

**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, September 16, 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 September 16, 2009 Meadow Pointe II Board of Supervisors regular meeting.

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

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Resident Council Representative

There being no report, the next item followed.

FIFTH ORDER OF BUSINESS

New Business

• **Deer Run Pond**

- On September 4 Mr. Glassman was notified there was an issue with the pond, he went to inspect the pond and immediately called Mr. Valentine as the trough had collapsed.
- Mr. Glassman further outlined and reviewed pictures of the collapse, copies of which are attached hereto and made part of the record.
- Ms. Straw noted this is the trough not the wall Paint it Plus installed.
- Discussion ensued with regard to with the new wall, how the water got underneath.

Mr. Lynn MOVED to approve the Deer Run Pond repair invoice from BioMass in the amount of \$67,835.25 and Ms. Ricker seconded the motion.

- Discussion ensued with regard to the repair proposal.
- Discussion ensued with regard to previous repairs.
- How does the District know it is not going to fail again in six months or a year from now?
- Mr. Valentine noted they do not know that it is not but they have taken steps to try to further prevent it.
- Further discussion ensued with regard to the repair.
- A concern of possible erosion in the wetland and the Manor Island pond was noted.

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

- Mr. Lynn inquired as to where the funds are coming from and it was noted it could be from Miscellaneous Contingency with a reallocation of funds from other line items.
- **Mansfield Shrub Replacement Work**
 - Plant material to replace shrubs.
 - It was noted the project would be started with the FY 2010 budget cycle.
 - Discussion ensued with regard to the shrubs.

Mr. Lynn MOVED to approve the Mansfield shrub work invoice from Scapes in the amount of \$5,612 to begin with the FY 2010 budget and Ms. Ricker seconded the motion.

- Further discussion ensued with delaying the project as long as possible and if Scapes will honor the price if delayed until February with the outcome being Mr. Snyder will talk with Paul as to the pricing and when the proper time for the planting is.

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

- **Wells Fargo Account Charge Issue**
 - Ms. Straw received a letter from Wells Fargo with regard to the credit card.
 - It was noted they are not changing the card to a debit card, they will debiting the balance from the checking account each month.
 - Mr. Mendenhall and Ms. Ricker will execute the authorization forms.
 - Mr. Lynn requested he be taken off the account.
 - Mr. Snyder inquired as to when he will be receiving his new card.

- Mr. Mendenhall noted it should have been five to seven days.
- Discussion ensued with regard to approvals before payment is made.
- Discussion ensued as to why it will be done this way and it was noted it appears to be a SOP for Wells Fargo commercial accounts.
- Discussion ensued with the issuing of new cards and it was noted Mr. Snyder's card is currently not active.
- Ms. Straw addressed an email from a gentleman from Deer Run who wants to become the Community Representative.
 - Ms. Ricker will contact him.
- Ms. Straw addressed an email from Ms. Leah Zacawitz – the Chairman for the Wiregrass Relay for Life. She would like them to negotiate making announcements in the evening.
 - Ms. Ricker will respond letting them know, as they addressed at the meeting, there is nothing the CDD can do it is a County Ordinance issue.
- Mr. Lynn noted there is a Meadow Pointe Neighborhood Watch meeting scheduled for September 26 at 9:00 a.m. at the clubhouse.
 - It is a training session for representatives of the Villages.

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.

- 2009-134 - Send letter to request additional information – placement of shed and slab.

On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor the Architectural Review Report was approved as submitted.

B. Deed Restrictions

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

- 2009-118 – planted banana trees and blocking maintenance access to the pond. It was also noted they are not mowing the area behind the fence.
 - Discussion ensued with the outcome being Ms. Straw to send letter from the District notifying of the encroachment and referencing the deed restriction.
- 2009-120 – Mr. Shahin addressed and inquired as to sending the letter as the homeowner's identity is protected by Florida Statute.
 - Mr. Santiago noted they can request a copy of the deed through the Property Appraiser or Clerk of the Court noting the reason for the public records request.
- 2009-121 – need photo documentation, description needs to be updated.
 - Discussion ensued with regard to whether someone parking on their front yard is a deed restriction violation.

On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor the Deed Restrictions Report was approved.

- Discussion ensued with regard to a follow-up log.
- Mr. Shahin noted they need to establish the Grievance Committee and the follow-up letters cannot be sent until one is established.

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

Mr. Santiago reported on the following:

- Mr. Santiago and Mr. Lynn attended the meeting with regard to 30301 Glenham Court.
 - The petition was not approved due to a four/four split and the item was carried over until next month's meeting.

- Further discussion ensued with regard to the next meeting of the Planning Commission.
- Discussion ensued with regard to other businesses being run from homes within the District.
- He has received seven packages with regard to Deed Restriction enforcement.
 - They have ran the title search – four were clear and suit was filed on Monday.
 - At the next meeting a Litigation Report will be provided.
 - Homeowner's should be served with the Notice of Process by the end of the week and have a 20-day response period.
 - Mr. Santiago requested the District Board or staff not engage in discussion regarding the lawsuits with the homeowner.
 - Discussion ensued with regard to the process – a request for a Grievance Committee must be submitted in writing.
 - Further discussion ensued with regard to the Grievance Committee.
 - Discussion ensued with regard to the process for Deed Restrictions.
 - Ms. Ricker inquired as to the process for those who were not given the option of the Grievance Committee prior to this.
 - Mr. Santiago noted those done previously and concluded they cannot go back and redo.
- Mr. Lynn addressed the District's Rules of Procedure.
 - Discussion ensued with regard to levying fines with the outcome being Mr. Santiago will contact District Counsel for Meadow Pointe with regard to this.
 - Discussion ensued with regard to notices for rules.
- Discussion returned to Deed Restrictions.

- Ms. Straw addressed the large copier in the office and noted they did not allocate funds and IKON will be picking the copier up and terminating the contract.
 - Opportunity to piggyback on the State of Florida contract for office machines.
 - Discussion ensued with regard to entering into a lease for the copier after not allocating funds in the budget to continue the IKON lease with the outcome being Mr. Santiago will need to research further.
- Mr. Carter addressed the Maintenance Agreement between Vermillion HOA and the CDD and inquired if it has been finalized.
 - The agreement has been signed and notarized.
 - The maintenance costs have been worked out and they are awaiting revised estimates for signature.
- Aqua Pools has defaulted on the note.
 - Mr. Santiago noted Fowler White has not signed off to substitute counsel on the case.
 - The case has not been dismissed.
- Discussion ensued with regard to encroachments and easements.
 - Mr. Santiago noted the District does not have to provide notice of the encroachment – it is always within their right to remove encroachments into easements and CDD property.
 - Houston will document by photo the encroachments for future reference.
 - Mr. Santiago noted the District can send a form letter notifying the homeowner of the encroachment and the District's right to remove the encroachment(s) if necessary at the homeowners' expense and record the letter with the Clerk of the Court for those addresses and parcel numbers.
 - This will provide the notice to the subsequent homeowner should the property change hands.

- Further discussion ensued with regard to the letter and removal of encroachments.

B. Engineer

Mr. Valentine reported on the following:

- Wrencrest Pond Repairs have been inspected and everything looks good.
- Working on the integration of the Reserve Study and budget.
 - Mr. Mendenhall is working on formulas to link them.
 - Ms. Straw addressed Mr. Glassman reviewing the roads for conditions and repairs needed and noted he is getting estimates and will provide to Mr. Valentine.
 - The quotes will be incorporated into the Reserve Study.
- Mr. Lynn addressed a lake in Lettingwell and noted erosion is beginning beside the sandbags.
 - Mr. Glassman will review the area.
 - It was noted there is a 7' alligator with 30 to 35 babies in this area.
- Mr. Snyder requested Mr. Valentine let him know when he will be at the Deer Run repair site.
- Mr. Snyder inquired if they received the letter with regard to the contractor dumping stone in Deer Run.
 - Mr. Valentine will inspect the street and curbing for damage when it is removed.
- Mr. Glassman addressed catch basin tops that are dropping and inquired as to who is responsible for these.
 - Further discussion ensued with regard to the catch basin/inlets with the outcome being Mr. Valentine will review with Mr. Glassman.
- Mr. Carter addressed the Reserve Study for Vermillion.
- Mr. Lynn addressed providing Mr. Santiago with the resolution regarding sidewalks.

C. Property Manager

Mr. Snyder reported on the following:

- Has been reviewing ponds with Tony and noted there are issues in Morningside.
- The computers are online with the exception of one.
- The chipper was delivered and there will be training for use.
- Drains within the playground are completed.
- New mulch has been installed.
- The front sides of the County Line Road walls (south side) are 90% complete.
- Drink machines have been shipped and should be arriving in the next few days.
- Training Robert on parking enforcement.
- Has been installing retaining guards on the gate arms to keep them in line and prevent them from hitting the wall.
 - Further discussion ensued with regard to the gate loops.
 - Discussion ensued with regard to the salvaged parts for the gates and it was noted they would begin marking them with an MPII when placing them in inventory.
- Will be monitoring first aid kit item usage.
- The coffee pot and microwave have been removed from the kitchen.
 - The microwave was rusted inside.
 - Mr. Snyder will purchase a new microwave and coffee pot with automatic shutoff for the kitchen.
- There is an issue of fishing in Longleaf – they are cutting through properties to get to the pond.
 - Further discussion ensued with the outcome being to call the deputy for trespassing.
- Mr. Lynn inquired as to a response from the contractor on the pool bath.
 - Mr. Snyder noted they received a call stating they were going to send someone out to fix it but they did not say when.
 - Mr. Snyder will provide a punch list when available.

- Discussion ensued with regard to staff not discussing deed restriction lawsuits with those residents on notice – they are to provide Mr. Santiago’s name and contact information.
 - Mr. Snyder will address with staff.
- Ms. Straw noted she has not received quotes for security or a quote from Shawn so the cost analysis for the fitness center is incomplete.
- Mr. Carter addressed some areas around the ponds in Vermillion which do not appear to be maintained.
 - Mr. Snyder requested Mr. Carter provide him the information via email and he will address with Tony.
 - Mr. Snyder noted they have recently sprayed one of the ponds in Vermillion.

D. Manager

Mr. Mendenhall noted his items have already been covered this evening:

- Ms. Straw inquired as to the process for financial/budget adjustments for the fiscal year.
 - Mr. Mendenhall outlined the budget amendment process and noted it will be by resolution.
 - Further discussion ensued with budget amendments.
 - Discussion ensued with regard to timing of the financials for Board review.
- Ms. Straw addressed the process and timing for retrieving the meeting recordings for transcription.
 - Discussion ensued with regard to continued meetings and recordings.
 - Ms. Straw noted she has tried to recover the August 5 recording and cannot.
 - Mr. Mendenhall noted if anybody has any notes from the meeting those can be transcribed as the record.

- Ms. Straw noted the motion she recalls from the meeting is the addition of the 30-hour person for Deed Restrictions and it is reflected in the budget.
- Mr. Mendenhall noted recordings which have not been received are August 5, August 17 and the recording for September 2 is only 49 minutes.
- Ms. Straw noted at the September 2 meeting they had recorder issues and Mr. Snyder brought in a second recorder.
- Mr. Mendenhall is picking up the recordings the Monday following the first meeting of the month.
- Mr. Shahin inquired if Mr. Mendenhall had an opportunity to forward the email addresses to the website.
 - Mr. Mendenhall noted he did forward and the website has been updated with the exception of Mr. Snyder who is still listed as gmail.
 - Mr. Mendenhall will provide the corrections needed to Ms. Mercer including the button for the newsletter and minutes.
- Mr. Glassman noted there were only 124 hits for the online newsletter.
 - Discussion ensued with regard to the newsletter and the website.
- Mr. Lynn inquired as to the status of the workers' compensation claim.
 - Mr. Mendenhall noted there has been an arbitration meeting and it was settled for \$18,000.
 - With agreeing to settlement the gentleman is required to sign off that there will be no further lawsuits.
- Mr. Lynn inquired as to the requirement to save email correspondence.
 - Ms. Straw noted she is still following up with Shane with regard to the emails being stored on the server.
 - Ms. Straw addressed the lack of response she is getting from Shane on several issues and will schedule a meeting with him.
 - Mr. Shahin noted they cannot connect to the system/email with a laptop when in the building.

- Mr. Glassman inquired as to the retention of the meeting recordings.
 - Mr. Mendenhall responded there is a timeline by statute and audio of the meeting is required to be maintained for two years.
 - Discussion ensued with regard to the digital recordings and records request should be sent to Severn Trent.
 - A copy of the digital recordings will be provided to the clubhouse.

EIGHTH ORDER OF BUSINESS

**Approval of the Minutes of the
July 15, 2009 and August 19, 2009
Meetings**

<p>On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor the minutes of the July 15, 2009 and August 19, 2009 meetings were approved.</p>
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NINTH ORDER OF BUSINESS

Other Business

- Mr. Glassman addressed an email he received from Doris Hightman at Florida Friendly and noted she will be available next week.
- Mr. Glassman addressed a phone call with regard to Wellington and a residents concern that his fire alarms were not working in the apartment section.
 - The Fire Inspector has cited Wellington because the system is not connected.
 - The Fire Inspector is going to call Pasco County Code Enforcement with regard to some other issues.
- Mr. Glassman noted Sedgwick is not recoated as the oils have not dried enough.
- Mr. Glassman noted the next major problem is going to be the decorative stone entrances (stamped concrete) where the loops are buried.
 - Mr. Glassman is working with Wright to come up with a solution.
 - Further discussion ensued with the decorative areas.

TENTH ORDER OF BUSINESS

**Approval of July and August, 2009
Financials**

- It was noted the July financials were approved at the September 2, 2009 meeting.

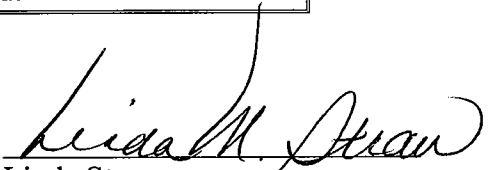
On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor the August 2009 financials were approved.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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


Linda Straw
Chair