

**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 21, 2010 at 6:30 p.m. at the Meadow Pointe II Clubhouse; 30051 County Line Road; Wesley Chapel, Florida.

Present and constituting a quorum were:

Mark Glassman	Vice Chairman
Brian Shahin	Secretary
Jerry Lynn	Assistant Secretary

Also present were:

Andrew Mendenhall	District Manager
Jennifer Jackson	District Attorney
Bob Valentine	District Engineer
Bill Snyder	Property Manager

The following is a summary of the minutes and actions taken at the July 21, 2010 Meadow Pointe II Board of Supervisors regular meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mendenhall called the meeting to order and the Board members identified themselves.

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

- Mr. Glassman reported that he was out of town and that Ms. Linda Straw attended. There were also two to three residents in attendance.
 - Mr. Glassman's summarized that at the Resident Councils meeting Ms Straw stated that the Residents Council does not need a Supervisor to attend. They attend as a courtesy.

- Forum opened to residents for comments:
 - Mr. Glassman shared the phone number to the ARC and addressed a complaint regarding overgrown grass and poor yard condition on Nickerson Loop. The Board has no jurisdiction for complaints of this nature.
 - Mr. Shahin will provide a follow up in the Status Report.
 - Ms. Tonja Stewart spoke about the appearance of the entry in regards to road patches, neon bollards and the affect on total aesthetics.
 - Mr. Glassman addressed the following issue:
 - The neon will be toned down, but it needs to remain because the strips have dramatically decreased the amount of damage.

Mr. Snyder noted:

- The patching and sealing are much more cost effective than milling and overlaying and the cost will be stretched out the next three to four years to prevent the community from having to pay a \$60,000 to \$70,000 mill resurface job.

FIFTH ORDER OF BUSINESS

Committee Reports

A. Architectural Review

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

- 2010-30 – Pool and screen – Recommend approval.
- 2010-31 – Paint color request for converting existing room to sunroom. Not an approved color scheme. – Recommend denial of approval.
- 2010-32 – Wooden deck in backyard with roof – No ARC application filed. Did not submit required documentation and will be sent back to the resident to re-submit.
 - Mr. Snyder questioned how to handle 2010-31 because the home has already been painted. A violation letter will be sent to the

owner with the documentation to repaint the home a Board approved color.

- Ms. Glassman indicated that the back of property must be five feet from the property line.

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

B. Deed Restrictions

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

- 2010-60 - Not a DR violation – Not within the jurisdiction of the Deed Restriction Committee because it addresses positioning of a fence
- 2010-61 – DR 14.
- 2010-62 - No violation – There was no boat in driveway
- 2010-63 –DR 14.
- 2010-64 -DR 14
- 2010-65 – DR 14.
- 2010-66 –DR 14
- 2010-67 – DR 14
- 2010-68 – No violation - From the pictures it appears to be fine.
 - A neighbor addressed concern regarding Palm Tree leaves hanging and overgrown.
 - Mr. Snyder recommended that the violation be re-filed to state this specific complaint.
 - The current complaint does not reference Palm Trees and bushes and therefore no violation exists.
 - DR 2010-67 has a final hearing scheduled for July 22, 2010, which will allow MP II staff to enter onto property and make maintenance repairs if granted.

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

- Ms. Glassman spoke about the public record requirements, filing of complaints and personal identifying information, which was not included on the form. The form will be revised to indicate that the information provided will be considered part of the public record.

SIXTH ORDER OF BUSINESS

New Business

- Mr. Lynn reported a neighbor complaint about fishing on the lake.
 - The person who was fishing indicated they had the homeowner's permission to fish on the property.
 - Mr. Snyder acknowledged that homeowners can fish on their own property and allow other people to fish on their property.
- Mr. Snyder addressed the following:
 - Painting on the Wrencrest property: The job should be completed within the next two days. Nickerson was opened tonight and by Friday and the final phase should be completed.
 - Signs notifying the neighbors about the sprinkler systems were installed.
 - Scapes provided a quote for the small area outside of Treemont for \$600. He believes this amount is too high and will address this with Scapes as they have been unresponsive with requests to check the clocks. He will speak to the owner of Scapes or Villa & Son.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Jackson submitted her status report and the following was discussed:

- 1422 Baythorn - Foreclosure. She is waiting for notification that the property is in compliance. If not, she will start enforcement procedures.

- 1435 Wylie – The Judge’s Assistant improperly docketed the case and it was sent to the wrong Judge. The hearing was reset for September 27 for a covenant violation.
- 29610 Morwen – The owner of the property has hired an Attorney. A court ordered mediation is set for June 30th. Defense Counsel agreed to provide discovery prior to mediation.
- 29613 Bright Ray – Settled as the owner sold the property. A check was issued to the CDD for Attorney’s fees, which will be posted to the 002 account. There is no violation.
 - Mr. Glassman questioned what the fee covered. Ms. Jackson explained that the fee was for Attorney’s fees.
 - Mr. Glassman questioned what will happen to the house. Ms. Jackson explained under the settlement, compliance and further maintenance was granted.
- 29717 Morwen – Litigation was filed for the deed restriction violation for yard maintenance. There was a signed order from the Judge granting Attorney’s fees, request for compliance and the ability for the CDD if the homeowners do not comply, to perform the maintenance and charge the owners.
 - Mr. Glassman expressed concern about the CDD performing the maintenance as there was no legal way for the CDD to recoup the money.
 - Mr. Lynn questioned whether the summary judgment was for the owners to continue compliance and whether they could go back to the Judge if the owners did not comply.
 - Ms. Jackson explained that there is a judicial order saying that the owners have to comply and are in contempt for non-compliance. She will speak to Mr. Santiago and get his feedback.
 - Mr. Glassman suggested that Mr. Shahin have a list of properties that have judgments against them so they can be monitored.

- 30603 Wrencrest – Bankruptcy foreclosure. A request to intervene on the foreclosure to have MPII named as a party, was granted. A motion for a case management conference was submitted so the bank to take ownership of the property, which the CDD can force into compliance.
- 30617 Wrencrest – Was in violation in 2008. This property needs to be re-inspected to see if there are any violations. Mr. Shahin will proceed.
- 30950 Burleigh – Property needs to be re-inspected to see if there are any violations. Mr. Shahin will proceed.
- 1514 Stetson – Closed.
- 1642 Stetson – Litigation was filed and they are awaiting default from Clerk’s office. Once received, they will proceed to the final hearing.
- 29853 Morningmist - Bankruptcy foreclosure. Their request to intervene was granted. They sent in a motion for a case management conference, which was set for September 20.
- 29649 Forest Glen - Bankruptcy foreclosure. They cannot file a request to intervene until the lawsuit is closed because the owner abandoned the property. A notice was placed in the newspaper with a deadline of August 2 for the owner to respond.
- 30840 Wooley Court – A summary judgment hearing is scheduled for tomorrow. A notice was posted in the newspaper because the owner could not be found.
- 1852 Blanchard Court - Bankruptcy foreclosure. A request to intervene is scheduled for August 2.
- 1955 Blanchard Court – The property was abandoned. A request for an account update was made to the Mortgage Attorney. They have to file an Affidavit of Diligent Search and notice in the newspaper as the owners cannot be found.
- Mr. Glassman thanked Ms. Jackson for providing this information. He requested that Mr. Santiago include the items on the bottom of the report that he is following up on.

- Mr. Lynn expressed concern about openly discussing items that are in lawsuits as they were discussed in private in the past.
- Ms. Jackson indicated that she was asked by Mr. Santiago to give this report. She will verify this with Mr. Santiago .
- Mr. Mendenhall explained that the lawsuits discussed in private were strategic sessions such as cases where they settled. These are filings and updates that did not need to be discussed in private.
- Ms. Sanchez reported that she lives next to a home that is vacant and has been broken into. She was interested in knowing the status of the home.
- Mr. Lynn requested a revised status report from Ms. Jackson.

B. Engineer

Mr. Valentine reported the following:

- He provided a letter regarding a SWFWMD inspection for Parcel 18, which includes a portion of Vermillion, Colehaven and Iverson for the clearing of vegetation from some control structures. Photos were attached to the letter. There was also an 11x17 photo of the problem areas.
 - Mr. Lynn thanked Mr. Valentine for providing the photos.
 - Mr. Mendenhall questioned whether Mr. Snyder can obtain bids for the vegetative growth or whether they need an aquatics company. Mr. Valentine confirmed that an aquatics company was not necessary and could be costly.
 - The control structure in Pond 18-10 needs mortar. This is not urgent, but should be addressed. This appears to be expansion material around the pipe. Mr. Snyder believes that some hydro cement will fill in the gap.
- He provided photos of ponds filled with algae. The Board has been proactive in keeping algae out of the ponds.

C. Property Manager

Mr. Snyder reported on the following:

- He questioned whether some of the above problems were created by Scapes.
 - Mr. Mendenhall noted that the ruts around the ponds should be addressed by Scapes. Mr. Valentine indicated that the ruts were caused by Scapes mowing saturated grass.
 - Mr. Valentine pointed out that there was a mitered end section that is usually not mowed by the landscaper as it was between two homes.
 - Mr. Glassman requested a list of the areas around the ponds that Scapes was responsible for. Mr. Valentine will provide a map of these areas.
- The following concerns were raised regarding Scapes:
 - Charging \$600 to mow the mitered end section.
 - Keeping the brush three to four feet from the ponds, as requested by Mr. Paul Woods from OLM, which is addressed in their contract.
 - Their mowing is hit and miss as they do not follow the list of areas to maintain, which was provided to all bidders prior to the awarding of the contract.
 - Mr. Glassman and Mr. Snyder are spending more time talking to Scapes about what they did and did not do, which is the Superintendent's job.
 - Billing the District for 21 three gallon knock out roses.
- Mr. Snyder noted that he cannot force Scapes to maintain areas that are not in their contract as it was his opinion that the turf was looking better than it ever has.
 - Mr. Lynn requested that the President of Scapes come before the Board to address these concerns.
 - Mr. Mendenhall will request that the President of Scapes come to the first meeting in September. He will email a list of issues to Scapes prior to the meeting.

D. Manager**ii. Investing**

- Mr. Mendenhall provided investment information to the Board.
 - Mr. Stephen Bloom, head of the Accounting Department at Severn Trent compiled investment information from several banks, as requested by the Board.
 - The checking account is currently earning less than 1% interest.
 - A sample rate spreadsheet from Florida Shores Bank for various investments was provided. They have better rates than some of the other banks and are part of the investment pool.
 - Mr. Mendenhall recommended that the Board invest some of their excess funds and use the remaining funds for operating expenses.
 - Discussion ensued regarding various investment options. It was recommended that \$500,000 either be placed in money markets or CD's.

This matter was tabled until the next meeting.

i. Questions and Comments on the Revised Budget

- Mr. Mendenhall provided an updated budget to the Board in Excel, as requested by the Board at the last meeting.
 - The average increase of assessments is \$55 or \$4.60 per month.
 - At this time the budget is \$57,392 over last year's budget.
 - Mr. Lynn recommended using the Fund Balance of \$505,000 to reduce the \$57,392 shortfall as he did not want an increase in the O&M assessment. Mr. Glassman agreed.
 - Mr. Mendenhall pointed out the risks associated with using the Fund Balance and the effect it will have on the operating capital as they need \$347,653 to carry the budget before assessment monies are received.
 - Mr. Lynn pointed out his concerns about the economy.
 - Mr. Mendenhall reminded the Board that they spoke about this in previous years and reiterated the risks. He pointed out that if the

Board keeps using the Fund Balance, next year they will have to increase assessments or decrease expenses. He added if you subsidize from year to year, you eventually run out of money.

- Mr. Glassman expressed concern about subsidizing the budget and borrowing money from the Fund Balance to pay down the budget. Ms. Sanchez disagreed with Mr. Glassman because some residents were taking cuts in pay from their jobs.

On MOTION by Mr. Lynn seconded by Mr. Shahin with Mr. Shahin and Mr. Lynn voting aye and Mr. Glassman voting nay, the Accountant was authorized to take \$57,392 from the \$159,909 in reserves to keep the O&M assessments level.

- Mr. Lynn questioned whether or not the Cynde was going to continue maintaining the website because there was a budget item for website development.
 - Mr. Mendenhall confirmed that this was for the monthly maintenance of the website.
 - Mr. Lynn requested that the title be changed to “Website Maintenance” instead of “Website Development”.
- Mr. Mendenhall sent an email to the Board with a Twitter live feed on the Oakstead CDD website. This is working well for Oakstead.
 - Mr. Lynn noted that they wanted a live feed since the website was developed, but Mercer could not do this.
 - Mr. Mendenhall will work with Mercer and provide a template at the next meeting.
 - Mr. Glassman questioned whether they had incorporated the deed restrictions for each village into one document for the website
 - Mr. Lynn noted that the problem was that there were separate deed restrictions for each village. He provided a disk to Mr. Mendenhall to provide to Mercer.
 - Mr. Mendenhall will see what was on the disk.

EIGHTH ORDER OF BUSINESS

Approval of the Minutes of the June 16, 2010 Meeting

- Mr. Mendenhall provided a copy of the minutes of the June 16, 2010 meeting to each Board member and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor the minutes of the June 16, 2010 meeting were approved.

NINTH ORDER OF BUSINESS

Other Business

Aquatic Maintenance

- Mr. Lynn questioned whether Aquatic Management was going to give a presentation to the Board.
 - Mr. Snyder explained that he sent a letter to Aquatic Management on behalf of the Board, but received no response.
 - Mr. Lynn reported that he received a quote from American Ecosystems in May, but did not know if they covered the same areas. They were providing 2,700 plants for \$1,620 versus Aquatic Management charging \$1,850 for 1,850 plants.
 - Mr. Snyder expressed concern about putting in more plants as it will block the residents' view of the ponds. He will get further information from American Ecosystems.

Mansfield Roadway

- Mr. Lynn announced that the intersection of Mansfield and 56th was scheduled to open on July 31.
 - There was some confusion because the County installed stop signs, but they said there will eventually be a traffic light at the intersection.
 - There will also be a traffic signal at Meadow Pointe Boulevard and 56th, which currently has stop signs.

- It is believed that the original contract involved stop signs, but the County will not open the road until traffic signals are installed.
- Mr. Glassman noted that there was a meeting scheduled on the S.R. 54 construction next week.

Deputy

- Mr. Lynn reported that MPIII opted to enter into an agreement with Country Walk to split the cost of the Deputy.
 - He met with the Sheriff's Office and found out that Country Walk has three times the number of service calls, more than MPPII and MPIII combined.
 - Even though MPPII gets 50% of the Deputy's time, Country Walk and MPIII have a 50% split with the Deputy.
 - He expressed concern that if they get more service calls from Country Walk, the Deputy is going to spend more time there and MPPII could lose some service time.
 - He recommended either waiting to see what happens or tell the Sheriff's Office that they do not want to be in a joint effort between MPIII and Country walk and have their own Deputy working 12 hours a day half a week and the regular patrol services for the remaining days.
 - It was suggested that Country Walk get their own Deputy since they are a large community. Mr. Lynn explained that Country Walk elected not to do this.
 - Mr. Lynn requested authority from the Board to attend the next MPIII meeting and speak on behalf of the Board.
 - *After further discussion, there was consensus from the Board.*

TENTH ORDER OF BUSINESS

Approval of June, 2010 Financial Statements

There not being any questions or comments,


On MOTION by Mr. Glassman seconded by Mr. Lynn with all in favor the June, 2010 were approved.

ELEVENTH 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 at 8:30 P.M.


Linda Straw
Chair