

**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, July 16, 2008 at 6:30 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
Harold Ziegler	Treasurer (via telephone)
Brian Shahin	Supervisor

Also present were:

Andrew Mendenhall	District Manager
Susan Johnson-Velez	District Attorney
Bob Valentine	District Engineer
Yolanda Bush	Architectural Review Committee & Deed Restrictions Committee
Jamie Childers	Resident Council Representative
Grace Yang	CVS – Attorney
J.D. Alsabbagh	CVS – Engineer
Earl Connell	CVS – District Manager
Dani Gallagher	CVS – Construction
Residents	

The following is a summary of the minutes and actions taken at the July 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.

THIRD ORDER OF BUSINESS

Guest Speakers

- Mr. Lynn addressed the resolution adopted at the last meeting to restrict trespassing within MPII.
 - There is some tweaking to be done in order to satisfy some legalities with the Sheriff's Department.
 - In the resolution there is a definition for trespassing and the county was reluctant to accept another definition when the state has already defined trespassing.
 - Added to the second whereas - and desire to promote personal safety.
 - Remove the definition of trespassing and add trespassing shall include fishing, swimming, boating, canoeing or depositing trash, as well as camping or building of structures on adjacent grounds and any and all other activities which may interfere with the District's operation and maintenance of such areas.

On MOTION by Mr. Ziegler seconded by Mr. Bovis with all in favor the modifications to Resolution 2008-5 were accepted.

- Mr. Lynn addressed the General Release and Covenant Not to Sue with Ms. McLaughlin.

On MOTION by Mr. Bovis seconded by Mr. Shahin with all in favor the Chairman was authorized to sign the General Release and Covenant Not to Sue on behalf of the District.

FOURTH ORDER OF BUSINESS

Audience Comments (Limited to 3 minutes per speaker)

- Ms. Nancy Catania inquired as to the status of the abandoned homes.
 - Mr. Lynn noted Ms. Johnson-Velez will be at the meeting and it will be discussed.
 - Ms. Catania addressed the abandoned homes as areas for criminal activity and an eyesore for the community.
- Ms. Cindy Dawes addressed cars parked in the street.

- It was noted residents can get permits for street parking four times a year and it is not for overnight parking.
- If there is a safety issue it can be addressed to the Sheriff's Department.
- Ms. Dawes inquired as to what a HOA does and why do they not have one?
 - Mr. Lynn outlined the history of MPII.
 - CDD's do not have the power by law to enforce deed restrictions or architectural review.
 - MPII obtained limited enforcement power to do so from the legislature as they do not have a HOA.

FIFTH ORDER OF BUSINESS

Resident Council Representative

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

Committee Reports

A. Architectural Review

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

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

B. Deed Restrictions

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

- A correction was made to the first item – DR not applicable.

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

THIRD ORDER OF BUSINESS

Guest Speakers (continued)

Ms. Grace Yang – Attorney – CVS addressed the Board and audience with regard to the CVS.

- Package sales – beer and wine.
- Understands there are community concerns – noise, traffic, proximity to the park.
- Board and resident comments and questions:
 - Mr. Lynn noted from a District issue the District’s responsibility is for the maintenance and safety of the people who use the facility.
 - There is a problem with people using the basketball courts and bringing alcohol in.
 - The access of a facility directly across the street is going to increase the potential for them to purchase and bring them to a facility where it is forbidden.
 - Mr. Bovis noted there are signs forbidding alcohol on the premises.
 - The county is currently building a multi-purpose path which will go past the CVS ingress/egress on Mansfield.
 - Mr. Ziegler noted it is a concern with the children in the area and the CVS being so close to parks and schools.
 - Ms. Teri McGraw – Longleaf – addressed youth alcoholism.
 - Mr. Sal Jargowsky– Lettingwell – addressed a concern of trash and beverage containers.
 - Ms. Yang:
 - Noted CVS maintains their parking lots to keep them free of trash and carts.
 - A conditional sale permit is for the sale of wine.
 - CVS is a responsible alcohol vendor and properly trains employees.
 - Ms. Cindy Dawes – Wrencrest - noted she works in a high school and knows teenagers.
 - Has a concern of the CVS being close to the schools not just for the alcohol but for the safety of the children with the traffic.
 - Ms. Linda Straw – Morningside – inquired as to the beer sales.

- Ms. Yang responded it is their understanding they have permission to sell beer.
- Numerous speakers.
- Ms. Yang stated in Pasco County you have to apply for a conditional use permit once you go beyond package sales.
 - ❖ A conditional use permit is not required for beer or package sales.
 - ❖ The CVS has been approved for development – the site plan has been approved.
- Ms. Straw continued to address alcohol sales.
- Mr. Bovis noted state law gives the right to serve beer but it is up to individual counties to decide to allow the sale.
 - Pasco County does not include beer sales in their code.
 - It was mentioned at the Planning Commission 80% of CVS is prescriptions and alcohol sales are approximately 2%.
 - Why continue with alcohol sales.
- Mr. Earl Connell – CVS – District Manager – noted he has a son who attends Seven Oaks and plays at MPII with friends.
 - Not trying to cause the community harm.
 - CVS has a business model they are trying to put together.
 - Addressed alcohol sales to minors.
 - Knows the community is upset but CVS is here to be a neighbor.
- Ms. Yang noted beer and wine sales is something the CVS shoppers ask for.
- Ms. Sheila Jarome – Wrencrest – addressed the sale of alcohol to minors.
- Ms. Jarome would like to see a petition circulated by the people in attendance boycotting CVS if they sell alcohol.
- Ray – Longleaf – inquired as to store hours.
 - Mr. Connell noted the store hours are 7 a.m. to 10 p.m.
- Ray addressed the 2% of business point and the trash issue.
- Ray addressed parking lot sales for items such as fireworks.

- Mr. Connell noted CVS does not do this.
- Ms. Gallagher addressed the trash issue and noted there will be large containers during the construction process.
 - After construction there are multiple trash cans on site and they are checked hourly.
- Ms. Tabitha Holden – Vermillion – noted it would be convenient to have alcohol sold at CVS but as a social work major she has done research and there is a strong correlation between alcohol and child abuse.
- J.D. Alsabbagh – CVS Engineer – addressed traffic issues.
- A resident inquired as to how they are going to decrease traffic.
 - Mr. Alsabbagh noted it is close enough people will walk.
 - Numerous speakers.
 - It was noted the residents drive to the clubhouse to play tennis and swim.
- Mr. Bovis inquired as to the traffic study.
 - Was it done to assess the danger or to see if there was enough traffic to support the store
 - Pasco County is expanding the turn lanes and putting in signals.
 - The area is a traffic jam waiting for a disaster.
- Mr. Lynn thanked the CVS representatives for their time and comments and noted they do want to welcome them as a good neighbor to the community as long as they understand the position being taken with regard to the opposition of beer and wine sales.
- The consensus of the Board remains unchanged in this regard.
- Mr. Lynn noted the issue did bring many more people to the meeting this evening.

SIXTH ORDER OF BUSINESS

Committee Reports (continued)

B. Deed Restrictions

- Discussion of Attorney's Log:

- Ms. Johnson-Velez apologized for not having her information with her and does not know how many letters have been sent and will have to compare it with her information.
- Mr. Lynn noted he does not know how many are in litigation at this point as they were sent to the attorney in September 2007.
- It was noted Ms. Johnson-Velez needs to be more responsive to the violations as they are a problem, they need to be resolved and they need to move forward.
- The District needs to know what is currently pending litigation.
 - There are two where the property owners are representing themselves.
 - The remaining three – two have been served to the property owner and one no answer has been served.
 - It was requested the information be sent to Mr. Mendenhall to distribute to the Board.
 - Ms. Johnson-Velez noted if a defendant does not respond you can go to the court to have a default judgment entered.
 - ❖ A memo was distributed with regard to foreclosed property maintenance – which is attached hereto and made part of the public record.
 - ❖ There is no law which gives the CDD legal right to enter onto private property to maintain.
 - ❖ There is Code Enforcement process through the county.
 - What does the District have to do to levy a fine? Can an emergency rule be written to allow the District to obtain some type of satisfaction?
 - ❖ There are options if it is provided for in the District rules.
 - What is the District seeking with the default judgment?
 - ❖ A lien against the property.

- ❖ It will not allow the District to go onto the property to correct the problem or maintain it.
 - Further discussion ensued regarding CDD and HOA enforcement powers.
 - Ms. Straw inquired as to what the District is gaining by going to litigation and spending the money.
 - ❖ It was noted the District was not sure the properties were abandoned previously.
 - ❖ Mr. Lynn noted when a litigation is filed it tends to get the homeowners to do something.
 - ❖ It may bring money into the coffers but not sure who is going to pay the fine.
 - ❖ Further discussion ensued regarding the District pursuing litigation.
 - Ms. Catania inquired if a bank owns a home - are they not responsible for maintaining it?
 - ❖ It was noted the bank does not own the home until the foreclosure process is complete.
 - Ms. Catania asked if an HOA can be formed for MPII?
 - ❖ It requires 100% of the residents to form an HOA.
- Mr. Mendenhall distributed and addressed “What is a Community Development District”, which is attached hereto and made part of the public record.
 - The District has special powers granted through the state and Chapter 190.
 - The Board’s true responsibilities are clearly defined as being managers of the public facilities within the community.
 - Ms. Catania noted there is a lot of improvement but the residents go by what they see and there are a lot of homes not being maintained.
 - Staff is out picking up trash and checking for violation of parking.
 - The District relies on residents for deed violation forms.
 - Ms. Johnson-Velez noted the county also relies on residents to call them with Code Enforcement violations.

- Mr. Bovis inquired if Ms. Johnson-Velez's firm deals with many CDD's and HOA's.
 - Ms. Johnson-Velez responded CDD's.
 - Mr. Bovis believes this is an issue with all CDD's and it would benefit their firm to talk to someone in Tallahassee to see if there is some emergency power which can be granted.
 - Mr. Lynn noted there are 250 homes in Meadow Pointe in foreclosure at this time.
- Discussion ensued regarding the removal of the Wrencrest gates.
- Discussion ensued regarding gates - damage to gates, cameras, and gate codes.
- The discussion returned to the Deed Restriction Attorney Log:
 - The Deerbourne Drive item - # 2007-52 ARC needs to have action taken.
 - Pavers need to be removed and sidewalk and driveway apron replaced.
 - Any action will be in the form of a trespass action as opposed to a deed restriction violation.
 - There could be a possibility of mediation rather than a trial.
 - The homeowner blames the contractor but did not have the contractor rectify.
 - Ms. Straw inquired if this includes anyone who stains the sidewalk.
 - The response was yes – the District does not own the sidewalks in Morningside.

Mr. Ziegler MOVED to pursue litigation against the individual.

- Mr. Bovis asked Mr. Valentine if there has been any conversation regarding the issue in their Village?
 - Mr. Valentine responded I have not heard anything.

Mr. Bovis seconded the motion.

- Mr. Bovis noted he would like to have the motion amended to state litigation or mediation.
 - Ms. Johnson-Velez stated generally speaking all litigation issues goes to mediation before a trial.
 - Ms. Johnson-Velez to send a final letter to inform the resident the Board has authorized her to file litigation and if there is anything he would like to do to resolve the matter before she files a lawsuit.

Mr. Ziegler MOVED to amend the motion to state litigation or mediation and Mr. Bovis seconded the motion.

- The Board set a 30-day timetable for a response.

On VOICE vote with all in favor the prior motion was approved.

- Mr. Lynn noted at the PACA meeting last week the new County Attorney was the guest speaker.
- PACA and what they do was outlined.
- A representative of the St. Pete Times – Jean Holden-Harfel was also in attendance. Her role for the St. Pete Times is the Community Development Team Manager.
 - She goes to various communities to try to get them to promote doing the newsletter for the community.
 - They will publish the newsletter for the community – with restrictions.
 - There is no cost to the community – they do the advertising and keep the revenues.
 - The District will still have to mail or deliver the newsletter.
 - She said MPII newsletter is probably the best newsletter she has seen in the entire time she has been doing this.
 - She cannot believe it is being done by in-house staff.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Johnson-Velez reported on the following:

- Has spoken with the Tullamore HOA attorney with regard to towing within the community.
 - A resolution from another community was discussed where the HOA works as the agent on behalf of the CDD with regard to the streets within their various areas within the community.
 - Using this as a model was discussed for a resolution this Board can consider to authorize the HOA within Tullamore to work as an agent on behalf of the CDD.
 - It will be forwarded to the Board for consideration at the first meeting in August.
- Mr. Bovis noted he had called Ms. Johnson-Velez to update her on the CVS issue and wanted to let her know one of the arguments is this is a public park.
- Mr. Lynn noted the budget meeting is August 20.
 - They next non-staff meeting is August 6. They will need the information prior to the 6th.
 - The District is trying to keep the budget flat for next fiscal year.
 - The year to date financials – the capital outlay is \$166,371 with a budget of \$90,000.
 - \$120,000 was spent on the Deer Run project.
 - Mr. Mendenhall noted in situations like this at the end of the fiscal year he will bring a budget amendment which will allocate funds appropriately.
 - If there are other items under spent there will be a reallocation.
 - A resident stated the important thing to note is the budget overrun did not cost the residents for next year.
 - Mr. Valentine has been tasked with the project of figuring out numbers for reserve funds.
 - Mr. Snyder is getting bids from various companies to look at the ponds and tell the Board what needs to be done with the ponds, where the

District stands with what they have and what needs to be done to make it better.

- Discussion regarding placing a dye in the lakes for algae control.
- Discussion ensued on pond maintenance and mowing.

B. Engineer

Mr. Valentine reported on the following:

- The Vermillion roadway repairs are completed.
- The thought was to use the RePlay product to seal the road.
- The road may have to be sealed with a black sealant.
 - The cost will be more expensive.
 - Aesthetically it will look nicer.
 - Applications may be more frequent.
 - If the main consideration is longevity and preservation of the pavement the RePlay is going to be better.
 - The RePlay cannot be colored.
 - Mr. Kevin Carter – Vermillion – longevity and durability is more of a concern. Coloring is not an issue.
 - Stripes are nonexistent and we have to do something.
 - There is a concern of water ponding in three or four spots.
 - ❖ Mr. Valentine noted the only way to fix this is to redo the entire area.
 - ❖ He inspected it when it rained to make sure the contractor had done his job the best he could and to document what was there.
 - ❖ Where it is ponding is not just where the contractor did the repair but also off to the sides so the area is generally low and is why it is ponding.
 - ❖ There maybe some areas higher or lower but the area being discussed generally matches what is there.
 - ❖ A resident noted the ponding was not there and is a new issue.

- ❖ Mr. Valentine noted previously there was a hole in the asphalt the water was going through and the water cannot get to the sub-base now.
- ❖ Mr. Lynn asked is there a way to install drains without redoing the whole job?
- ❖ Mr. Valentine responded a slide drain but the main concern is does the sewer trunk line run under the area. This will determine the cost and difficulty of doing it.
- ❖ Mr. Lynn stated we need to resolve the ponding issue before we recoat it.
 - There was further discussion of black sealant versus RePlay – longevity and cost.
 - Mr. Valentine will investigate if RePlay can be colored.
 - There is also a difference in the curing time between RePlay and black sealant. RePlay is one hour and black sealant is 24 hours.
- Mr. Valentine addressed the spreadsheet from the last meeting.
 - There was a formula error relating to the last column.
 - The columns labels are as follows:
 - Yellow – Roadway – Village Specific.
 - Purple – Misc. Village Specific.
 - Orange – District Wide.
 - Green – Assessment Village Specific.
 - Blue – Assessment District Wide and Clubhouse.
 - Yellow – Roadway Village Specific.
 - The hope is for Fiscal Year 2010 to start implementing some of the reserves.
- The second sheet is color coded as to being assigned a specific village or District wide.
 - The definitions on the bottom as to what each one includes.
 - Has included \$100,000 District wide for pond repairs.
 - The correct spelling of Sedgwick and Morningside were noted.

- It was noted the costs are in present day dollars.
- The roadway costs were increased by 3% every year.
- It was noted some of the street signs in the Villages are disappearing and the county is not responsible for signs on private roads.
- It was noted the District approved paying for new maps.
 - There are two lakes missing.
 - Mr. Valentine noted he used an aerial view which matched up so he is not sure where they are.
 - Mr. Lynn noted at the corner of Burleigh Drive and Wrencrest Drive.

C. Property Manager

Mr. Snyder reported on the following:

- The Wrencrest gates should be operational no later than August 1, 2008.
- The letters at Manor Isle have been installed.
- The playground awnings are finished.
 - Mr. Shahin complimented Mr. Snyder for the project.
- There have been some security issues.
 - Personal safety issues with a certain individual were addressed.
 - There are more thefts and break-ins.
- Mowing is occurring three days a week.
- Issuing work orders on resident calls in order to track.
- There will be improvement in ponds, trash removal/pick up and weekend staffing for maintenance.
- There are some maintenance issues on the deck.
- Comments of the tennis courts have been favorable.
- Discussion ensued regarding an HOA request for gates with an automatic lock when closed.
- Discussion ensued regarding Manor Isle upgrades.
 - Need to verify business license.

D. Manager - Questions and Comments on Proposed Budget

- The changes requested at the last meeting are included.

- A pond issue may come up between now and the public hearing.
- Under Garbage/Solid Waste Revenue – should state with the exception of the town home villages – Vermillion, Charlesworth, Tullamore, Sedgwick and Wellington.
- Interest – Investments – still need to change the notation for the SBA.
- On page 13 and 15 - Utility – General – add the word projections.
- Page 14 - Electricity – Streetlighting – add the word projections.
- Page 3 – change Payroll – Salaried to Payroll – Administrative.
- Mr. Bovis noted he is no longer receiving the TECO summary sheet with the invoices and he would like to receive it.
- Mr. Lynn noted they have asked the terminology be changed to have ProfServ – follow the line items.
 - Mr. Mendenhall explained they are generated from a database and the process.
 - A suggestion was made to a ProfServ category with the items listed as subcategories.
- Residents who would like a copy of the budget prior to the next meeting may contact Mr. Mendenhall for an electronic copy or the clubhouse for a hard copy.
- Mgmt Consulting Serv - needs to be broken out to individual items.

EIGHTH ORDER OF BUSINESS

Approval of Minutes of the June 18, 2008 Meeting

Mr. Lynn stated each Board member received a copy of the minutes of the June 18, 2008 meeting and requested any additions, corrections or deletions.

On MOTION by Mr. Bovis seconded by Mr. Shahin with all in favor the minutes of the June 18, 2008 meeting were approved.

NINTH ORDER OF BUSINESS

Other Business

- Mr. Shahin addressed the website.
 - The consensus of the Board is to move forward with a different webmaster.

TENTH ORDER OF BUSINESS

Audience Comments

- Ms. Linda Straw noted there is a concern of line of sight for Colchaven and the possibility of mirrors being installed.
 - Mr. Lynn stated the curved portion of the roadway belongs to the county.
- Ms. Straw addressed that there is no crosswalk indicator when coming out of Vermillion.
 - Mr. Lynn stated there are no markings on many of the crosswalks on county property. The District has asked and the county does not consider all of the areas to be crosswalks.
- Ms. Straw addressed concerns regarding the attorney not being able to respond to questions at the time they are asked.
 - It was noted the attorney is not an HOA attorney and are not versed in the issues of deed restrictions and architectural review.
- It was noted the last community meeting had a very good attendance – at least 25 people.
- The Mr. Mendenhall’s handout regarding CDD’s will be placed in the newsletter.

ELEVENTH ORDER OF BUSINESS

Approval of June 30, 2008 Financial Statements

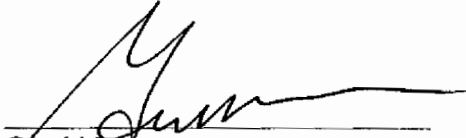
This item tabled.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business,

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



Gerald Lynn
Chairman

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DISTRICT**

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Also present were:

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Jamie Childers Grace Yang J.D. Alsabbagh Earl Connell Dani Gallagher Residents

Chairman Vice Chairman Treasurer (via telephone) Supervisor

District Manager District Attorney District Engineer

Architectural Review Committee & Deed Restrictions Committee Resident Council Representative

CVS - Attorney

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July 16, 2008 Meadow Pointe II CDD

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July 16, 2008 Meadow Pointe tl CDD

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July 16, 2008 Meadow Pointe 11 CDD

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July 16, 2008 Meadow Pointe 11 CDD

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July 16, 2008 Meadow Pointe 11 CDD

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o Mr. Bovis inquired as to the traffic study.

Was it done to assess the danger or to see if there was enough traffic to support the store

Pasco County is expanding the turn lanes and putting in signals. • The area is a traffic jam waiting for a disaster.

- Mr. Lynn thanked the CVS representatives for their time and comments and noted they do want to welcome them as a good neighbor to the community as long as they understand the position being taken with regard to the opposition of beer and wine sales.

- The consensus of the Board remains unchanged in this regard.

- Mr. Lynn noted the issue did bring many more people to the meeting this evening.

SIXTH ORDER OF BUSINESS Committee Reports (continued) **B. Deed Restrictions**

- Discussion of Attorney's Log:

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- o Ms. Johnson-Velez apologized for not having her information with her and does not know how many letters have, been sent and will have to compare it with her information.
- o Mr. Lynn noted he does not know how many are in litigation at this point as they were sent to the attorney in September 2007.
- o It was noted Ms. Johnson-Velez needs to be more responsive to the violations as they are a problem, they need to be resolved and they need to move forward.
- o The District needs to know what is currently pending litigation.
 - There are two where the property owners are representing themselves.
 - The remaining three - two have been served to the property owner and one no answer has been served.

It was requested the information be sent to Mr. Mendenhall to distribute to the Board.

- Ms. Johnson-Velez noted if a defendant does not respond you can go to the court to have a default judgment entered.

A memo was distributed with regard to foreclosed property maintenance - which is attached hereto and made part of the public record.

- 3 There is no law which gives the CDD legal right to enter onto private property to maintain.

There is Code Enforcement process through the county.

What does the District have to do to levy a fine? Can an emergency rule be written to allow the District to obtain some type of satisfaction?

There are options if it is provided for in the District rules. What is the District seeking with the default judgment?

A lien against the property.

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It will not allow the District to go onto the property to correct the problem or maintain it.

- Further discussion ensued regarding CDD and HOA enforcement powers.
- Ms. Straw inquired as to what the District is gaining by going to litigation and spending the money.

It was noted the District was not sure the properties were abandoned previously.

Mr. Lynn noted when a litigation is filed it tends to get the homeowners to do something.

It may bring money into the coffers but not sure who is going to pay the fine.

Further discussion ensued regarding the District pursuing litigation.

- Ms. Catania inquired if a bank owns a home - are they not responsible for maintaining it?

It was noted the bank does not own the home until the foreclosure process is complete.

- Ms. Catania asked if an HOA can be formed for MPII?

ti It requires 100% of the residents to form an HOA.

- Mr. Mendenhall distributed and addressed "What is a Community Development District", which is attached hereto and made part of the public record.

o The District has special powers granted through the state and Chapter 190. o The Board's true responsibilities are clearly defined as being managers of the public facilities within the community.

o Ms. Catania noted there is a lot of improvement but the residents go by what they see and there are a lot of homes not being maintained.

Staff is out picking up trash and checking for violation of parking. • The District relies on residents for deed violation forms.

Ms. Johnson-Velez noted the county also relies on residents to call them

with Code Enforcement violations.

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- o Mr. Bovis inquired if Ms. Johnson-Velez's firm deals with many CDD's and HOA's.
 - Ms. Johnson-Velez responded CDD's.
 - Mr. Bovis believes this is an issue with all CDD's and it would benefit their firm to talk to someone in Tallahassee to see if there is some emergency power which can be granted.
 - Mr. Lynn noted there are 250 homes in Meadow Pointe in foreclosure at this time.
 - o Discussion ensued regarding the removal of the Wrenerest gates.
 - o Discussion ensued regarding gates - damage to gates, cameras, and gate codes.
 - The discussion returned to the Deed Restriction Attorney Log:
 - o The Deerbourn Drive item - # 2007-52 ARC needs to have action taken.
 - Pavers need to be removed and sidewalk and driveway apron replaced.

Any action will be in the form of a trespass action as opposed to a deed restriction violation.
 - There could be a possibility of mediation rather than a trial.
 - The homeowner blames the contractor but did not have the contractor rectify.
 - o Ms. Straw inquired if this includes anyone who stains the sidewalk.
 - The response was yes - the District does not own the sidewalks in Morningside.
- Mr. Ziegler MOVED to pursue litigation against the individual.
- o Mr. Bovis asked Mr. Valentine if there has been any conversation regarding the issue in their Village?

Mr. Valentine responded I have not heard anything.
- Mr. Bovis seconded the motion.

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o Mr. Bovis noted he would like to have the motion amended to state litigation or mediation.

- Ms. Johnson-Velez stated generally speaking all litigation issues goes to mediation before a trial.
- Ms. Johnson-Velez to send a final letter to inform the resident the Board has authorized her to file litigation and if there is anything he would like to do to resolve the matter before she files a lawsuit.

Mr. Ziegler MOVED to amend the motion to state litigation or mediation and Mr. Bovis seconded the motion.

o The Board set a 30-day timetable for a response.

On VOICE vote **with all in favor the prior motion was approved.**

- Mr. Lynn noted at the PACA meeting last week the new County Attorney was the guest speaker.
- PACA and what they do was outlined.
- A representative of the St. Pete Times - Jean Holden-Harfel was also in attendance. Her role for the St. Pete Times is the Community Development Team Manager.
 - o She goes to various communities to try to get them to promote doing the newsletter for the community.
 - o They will publish the newsletter for the community -- with restrictions.
 - o There is no cost to the community - they do the advertising and keep the revenues.
 - o The District will still have to mail or deliver the newsletter.
 - o She said MPII newsletter is probably the best newsletter she has seen in the entire time she has been doing this.
 - o She cannot believe it is being done by in-house staff.

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SEVENTH ORDER OF BUSINESS Staff Reports A. Attorney
Ms. Johnson-Velez reported on the following:

- Has spoken with the Tullamore HOA attorney with regard to towing within the community.
 - o A resolution from another community was discussed where the HOA works as the agent on behalf of the CDD with regard to the streets within their various areas within the community.
 - o Using this as a model was discussed for a resolution this Board can consider to authorize the I-IOA within Tullamore to work as an agent on behalf of the CDD.
 - o It will be forwarded to the Board for consideration at the first meeting in August.

Mr. Bovis noted he had called Ms. Jolmson-Velez to update her on the CVS issue and wanted to let her know one of the arguments is this is a public park.

m Mr. Lynn noted the budget meeting is August 20.

- o They next non-staff meeting is August 6. They will need the information prior to the 6".
- o The District is trying to keep the budget flat for next fiscal year.
- o The year to date financials - the capital outlay is \$166,371 with a budget of \$90,000.
- o \$120,000 was spent on the Deer Run project.
- o Mr. Mendenhall noted in situations like this at the end of the fiscal year he will bring a budget amendment which will allocate funds appropriately.

If there are other items under spent there will be a reallocation.

- o A resident stated the important thing to note is the budget overrun did not cost the residents for next year.
- o Mr. Valentine has been tasked with the project of figuring out numbers for reserve funds.
- o Mr. Snyder is getting bids from various companies to look at the ponds and tell the Board what needs to be done with the ponds, where the

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District stands with what they have and what needs to be done to make it better.

o Discussion regarding placing a dye in the lakes for algae control. o Discussion ensued on pond maintenance and mowing.

B. Engineer

Mr. Valentine reported on the following:

- The Vermillion roadway repairs are completed.

- The thought was to use the Replay product to seal the road. • The road may have to be sealed with a black sealant.

- o The cost will be more expensive. o

Aesthetically it will look nicer.

- o Applications may be more frequent.

- o if the main consideration is longevity and preservation of the pavement the Replay is going to be better.

- o The RePlay cannot be colored.

- o Mr. Kevin Carter - Vermillion - longevity and durability is more of a concern. Coloring is not an issue.

- Stripes are nonexistent and we have to do something.

- There is a concern of water ponding in three or four spots.

s+ Mr. Valentine noted the only way to fix this is to redo the entire area.

He inspected it when it rained to make sure the contractor had done his job the best he could and to document what was there.

Where it is ponding is not just where the contractor did the repair but also off to the sides so the area is generally low and is why it is ponding.

- 3 There maybe some areas higher or lower but the area being discussed generally matches what is there.

A resident noted the ponding was not there and is a new issue.

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Mr. Valentine noted previously there was a hole in the asphalt the water was going through and the water cannot get to the sub-base now.

Mr. Lynn asked is there a way to install drains without redoing the whole job?

Mr. Valentine responded a slide drain but the main concern is does the sewer trunk line run under the area. This will determine the cost and difficulty of doing it.

Mr. Lynn stated we need to resolve the ponding issue before we recoat it.

There was further discussion of black sealant versus RePlay longevity and cost.

Mr. Valentine will investigate if RePlay can be colored.

There is also a difference in the curing time between RePlay and black sealant. RePlay is one hour and black sealant is 24 hours.

v Mr. Valentine addressed the spreadsheet from the last meeting. o There was a formula error relating to the last column.

o The columns labels are as follows:

- Yellow - Roadway - Village Specific.
- Purple - Misc. Village Specific.

- Orange - District Wide.

Green - Assessment Village Specific.

Blue - Assessment District Wide and Clubhouse.

Yellow - Roadway Village Specific.

o The hope is for Fiscal Year 2010 to start implementing some of the reserves.

The second sheet is color coded as to being assigned a specific village or District wide.

o The definitions on the bottom as to what each one includes. o Has included \$100,000 District wide for pond repairs.

o The correct spelling of Sedgwick and Morningside were noted.

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- o It was noted the costs are in present day dollars.
- o The roadway costs were increased by 3% every year.
- o It was noted some of the street signs in the Villages are disappearing and the county is not responsible for signs on private roads.
- It was noted the District approved paying for new maps. o There are two lakes missing.
 - o Mr. Valentine noted he used an aerial view which matched up so he is not sure where they are.
 - o Mr. Lynn noted at the corner of Burleigh Drive and Wrencrest Drive.

C. Property **Manager**

Mr. Snyder reported on the following:

- The Wrencrest gates should be operational no later than August 1, 2008. • The letters at Manor Isle have been installed.
- The playground awnings are finished.
 - o Mr. Shahin complimented Mr. Snyder for the project. • There have been some security issues.
 - o Personal safety issues with a certain individual were addressed. o There are more thefts and break-ins.
- Mowing is occurring three days a week.
- Issuing work orders on resident calls in order to track.
- There will be improvement in ponds, trash removal/pick up and weekend staffing for maintenance.
- There are some maintenance issues on the deck.
- Comments of the tennis courts have been favorable.
- Discussion ensued regarding an HOA request for gates with an automatic lock when closed.
- Discussion ensued regarding Manor Isle upgrades. o Need to verify business license.

1). Manager - Questions and Comments on Proposed Budget • The changes requested at the last meeting are included.

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- A pond issue may come up between now and the public hearing.
- Under Garbage/Solid Waste Revenue - should state with the exception of the town home villages - Vermillion, Charlesworth, Tullamore, Sedgwick and Wellington.
- Interest- Investments - still need to change the notation for the SBA. • On page 13 and 15 - Utility - General - add the word projections.
- Page 14 - Electricity - Streetlighting- add the word projections. • Page 3 - change Payroll - Salaried to Payroll - Administrative.
- Mr. Bovis noted he is no longer receiving the TECO summary sheet with the invoices and he would like to receive it.
- Mr. Lynn noted they have asked the terminology be changed to have ProfServ follow the line items.
 - o Mr. Mendenhall explained they are generated from a database and the process.
 - o A suggestion was made to a ProfServ category with the items listed as subcategories.
- Residents who would like a copy of the budget prior to the next meeting may contact Mr. Mendenhall for an electronic copy or the clubhouse for a hard copy.
- Mgmt Consulting Serv - needs to be broken out to individual items.

EIGHTH ORDER OF BUSINESS Approval of **Minutes of the June 18, 2008 Meeting**

Mr. Lynn stated each Board member received a copy of the minutes of the June 18, 2008 meeting and requested any additions, corrections or deletions.

On MOTION by Mr. **Bovis seconded** by Mr. Shahin with all in favor the minutes of **the June 18, 2008 meeting** were approved.

NINTH ORDER OF BUSINESS **Other Business** • Mr. Shahin addressed the website.

o The consensus of the Board is to move forward with a different wehmaster.

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TENTH ORDER OF BUSINESS Audience Comments

Ms. Linda Straw noted there is a concern of line of sight for Colchaven and the possibility of mirrors being installed.

o Mr. Lynn stated the curved portion of the roadway belongs to the county. Ms. Straw addressed that there is no crosswalk indicator when coming out of Vermillion.

o Mr. Lynn stated there are no markings on many of the crosswalks on county property. The District has asked and the county does not consider all of the areas to be crosswalks.

o Ms. Straw addressed concerns regarding the attorney not being able to respond to questions at the time they are asked.

o It was noted the attorney is not an HOA attorney and are not versed in the issues of deed restrictions and architectural review.

o It was noted the last community meeting had a very good attendance - at least 25 people.

The Mr. Mendenhall's handout regarding CDD's will be placed in the newsletter.

ELEVENTH ORDER OF BUSINESS Approval of June 30, 2008 Financial Statements

This item tabled.

TWELFTH ORDER OF BUSINESS Adjournment There being no further business,

On MOTION by **Mr. Zeigler seconded** by Mr. Lynn **with all in** On the **meeting was adjourned.**