

**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 15, 2009 at 6:30 p.m. at the Meadow Pointe II Clubhouse, 30051 County Line Road; Wesley Chapel, Florida.

Present and constituting a quorum were:

Linda Straw	Chair
Mark Glassman	Vice Chairman
Diana Ricker	Treasurer
Brian Shahin	Secretary
Jerry Lynn	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Roland Santiago	District Counsel
Bob Valentine	District Engineer
Bill Snyder	Property Manager
Renee Glassman	Architectural Review Committee
Yolanda Bush	Deed Restrictions Committee
Residents	

*The following is a summary of the minutes and actions taken at the July 15, 2009 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**

Ms. Straw called the meeting to order and the Board members and staff identified themselves for the record.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Guest Speakers**

Ms. Meredith Holland – Sweetbay Representative – noted they wanted to come introduce themselves. They just opened a new store on County Line Road and Bruce B. Downs and outlined upcoming events.

Ms. Holland noted Sweetbay gets involved in fundraisers and sponsorships for the community.

A resident inquired if Sweetbay allows fundraising at the store?

Ms. Holland responded corporate policy is a no solicitation policy but Mr. Marten has said before if you come in early enough and talk to him we can always find a way to make it work.

Ms. Straw thanked Ms. Holland for joining them.

**FOURTH ORDER OF BUSINESS**

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

Ms. Straw noted she is trying very hard to make sure the residents are heard in the meetings and addressed the three-minute rule and the agenda structure.

Mr. Mendenhall outlined the proposed format.

- Modified Robert's Rule of Order.
- Motion process.
- Residents will be given an opportunity to speak to the issues as they come up.

Ms. Straw addressed the two meetings a month and noted the second meeting of the month is a full staff meeting.

Ms. Straw outlined the process she would like the Board members to follow with regard to new business and being more structured.

*The record will reflect Mr. Shahin and Mr. Valentine have joined the meeting.*

Jennifer, Morningside, addressed parking tickets being issued in their neighborhood and feels they are a little overzealous.

A resident stated I second that.

Ricky, Pasco County Officer, addressed the parking problems in Meadow Pointe and noted no street parking is a County ordinance. He is devoting a certain amount of each 12-hour shift to the parking issue.

Mr. Lynn noted this is a County-wide situation that is now being enforced and suggests going to the County Commission as they set the rule.

Ms. Ricker noted as the officer stated for every complaint on tickets there are nine others saying thank you very much.

Further discussion ensued with regard to parking, speeding and other issues within the neighborhoods.

Ms. Dana Sanchez, Wrencrest and Covina Key, noted she would like to address her comments to the attorney. I would like to go on record as saying words such as trespass, injunction, and harassment toward homeowners in the community are not acceptable from Board members or Property Managers and will not be accepted. Calling the President of the HOA “a pain in the ass” because she had an opinion on Covina Key is not acceptable – the only times those words should be coming from a Supervisor or Property Manager is when there is a threat of bodily injury or a terrorist threat against you. Otherwise, we are part of the community and we have the right to agree or disagree with you and walk in here with attitude - as long as there is no threat against you - those words should not be used. I continue to hear them and I am done. Please Mr. Attorney, put it on record that those are not acceptable to the homeowners, we are CDD taxpayers and we have the right to walk in here with the attitude and if the Board or the Property Manager are not in a position to deal with conflict resolution then I am sure there are some courses at the community college that they can take on their own dime. We have the right as homeowners to disagree and agree with that the Board says. I brought it up at the last meeting and it continues.

Ms. Ricker stated I think it is called respect – you provide us respect we will provide you respect. You might have an attitude but I know and I have to back up our staff here – they are very well mannered and very well behaved. They have only done and been threatening as far as because they have been threatened. I am sure you have not been around when they have been cursed out. I am in a professional business and I do not tolerate clients who pay my bills to discuss or talk to me in a fashion that is degrading or immoral and if need be and I feel there is a threat I will also put an injunction or trespass. It is called common courtesy and it’s a professional business that we run. I have to support our staff here and they are not doing anything I would not do myself.

Ms. Sanchez stated it is not at the staff that is hourly. I, again, directed it at the Board and the Property Management.

Ms. Ricker stated I beg to differ – I have never discussed or spoke to anyone in a degrading manner.

Ms. Sanchez stated I did not point fingers. It is a general comment to the Board members so do not take it personally, there is no guilt. I am a professional, I am an account manager, I deal with multi-million and multi-billion dollar companies and I am telling you the things that have been said to me and the actions – if I had done that to my customer I would have already been terminated. I know how to deal with customers and if I walk in with attitude, you know deal with it, because it is how you deal with it that determines how I leave here.

Ms. Straw stated if I sense that I am being attacked personally or otherwise – I am going to defend myself and you will put up with my attitude.

Ms. Sanchez stated and that is okay.

Ms. Straw stated conflict resolution can be done without attitude. I would suggest that anyone who comes in here with a conflict that they come in without attitude. You get a whole lot further with honey than you do vinegar.

Ms. Sanchez stated I do understand that but when I walk in and the person is not even willing to listen.

Ms. Straw stated if they sense themselves being attacked they do not have too.

Ms. Sanchez stated okay, I have gone on record as stating exactly how I feel, it is in the record, it is in the minutes, and we will go forward from there. Am I correct with the attorney that it is in the record?

Ms. Straw responded it is in the record.

Ms. Sanchez stated we are on record and I all I want to do is live in a community that is friendly and things are run in an efficient manner.

Ms. Straw stated coming in with attitude is not friendly.

Ms. Sanchez stated when there are issues going on sometimes we do come in with attitude. You do not have somebody tell an HOA President they are “a pain in the ass”.

Ms. Ricker asked did you hear this?

Ms. Straw asked did you hear this, do you witness this?

Ms. Sanchez responded I am just telling you what I heard, no I didn't. Ms. Straw stated we are going to move on here.

**FIFTH ORDER OF BUSINESS**

**Resident Council Representative**

Ms. Ricker reported the following:

- Mr. Lynn attended and presented the Neighborhood Watch.
- There will be a Neighborhood Watch Program tomorrow evening at 7:00 p.m. at the clubhouse for those interested.
- The issue with the grass at Covina Key was brought up.
- Mr. Snyder further addressed the Covina Key issue.
  - Covina Key does not lie within the District's property to maintain.
  - Requested a map from Mr. Valentine to confirm District property.
  - This area was occasionally mowed by the previous landscape company, Nanaks. In speaking with Nick, he stated he did it as a courtesy when it was not maintained by Covina Key.
  - The area being discussed is the entrance area.
  - Ms. Diaz spoke with Angela who was going to work with their landscape people to mow and Mr. Snyder approved mowing it for the first time so Angela could secure their landscaper to take over.
  - Mr. Valentine further outlined the area being discussed and noted it is HOA property.
  - Mr. Lynn addressed a concern with the issue of front entrances and noted the Board asked Vermillion to transfer the entrance property to the District.
  - Further discussion ensued with regard to the entrances.
  - Discussion ensued with regard to conveyance of the property to the District from the HOA and Mr. Santiago outlined the process.
  - Ms. Sanchez addressed the property being discussed and noted it has been maintained for the last ten years by the CDD.
  - Further discussion ensued with regard to the Covina Key entrance and Ms. Straw noted they are working through it.
  - Mr. Glassman will work with Angela and Ms. Meadows at the HOA to get the issue resolved.
  - Ms. Sanchez request until the issue is resolved the District continues to maintain the property at the entrance to Covina Key.

Ms. Straw noted it is her understanding Angela has contacted the HOA landscaper to begin mowing the area.

- A determination will be made as to whether the HOA has the authority to convey the property to the District.
- Mr. Valentine was requested to review the green areas on the map to be certain the District owns the areas.
- Mr. Santiago noted for those areas not owned by the CDD it would be quicker to do a Jurisdictional Transfer Agreement with the HOA.
  - A legal description will still be required for those areas to be maintained.

Mr. Glassman MOVED to maintain portions of Covina Key, Vermillion and any other areas not owned by the CDD for landscaping until settled legally and Mr. Lynn seconded the motion.

- Ms. Straw inquired as to the risk to the District by doing this.
  - Mr. Santiago responded you are assuming any condition that arises on those properties created by the contractor – to a person or property it will come back on the District.
  - Mr. Santiago noted they can prepare a document with the HOA's until the legal descriptions are ready.
  - Ms. Ricker noted she is okay moving forward as long as the document is being prepared as she does not want to assume the responsibility.
  - Mr. Shahin noted technically they are trespassing until they get it resolved.
  - Mr. Santiago noted they get a license with the HOA to do so pending the formal agreements.

Mr. Glassman MOVED to amend the prior to include a temporary license from Villages and Mr. Lynn seconded the motion.

- Further discussion ensued with regard to the license from the HOA's to enter the properties for maintenance purposes.

On MOTION by Mr. Glassman seconded by Mr. Lynn with all in favor to amend the prior motions to maintain the HOA's with a license from the HOA's and to authorize the Chair to approve the licenses was approved.

- Ms. Sanchez thanked Mr. Shahin for responding to emails.

**SIXTH ORDER OF BUSINESS**

**New Business**

- Mr. Glassman addressed the coating and striping at Sedgwick and noted there was additional work was not included in the proposal.
  - Roads sinking below the drains.
  - Wright Paving wants to fix it correctly by milling the sunken asphalt to proper specs, resurface and recoat.
  - A proposal was received in the amount \$6,540 in addition to the original contract.
  - Discussion ensued with regard to the proposal.

Mr. Lynn MOVED to continue with road work while the contractor is within the community and Mr. Glassman seconded the motion.

- Further discussion ensued with regard to the road and repairs.
- Daniel, Sedgwick HOA President, addressed the fact the work should have been included in the original proposal.
- Further discussion ensued with regard to the proposals.
- Mr. Shahin stated I have a fiduciary responsibility to this community and this sounds like Vermillion all over to me and I am not going to support this. I am not going to approve anything

anymore where I do not have time to look at something and vote intelligently.

- Further discussion ensued with regard to the proposal and it was noted there is a cost for additional mobilizations.

The prior motion was amended to include pending District Engineer's review.

- Discussion ensued with regard to the approval process and it was noted Mr. Mendenhall can distribute information to the Board.

**SEVENTH 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.

- 2009-123 – discussion regarding the pan roof structure.

On MOTION by Mr. Lynn seconded by Ms. Ricker with all in favor the Architectural Review Report as presented was approved

**B. Deed Restrictions**

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

- 2009-94 – the hole still exist in the front of the house.
- 2009-97 – sending DR #22 and noting painting the home needs to be submitted to ARC.
- Discussion ensued with regard to Mr. Shahin's modifications/recap of the DR.
  - Mr. Shahin noted he does not know why there is a delay in responses to his emails.
  - Ms. Glassman noted she had asked to be involved.
- 2009-98 – Discussion ensued with regard to the 7' kennel.



- Discussion ensued with regard to enforcing fences and sheds as part of the Deed Restrictions.
- 2009-98 – Discussion ensued with regard to the sidewalk.
  - Discussion ensued with regard to sidewalks and the resolution adopted by the District.
  - Further discussion ensued with regard to the kennel/structure.

On MOTION by Mr. Glassman seconded by Mr. Shahin with all in favor the recommendations from the Deed Restricts Report were approved as amended to remove the kennel issue from 2009-98.

- Discussion ensued with regard to DR 2009-90 and it was noted it is still pending.
  - Further discussion ensued with regard to paint colors.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Santiago reported on the following:

- Outlined the Deed Restriction framework.
  - Process
  - Authority – HB 827
  - Deed Restrictions do not have the option of imposing fines.
- No ability to change Covenants – can interpret, cannot do fines and cannot suspend rights of use.
- Only option is ability of Injunctive Relief.
- There is a requirement in FS 720 which requires a statutory offer to mediate.
- Currently four filed suits.
  - It was noted 30050 Wrencrest Drive has been foreclosed on the process needs to be re-started due to the different owner.
- Further discussion ensued with regard to imposing fines.

- Mr. Santiago noted the process used for DR is sound and the next step would be to set a hearing to adopt the procedure.
  - Discussion ensued with regard to the rulemaking process.

On MOTION by Mr. Lynn seconded by Mr. Shahin with all in favor to dismiss the four open lawsuits

- Mr. Shahin will provide the Board with a written recap of his meeting with Mr. Santiago regarding ARC/DR.
- Discussion ensued with regard to a Grievance Committee as addressed in FS 720.305(2)(a).
- Mr. Santiago addressed prior questions by the Board:
  - Homeowners are required to maintain property to the waters edge.
    - Definition of maintenance – keep in existing state.
  - Basketball hoops – there is no provision for portable basketball hoops.
    - If it is on CDD property the resident can be asked to remove it from CDD property as it is a trespass.
    - Further discussion ensued with regard to items on CDD property and it was noted if not removed the CDD can remove the item.
- Mr. Carter addressed the Vermillion conveyance of the middle island and the area by the sidewalk.

**B. Engineer**

Mr. Valentine reported on the following:

- Sedgwick property overlap of nine square feet and the cost will be \$203.

On MOTION by Mr. Glassman seconded by Mr. Lynn with Mr. Glassman, Mr. Lynn, Ms. Straw and Ms. Ricker voting aye and Mr. Shahin voting nay the Wright Paving proposal for additional work in Sedgwick not to exceed \$6,594 was approved.

- Vermillion repairs – received photos from Mr. Carter.
  - Several are in previous repair areas.
  - Rain had recently ended as all of the pavement was still damp.
  - There are areas within parking areas holding water after sealing which were not looked at previously.
  - Discussion ensued with regard to the puddling and drainage.
- Mr. Valentine addressed the plat copies obtained from the county website and further discussion ensued with the outcome being this item to be tabled until Mr. Glassman and Mr. Snyder can meet with Mr. Valentine regarding what plats are needed.

**C. Property Manager**

Mr. Snyder reported on the following:

- Irrigation – there are inspections from Scapes but no repairs.
  - Discussion ensued with regard to Scapes contract for irrigation.
  - \$9,200 has been approved for irrigation and Scapes will be advised to move forward with the repairs.
- County Line Road walls are still in the process of being sealed due to the weather.
- Repairing walk in Sedgwick.
- New controllers and cameras for the gates are being investigated.
- There are advertising pricing concerns with regard to the website.
  - Mr. Mendenhall will review other districts for pricing.
  - Discussion ensued with regard to online pricing with the outcome being to offer a 10% discount for loyal advertisers of one year and 20% discount for loyal advertisers of two years or more.

**D. Manager**

Mr. Mendenhall reported on the following:

- Ownership of website – Ms. Mercer confirmed she will not charge the District if they want to move the website to another service. There will be

a cost of \$500 if the District wants the source code and there will be an additional cost of \$1,000 for the calendar program on the website.

- Ms. Straw will contact MSR.
- Website statistics – there is not a counter on the site but Ms. Mercer should be able to provide a report of hits to the website.
- Transfer of documents from Fowler White – we have been successful in locating many of the documents not provided by Fowler White within ST records.
  - The list of documents will be reviewed after completion of records search to determine the importance of those items remaining outstanding.

**i. Questions and Comments on the Proposed Budget**

- Mr. Mendenhall addressed Ms. Straw's list of questions – they have been answered but they can focus on anything they still have questions on.
- Mr. Lynn addressed dating or numbering the version of the budget they are working on.
  - Further discussion ensued with labeling and it was noted the version will be in the title and the file name.
- Ms. Straw addressed the TECO agreement which has been discussed in prior year.
  - Mr. Lynn noted he has contacted TECO to see if they can provide a copy if agreement was signed.
- Discussion ensued with regard to the sample provided with the Villages separated.
- Discussion ensued with regard to seasonal employees and the change of the FICA line to be 7.65% calculation of the three line items for salaries.
- Mitigation – Mr. Mendenhall will contact Dr. Richardson with regard to the letter he will be submitting for the five-year monitoring release.
- Misc. Newsletter – previous discussion with regard to purchasing separate office machines and it was noted the IKON contract has been reviewed

and Mr. Snyder is contacting IKON to notify them the Board has decided not to appropriate funds for next year and they should pick up the copier September 30.

- Move the \$2,500 to Capital Outlay.
- Discussion ensued with regard to the Board's ability or inability to enter into long-term contracts.
- Streetlighting – Budgeted at \$245,000 and after June actuals is projected at \$192,500.
  - Mr. Lynn will provide an update regarding rate increases at the next meeting.
- Ms. Straw addressed the Villages Reserves and noted at the last meeting it was decided they need to move forward with replacing the controller panels at the gates.
  - Quoted cost per controller is \$4,400.
  - \$1,000 per year to be allocated to each gated Village rather than the full \$4,440 at one time excluding Glenham and Colehaven.
- Discussion ensued with regard to Capital Outlay, Op Supplies - General, and Contingency and whether or not these line items should be included in each section of the budget.
  - Ms. Straw requested a trial balance for those items.
  - Further discussion ensued with regard to the line items.
  - Are Capital Outlay items depreciable?
  - Discussion ensued with regard to long-term planning.
- Discussion ensued with regard to assessments.
- Discussion ensued with regard to Fund Balance Reserves.
- Mr. Lynn inquired as to the expected fee for liability insurance and Mr. Mendenhall noted he will speak with Ms. Davis.
- Discussion ensued with regard to legal expenses and the DR budget.

**NINTH ORDER OF BUSINESS**

**Approval of the Minutes of the  
June 17, 2009 Meeting**

Ms. Straw stated each Board member received a copy of the minutes of the June 17, 2009 meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Lynn seconded by Ms. Ricker with all in favor the minutes of the April 2, 2009 Joint meeting were approved.

On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor the minutes of the June 17, 2009 meeting were approved.

**TENTH ORDER OF BUSINESS**

**Other Business**

Mr. Lynn - PACA update:

- Discussion of Florida friendly landscaping.
  - Mr. Chris Dewey will do consulting for the District at no charge for Florida friendly landscaping.
  - Further discussion ensued with regard to District landscaping.
  - There is a list available of Florida friendly plantings.

**ELEVENTH ORDER OF BUSINESS**

**Audience Comments**

There not being any, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Approval of June 30, 2009 Financials**

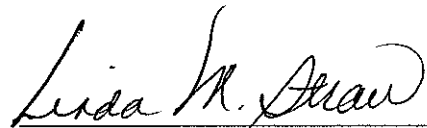
This item tabled to the next meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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



Linda Straw  
Chair