted service was the concern.
- Mr. Ziegler inquired about an invoice for Affordable Security Solutions and who authorized that kind of money? *Mr. Snyder responded they billed, for four or five different installations. For the basketball court, they had to install a new system, then the gate at the basketball court, for the striker, and then four cameras. for the basketball court and a DVR with a16-camera capacity.*
- Mr. Ziegler's concern is that is what not brought before the Board.

Mr. Lynn noted individual items were brought before the Board but it was billed in a lump sum to cover everything.

Mr. Bovis addressed the fact it seems like there is always something with cameras, they were supposed to be okay and do the job.

Mr. Snyder stated the recording time on the DVR was for eight cameras and it was outgrown with the addition of the basketball court.

Mr. Lynn noted there are issues with the cameras that are not yet resolved. • Mr. Ziegler addressed an invoice from Fowler White for August, which was received at Severn Trent in March and is for over \$18,000 worth of charges. The concern is they spend a lot of time researching with numerous clerks for \$175 per hour. A simple question requires 10 to 20 hours of research for an answer. The Board needs to be more cautious about what we ask them to do.

- It was requested all entails sent by Ms. Johnson-Velez be distributed to all Board members.

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Mr. Lynn asked if the deed restriction items are being separated to be billed to deed restrictions? *Mr. Ziegler responded not all of them are.*

Mr. Mendenhall noted the only issue he sees with all of Ms. Johnson-Velez's correspondence being distributed to all of the Board is some could violate Sunshine Law if a supervisor has an opinion or question, she would be used as a conduit outside a meeting.

o Mr. Ziegler stated if she is being asked for an opinion, it is a Board matter, and all are entitled to the information.

o Mr. Mendenhall stated they are all Board matters but there could be instances where a Board member is conveying an opinion or inclination of how they might feel about a certain issues or vote on a certain issue. Though it is a Board issue with five members you can have five opinions and it becomes a gray area.

o Mr. Lynn suggested Ms. Johnson-Velez use discretion in what she sends and distribute whatever she can.

Mr. Ziegler noted some of the billing should have been the prior year budget.

o Mr. Lynn asked if the billing was verified to be certain it was not previously paid? *Mr. Mendenhall responded we do look back. When we receive an invoice and anything is old we look back to be certain we have not been billed previously or we have paid it.*

o Mr. Lynn requested Mr. Ziegler speak with Ms. Johnson-Velez on the billing and why the delay.

o Mr. Mendenhall noted vendors will re-submit an invoice occasionally if it is noted the first one was not received.

Further discussion ensued regarding the Fowler White billing with the outcome being Mr. Ziegler will contact Ms. Johnson-Velez.

- The process for approval of invoices was addressed.

On MOTION by Mr. Zeigler seconded by Ms. Ricker with all in favor, the financial statements for March 31, 2008 were approved.

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**TENTH ORDER OF BUSINESS Audience Comments**

A resident stated I am glad to hear the Board members are concerned with financials.

**TWELFTH ORDER OF BUSINESS Adjournment** There being no further business,

On MOTION by **Mr. Zeigler** seconded by **lr. Shahin** with all in favor, the meeting was adjourned.