

**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 15, 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:

Linda Straw	Chairperson
Mark Glassman	Vice Chairman
Brian Shahin	Secretary
Gerald Lynn	Assistant Secretary

Also present were:

Andrew Mendenhall	District Manager
Rolando Santiago	District Counsel
Robert Valentine	District Engineer
Bill Snyder	Field Manager
Renee Glassman	ARC/DRC
Paul Croche	Meadow Pointe III Supervisor
Tonja Stewart	Meadow Pointe III Engineer
Michael Beebout	Resident
Christopher Brand	Resident
Paul Carlucci	Resident
Sol Jaugonsky	Resident

*The following is a summary of the discussions and actions taken at the September 15, 2010 Meadow Pointe II Community Development District's 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.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**FOURTH ORDER OF BUSINESS**

**Resident Council Representative**

There was no discussion.

**FIFTH ORDER OF BUSINESS**

**New Business**

Mr. Lynn discussed an issue with the signs which went up in the communities prohibiting parking on the sidewalk.

- The signs which stated, *No Parking on Any Street at Any Time*, were removed and replaced with the new signs.
- The old signs still need to be replaced on the same side as the sign posting the 30 MPH speed limit, as required by the county.
- Mr. Lynn is trying to find out if the signs can be obtained from the county free of charge.
- Mr. Lynn will update the Board as the situation progresses.

Mr. Shahin discussed the ARC/DRC position.

- Mr. Shahin recalled this was to be a dedicated position, but it was decided that other responsibilities would be incorporated to the position.
- He met with Mary and expressed a difference of opinion regarding the position since she discussed this with Ms. Straw.
- Ms. Straw discussed the work she has been doing with Mary since the last meeting.
  - There is a clear miscommunication between the person doing the work and the people who are presenting it; and is not the fault of either party.
  - They devised a PowerPoint presentation in which Mary can put everything, including notes on one page for all to see.
  - The presentation will be viewed later in the meeting.
  - Ms. Straw asked Mr. Santiago to let the Board know if the presentation provides him with enough information in cases which may involve litigation.
  - Ms. Glassman and Mary spoke today; and it appears they resolved their issues.

- Mr. Shahin made it clear that Mary can approach Mr. Snyder with any issues if he is not available.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Santiago discussed the new threshold amounts.

- The official threshold amount for bidding in Category 4 increased from \$150,000 to \$195,000.

Mr. Santiago discussed the trees in the right-of-ways.

- Ms. Straw indicated there are a large amount of Deed Restriction violations from the School Board mandating they will discontinue school bus service if the trees are not trimmed.
- Mr. Snyder wrote a letter to the School Board; after which they announced they will delay taking action until after this meeting.
- The discussion will be deferred to the end of the meeting as it is expected to be lengthy.

Mr. Santiago discussed the application of certain rules.

- They are not formalized yet, as they have not been adopted by the District.
- Staff is still involved in the rulemaking process.
- Some rules can be implemented without formal adoption, which Mr. Santiago further explained.
  - There is a Pending Ordinance Doctrine which allows enforcement of certain rules or restrictions as long as the Board has affirmatively approved doing so under this Doctrine.
  - This can be done if the District chooses to relax enforcement of certain rules, but not necessarily for restricting rules.
    - Mr. Santiago does not recommend proceeding with any restrictions until such time as they are formally adopted.
    - If the District decides to revert back to enforcement of a rule which was already relaxed, those people who were subject to the allowance are protected from the District's change.

- Mr. Santiago clarified the District is not necessarily *allowing* something, but is *not enforcing* it.
- Mr. Glassman commented some rules need to be enforced soon since the holiday season is approaching.
- Mr. Lynn indicated this cannot be done until the Meadow Pointe III proposal is presented.

Mr. Santiago discussed the Aqua Pools litigation.

- The gentleman who was the subject of the litigation has been court-ordered to an Intern Assistance Program for Substance Abuse.
- The CDD received a stay from enforcement of proceedings against him.
- The CDD can resume enforcement against them once this person is released from the rehabilitation program.
- Their counsel indicated he wants to resolve the issue and come to a Settlement Agreement with the CDD.
- He has not closed the company or filed for bankruptcy.
- Ms. Straw thought there already was a Settlement Agreement.
  - Mr. Santiago filed a Promissory Note, which he breached.
  - A Settlement Agreement was transmitted to him to pay all monies he owed along with interest and District costs, but was never signed since he was mandated to this program.
- Ms. Straw asked for an explanation as to why it took so long to report back to the Board on this issue.
  - The file was put to the side once the stay came in and was not looked at since that time.
- Ms. Straw asked Mr. Santiago to present a status report on this item as well as the mitigation issues at the next meeting.

Mr. Santiago discussed Trout Creek Properties.

- Mr. Santiago indicated they sent Trout Creek Properties a Demand Letter to comply, but they have not yet responded.
- The only thing left to do is to file a lawsuit requiring them to comply.

Mr. Lynn MOVED to authorize Mr. Santiago to file a complaint against Trout Creek Properties requiring them to comply with transfer of the property; and Mr. Shahin seconded the motion.

- Mr. Glassman wants to know how Mr. Aronoff is still involved.
  - All notices were sent to the Registered Agent.
  - They cannot force the Registered Agent to notify the superiors in their company who make decisions.
- Mr. Shahin asked Mr. Mendenhall if Mr. Aronoff is involved with the outstanding bonds; in which case he has the legal right to know what is going on and continue to receive agenda packages.
  - Mr. Mendenhall speculated this is probably the case since he was involved in the original development of the community.
  - If Mr. Aronoff requested the information, he would be able to receive it anyway since these are public records.
  - Mr. Shahin suggested he can get any information through the CDD's website.
  - Ms. Straw asked Mr. Mendenhall to determine whether or not the District is charging him.
  - Mr. Shahin recalls an e-mail from Mr. Mendenhall which indicated there was a legal connection requiring him to receive the information.
  - Mr. Glassman suggested Mr. Aronoff may have been an original signer on the bonds.

There being no further discussion,

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

Mr. Santiago discussed the CMR claim in the amount of approximately \$1,400 for the work involving line locations, which was done erroneously or overlooked; and when CMR did the work they broke some Verizon lines.

- The work was originally done under the name, Drain Doctors, which is now Tampa Bay Plumbing LLC.

- Mr. Santiago sent them a notice asking them to indemnify the CDD for these costs.
- The CDD holds this company in high regard since they have done good work in the past.
- They are not willing to accept this liability at this point; as they are investigating their liability on the project.
- Mr. Santiago is asking the Board for direction as to how this should be handled.
  - Mr. Glassman indicated the issue was between Drain Doctors and the line location company, and has nothing to do with the CDD.
  - The Board was in agreement that Mr. Santiago should pursue payment from them.

**THIRD ORDER OF BUSINESS**

**Guest Speakers**

Mr. Paul Croche and Ms. Tonja Stewart discussed Meadow Pointe III clubhouse privileges.

- The current policy allows any Meadow Pointe resident to use their facilities.
- They have a formal agreement with Meadow Pointe I and IV.
- Ms. Straw explained the need for a formal agreement with Meadow Pointe II.
  - The Meadow Pointe II pool was closed for repairs and a resident went to use the Meadow Pointe III pool.
  - The resident was told by someone in Meadow Pointe III they were not permitted to use it.
  - Ms. Straw made it clear that Meadow Pointe I, III and IV are permitted to use the CDD's facilities.
    - A \$7 key card must be purchased, since photo identification is necessary to access the facilities.
    - The fitness center is not accessible because it was not an original developer structure.
  - Mr. Croche suggested a formal agreement be put in place, which was discussed.

- Mr. Lynn suggested there can be a reciprocal agreement between the two entities to allow use of all facilities, with the exception of the fitness center.
- Mr. Lynn suggested the current fee schedule should apply to both entities.
- Both entities consider non-residents as anyone who resides outside of Meadow Pointe entirely.
- Mr. Croche will prepare the formal agreement based on the one they have with Meadow Pointe I and IV.
- Ms. Straw commented that Meadow Pointe II will have to upgrade their entire security system in order to open the fitness center, but cannot do so at this time due to the state of the economy.
- Meadow Pointe I is in the process of upgrading their security system, which Mr. Croche described.
  - They are looking at having residents use a key fob.
  - They are looking at three to four different proposals.
  - Mr. Croche suggested Meadow Pointe II residents use their current cards if possible.
  - The software they are looking at has expiration dates.

Mr. Croche discussed the entry gates at Wrencrest.

- He understands there were never Meadow Pointe II residents entering through the Meadow Pointe III gates; and Mr. Lynn elaborated.
  - Residents of both communities entered from each side at one time.
  - This changed when staff reached the limitation as to how many names could be entered onto their system.
- Mr. Croche was told by the person who sold the original gates that the software is capable of pulling a list.
  - The software is not able to add or remove individual persons.
  - Meadow Pointe II's system allows names to be added or removed.
  - The individual lists can be downloaded to one.

- Ms. Straw asked Mr. Snyder to talk to Robert and find out if codes can be uploaded to the Wrencrest/Renassalear gate.
- Mr. Croche described items which were recently implemented.
  - They have cameras at the gates for the entry and the exit.
  - An infra-red camera will be implemented for the purpose of getting license plate numbers late at night.
  - There is also a lockbox recording device at the gate.
  - Their vendor is DCSI.
  - They added magnetic locks to two gates, which have been successful.
  - Mr. Croche indicated there has only been one instance of vandalism in which a camera was damaged by a crowbar.
- Mr. Michael Beebout wants to know the cost for cameras versus having a live guard.
  - Mr. Lynn commented that a live guard would require 24 hour coverage.
  - Ms. Straw commented more damage is done to the gates during the day with all of the different vendors using them.
- Mr. Snyder will discuss all of the information which has been compiled over the last two years regarding security at the next meeting.
  - He does not believe there are enough funds in the budget to upgrade the system.
  - Mr. Santiago advised this upgrade represents a civil remedy to the situation.
  - Ms. Straw indicated some residents are not in favor of the cameras due to the privacy issue.
  - The amount of available space for all residents and codes on the system needs to be determined.
  - A plan needs to be determined to maintain a dual system with Meadow Pointe II.
  - Meadow Pointe II has a gate technician on site.

Mr. Shahin wants to know if the Renassalear Board discussed tree trimming issues; to which Ms. Tonja Stewart responded.



- The trees cannot be removed, per the county.
- This is a maintenance and budget issue in which it must be determined whether this should be the responsibility of the resident or the CDD.
  - Residents do not have the criteria or the specifications to do this.
  - This will be a perpetual Board responsibility.
- Mr. Shahin indicated that Meadow Pointe III has all gated communities and Meadow Pointe II has mixed communities.
  - Some streets are owned by the county; in which case the CDD does not have the authority to trim those trees.
  - Ms. Stewart met with the County Administrator since Meadow Pointe III does have some county right-of-ways to determine what they were not going to do.
    - The county's position is that if a developer built it, they will not maintain it.
    - This goes back to the property owner versus the CDD incurring responsibility.
- Ms. Straw discussed the situation in which the school buses are driving down the middle of the streets to avoid the branches.
  - The trees are planted between the sidewalk and the road on CDD property.
  - If the school bus driving down the middle of the road hits someone riding a bicycle and there is an injury, the School Board may state the bus driver had to drive down the middle of the road to avoid the tree branches.
  - It may be determined that the tree caused the issue; in which case the owner of the tree is actually responsible for the injury.
  - Ms. Straw asked Mr. Santiago if the homeowner would be held responsible in this situation.
    - The potential lawsuit will be the victim versus the CDD, School Board and county.
    - Mr. Santiago proceeded to read an excerpt from the Florida statutes.

- *A government agency's duty to maintain the public ways within its jurisdiction in a reasonably safe condition extends to trees adjacent to or overhanging the right-of-way itself to the extent that they have or might become a danger to persons upon that right-of-way.*
- The School Board will not be absolved from liability for driving down the middle of the road, as this is considered negligence.
- If the county is responsible for maintaining the right-of-way, the CDD will likely not have to incur liability.
- If the CDD is responsible for maintaining the right-of-way, the liability can come back to the CDD because this is considered a dangerous condition which comes back to the agency responsible to preserve the health, safety and welfare of the public.
- Mr. Lynn discussed the sidewalks in this regard.
  - According to the County Ordinance, it is not their responsibility to maintain sidewalks platted to the county, but it is their responsibility if they were deeded to the county.
  - The non-gated communities were platted to the CDD, but not deeded over.
- Ms. Straw asked Mr. Santiago whether the homeowner or the CDD will be held responsible if the CDD passed a resolution mandating the homeowner to be responsible for maintenance of the sidewalk; and someone gets injured by slipping on the sidewalk.
  - The CDD will more than likely be held responsible.
- Mr. Straw described some different scenarios.
  - The CDD and the county will be responsible for a tree planted on CDD property in which the limbs overhang a public right-of-way owned by the county.
  - If a tree root is causing the sidewalk on which the tree is planted to come up, the CDD has a resolution which imposes the duty to repair the sidewalk on the abutting property owner.

- The property owner must be given notice in order to allow them the opportunity to fix the problem.
  - If the property owner does not have the sidewalk repaired and someone is injured, both the homeowner and the CDD will be responsible.
  - Theoretically, the CDD was aware there was a problem; and no action was taken.
  - The CDD can repair that sidewalk and indemnify the property owner to reimburse for the repair costs.
  - If the owner fails to reimburse the CDD, the cost can be applied to their assessments for the next year.
- Ms. Straw wants to get this resolved, as she does not want the School Board to discontinue bus service, causing fallout from residents.
- The Board proceeded to discuss tree trimming issues.
    - Mr. Glassman received a quote from a contractor who will trim the trees on both the street and sidewalk side in order to ensure the District is not in violation of either side.
    - Ms. Straw wants to ensure this quote addresses the trees on the Deed Restriction list as well as those cited by the School Board.

A Resident commented he is impressed at the way the CDD has maintained the Wrencrest gates.

Mr. Glassman discussed the gates.

- The gates are being painted; and reflective glass beads will be added to the paint on the bottom panel.
  - This will provide a more aesthetic look.

The Board held a discussion relative to the deed restrictions for tree trimming.

- Ms. Straw believes the CDD should be responsible for the trees cited by the School Board.

Mr. Lynn MOVED to authorize the CDD to maintain approximately 50 trees cited for trimming by the Pasco County School Board; as well as the trees which are interfering with the right-of-ways.

- Ms. Straw asked Mr. Glassman to ensure the quote he received includes both sets of addresses.

Mr. Shahin SECONDED the prior motion.

- Mr. Glassman would like to amend the motion to take care of the maintenance in two parts.
  - Part One is for maintenance of the original District items.
    - This will authorize the District to do this.
    - This will include the trees cited by the School Board.
  - Part Two is to define the other trees in the District which are in need of trimming.
    - This will authorize the District to take care of any issues which arise in the future with regards to trimming.
  - Ms. Straw disagrees and thinks Mr. Lynn's initial motion should cover the addresses cited by the School Board and the addresses on the Deed Restriction list, pending the CDD's clarification that they actually need to be trimmed.
  - Part Two should be to identify anything outside of what is determined to be trimmed through the original motion in order to budget for this work going forward.
  - Mr. Lynn believes all complaints should be addressed individually.
  - Mr. Shahin believes the costs for trimming should be incurred by the individual villages.
  - All tree trimming complaints should be noted on the Deed Restriction List.

There being no further discussion,

On VOICE vote with all in favor, authorization of the District to trim and maintain approximately 50 trees cited by the Pasco County School Board as well as all tree trimming issues listed on the current Deed Restriction List was approved; and authorization for the District to define any future tree trimming issues on an individual basis was approved.

Ms. Stewart discussed a damaged sanitary sewer line in Meadow Pointe III.

- It is going to cut off access between Meadow Pointe II and Meadow Pointe Boulevard.
- The work to repair this will take approximately three weeks.
- She is still waiting for the county to approve.
  - Mr. Glassman noted they already ordered signs notifying their residents about this work.
  - Ms. Stewart will communicate with Mr. Mendenhall as the work progresses.

**SIXTH ORDER OF BUSINESS**

**Committee Reports**

**A. Architectural Review**

Ms. Glassman distributed the Architectural Review Report for the Board's review and approval; a copy of which is attached hereto and made part of the public record.

- 2010-41 – painting of house – recommend approval.
- 2010-42 – painting of house – recommend approval.
- 2010-43 – installation of white PVC fence – send back and ask them to resubmit with a drawing on the survey; and remind them the fence needs to be within their legally owned property and appropriate setbacks.
  - The fence to be installed is wider than the property as determined on the survey.
  - Fence installations are subject to county setbacks.

There being no further discussion,

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

**B. Deed Restrictions**

Ms. Glassman distributed the Deed Restrictions Violations Log for the Board's review and approval; a copy of which is attached hereto and made part of the public record.

- 2010-80 – Oak Tree between sidewalk and road needs trimming; yard overgrown; trees – N/A.
- 2010-81 – Oak Tree between sidewalk and road needs trimming. Water softener visible from street; weeds; oil in driveway – N/A.
- 2010-82 – Oak Tree between sidewalk and road needs trimming; lawn needs edging and bushes need trimming – DR-14; tree still needs to be trimmed.
- 2010-83 – Oak Tree between sidewalk and road needs trimming; lawn is overgrown and needs edging and trimming – DR-14; trees to be trimmed.
- 2010-84 – Oak Tree between sidewalk and road needs trimming; trash can in front of garage; window treatments cracked; eaves at entrance and fence rotted – N/A.
  - Photographs need to be taken from outside of the car to get a true perspective.
  - Mr. Glassman will check on all of the items for tree trimming.
- 2010-85 – Oak Tree between sidewalk and road needs trimming; trash cans in front of garage – DR-10.
- 2010-87 – Oak Tree between sidewalk and road needs trimming, hits faces and/or buses passing by; yard has weeds and needs trimming; yard needs mowing all the way to the back – DR-14.
- 2010-88 – trash cans in front of garage – DR-10.
- 2010-89 – Trash cans in front of garage – courtesy letter for garbage cans was already sent.
- 2010-90 – Christmas decorations still up; yard waste not bundled for waste company; ropes and swing hanging from tree limbs – N/A.
- 2010-97 – Tree limb blocking sidewalk and hits people when they walk by – DR-14.
- 2010-98 – Tree limb blocking sidewalk and hits people when they walk by – DR-14.

- 2010-99 – This item was broken down to the individual addresses.
- 2010-100 – Tall weeds in flower beds; area needs to be mowed and maintained; weeds needs to be removed – DR-14.
- 2010-101 – Yard is extremely overgrown; back yard and area between fence and conservation area is overgrown; fence is falling down – DR-14, DR-15, DR-19.
  - Upon further discussion, it was determined the owner should maintain the property to the water's edge.

There being no further discussion,

On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor, the recommendations from the Deed Restriction Report were approved as presented; and Mr. Glassman was authorized to check on all items regarding tree trimming.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports (Continued)**

**B. Engineer**

Mr. Valentine is happy that everyone is satisfied with the Wrencrest entrance.

**C. Property Manager**

The Board discussed power washing of sidewalks in Longleaf.

- The HOA sent an e-mail to Mr. Mendenhall requesting this be done.
- The HOA Board discussed this and determined the CDD is responsible if it was abutting a mitigation area.
- Mr. Mendenhall indicated they want the CDD areas toward the front entrance gate power-washed, as opposed to the entire community.
  - Ms. Straw indicated Mr. Snyder should get this work done; as it is minimal in nature.
  - Mr. Lynn does not believe the CDD can power wash the entire property, as it represents the CDD selling its services as a corporation and collecting money to do something it is not licensed to do.
  - Ms. Straw was under the impression the CDD could charge the HOA for the maintenance costs, as long as the CDD is not making any money from it.

- Mr. Santiago clarified the CDD should not do anything for the benefit of a sole individual, as opposed to the good of the general public; lest it set a difficult precedent.

Mr. Snyder asked Ms. Straw about her meeting with American Ecosystems regarding the ponds.

- Tony from American Ecosystems needs the documents signed.
- He also wanted to know which ponds he was putting plants on.
  - He gave Ms. Straw a map and drew what he was going to do around each pond.
  - He is going to plant along the entire perimeter at one pond in Deer Run.
  - He is going to plant in the area where the CDD did repairs along the banks behind the homes and across the berm area.
  - He is planting 1,300 aquatic plants.
  - The installation height is one foot.
  - The maximum height is three feet.
  - Plants will not grow more than three to four feet.
  - The plants are there to keep the bank from washing into the pond.
  - There will not be any encroachment on private property.
  - The work will commence tomorrow and should be done by Friday, weather and nursery permitting.

Mr. Snyder discussed the new landscape contract.

- The contract was received and executed.
- All Board members received a copy.
- Mr. Snyder and Mr. Glassman will meet with Mr. Scott Carlson to discuss preparation of start-up.

Mr. Snyder discussed miscellaneous issues.

- Mr. Snyder will send an e-mail to Bob from the county to let them know the CDD is taking care of the tree trimming.

**A. Attorney (Continued)**

Mr. Glassman discussed re-sealing.

- Six villages need to be fixed and sealed.



- There is a limit of \$195,000.
- Ms. Straw believes the plan was to do this as needed.
- Mr. Lynn indicated that every village needs to be done.
- Mr. Glassman will get the work scheduled to commence after the start of Fiscal Year 2011.

Mr. Shahin asked Mr. Santiago for a summary of what happens during “Motion to Intervene” in cases.

- It is subject to the court’s availability.
- Some judges have closed down their dockets because they are trying to push through the foreclosures.
- Mr. Santiago cannot proceed until the motion is intervened.
- The CDD is subject to the bank’s willingness to prosecute.
- Some judges are booked until the end of November, even on a five minute hearing on a motion docket.
- The judges do not open their calendar for the next month.

**D. Manager – Investment Options**

Mr. Mendenhall discussed the Investment Report which was in the Agenda Package.

- The CDD has \$1.4 Million earning approximately .25% interest in the checking account.
- The checking account balance is \$1,395,176, with an operating reserve less \$411,800, leaving \$983,376 available for investment.
- The CD will be with the CDD’s current bank.
- Mr. Lynn suggested putting the funds in a Money Market Account if they are collecting the same interest.
  - Mr. Shahin reminded the Board the Money Market rate changes; whereas the rate can be locked in with a CD.
  - Mr. Mendenhall indicated the Money Market account is the most liquid investment the CDD has besides the checking account.

There being no further discussion,

On MOTION by Mr. Lynn seconded by Mr. Shahin with all in favor, Severn Trent Services was authorized to invest the checking account balance of \$983,376 into a CD as discussed.

Mr. Mendenhall presented two versions of the financial report for the Board's consideration.

- Mr. Lynn asked Mr. Mendenhall to highlight the differences between the two reports.
  - The differences are merely aesthetic in nature.
  - The reports and numbers have not changed.
  - Mr. Shahin wants to know if the spreadsheet can appear on one page.
    - The only way to successfully accomplish this is to omit a column which is not used often.
    - The spreadsheet can be shrunk in size, but will be more difficult to read.

There being no further discussion,

On MOTION by Mr. Lynn seconded by Mr. Shahin with all in favor, the new format for all future Financial Statements was approved.

Mr. Mendenhall discussed the CDD website.

- The CDD is on Twitter, with instant updates.
- Mr. Mendenhall recommends that Mr. Snyder control what is posted to the website.

Mr. Shahin asked for a status of the missing minutes from the website.

- Mr. Mendenhall brought all minutes which were approved, but still missing from the website for signature this evening.

Mr. Lynn noticed the new landscape contract with LMP exceeds the budget by \$11,705; and wants to know if a budgetary transfer should be done now or wait.

- Mr. Lynn is concerned that if the transfer is not done now, the Board will forget about it at the end of the year and wonder why the budget was exceeded.

- A budget amendment can be done which will be reflected on next month's financial statements.
- Accounts Payable looks at this on a monthly basis anyway.
- Mr. Mendenhall gave the Board two options.
  - If the Board decides to take the funds from contingency, a budget amendment is created taking this money from the balance sheet and adding it to the budget.
  - If the Board wants to take the money from another line item, that line item will be debited and the landscape line item will be credited.
  - Mr. Mendenhall will talk to the accountant and put together a resolution which authorizes movement of the funds into the operating fund.

**EIGHTH ORDER OF BUSINESS**

**Approval of the Minutes of the  
August 18, 2010 Meeting**

Ms. Straw stated each Board member received a copy of the Minutes of the August 18, 2010 Meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor, the Minutes of the August 18, 2010 Meeting were approved.

**NINTH ORDER OF BUSINESS**

**Other Business**

Ms. Straw e-mailed Ms. Cindy Matter regarding the Meadow Pointe News and asked her to add a disclaimer on their pages.

- It should state; *Unless otherwise noted, the opinions expressed in this publication do not necessarily represent the opinions or the position of the Meadow Pointe II Community Development District.*
- Ms. Straw asked Ms. Matter if any other District requested this disclaimer.
  - No other District requested this, but she thought it was a good idea.

Ms. Straw discussed the Scapes termination date.

- She has been discussing this with Mr. Snyder and Mr. Paul Woods.
- Their letter was received on August 3, 2010, which takes their obligation to the District through September 30, 2010.

Ms. Straw discussed the Employee Handbook.

- Mr. Mendenhall met with staff members.
  - Employees had a couple questions, which Ms. Straw believes she has the answers to, but would like to get consensus of the Board.
  - The handbook specifically states; Full-time employees need to be here; and provide a continuous year of service before they are eligible for vacation.
    - When are you eligible for the four personal days and the floating holiday?
    - Do you have to be employed here one year to have them or are they accrued during the first year?
      - Ms. Straw believes they are eligible on a calendar basis; they do not need to be here for one year to get their sick time and floating holiday, but they would be prorated for the first year based on when they started and what would be available for the rest of the year.
      - Ms. Straw does not know if they actually discussed accruing them because they are not paid out. If they take four in one month, they are done for the rest of the year.
      - The answer is: They are not accrued. They are on a calendar year.
    - If they have to be used, must they be taken in the same calendar year or by the anniversary date?
      - Vacations go by their anniversary date; and they have to be employed for one year. Floating holidays and personal days are based on the calendar year.
    - Can they be carried over?
      - They cannot be carried over.
  - The Board was in consensus with these responses.
  - Ms. Straw will put a memorandum out to amend the book.
- Ms. Straw has had some issues with being able to access data on the LAM.
- Mr. Snyder has been working with John to try to tier the access in order to ensure there is a shared folder among the staff.
  - Ms. Straw was still not able to access all of the data.

- She had to re-map all of the drives.
- This has to be done on each machine.
- Ms. Straw wants to ensure all machines have the same access.
- Ms. Straw asked John for mapping instructions for each user.

Mr. Lynn discussed an issue with a resident on the tennis courts and other facilities in the CDD.

- It needs to be determined how long the person's access should be restricted; as well as how restrictions will be handled in general.
  - Discussion among the Board ensued.
  - The number of days of restriction should be tiered for habitual offenders.
  - The CDD has the privilege to revoke access in certain circumstances.
  - Mr. Lynn believes a first offense should be 30 days.
  - It should be tiered as one month, three months and six months.
  - It does not matter whether it is a new or old violation.
  - The person should not be able to have access anywhere in which a key card is required.
  - He can still have access if he comes in with another resident as a guest.

Mr. Lynn was confronted with a question regarding the resolution for sidewalk maintenance in the gated village.

- Residents should be knowledgeable of the resolution.
- Mr. Lynn would like the resolution to be on the website.
- It is already on the record since it was adopted at a Board meeting.
- This can be included on the website under *CDD Policies and Forms*.
- All resolutions can be included on the website under this category.

Mr. Shahin indicated that Google Maps has the CDD's address incorrectly.

Mr. Shahin polled the analytics for the website and it only shows four hits, which he believes is incorrect.

- Mr. Mendenhall will check on this.

Mr. Glassman discussed issues.

- Gate painting will start soon.
- The pool work should be starting in October.

- Mr. Glassman received a letter from Mr. Wayne Busbice regarding the community noise problem from Wiregrass High School; a copy of which is attached hereto and made part of the public record.
  - Mr. Lynn does not believe this is a matter for the CDD to handle.
- Mr. Glassman distributed discs of the booklets and maps.
- As of today, Mr. Glassman asked Mr. Mendenhall to call all of the engineers which showed interest.
  - They are all still interested.
  - Mr. Glassman believes the CDD should seek a new engineer.
  - Ms. Straw asked the potential engineers to attend the CDD's first October meeting.

**TENTH ORDER OF BUSINESS**

**Approval of August 2010 Financial Statements**

Ms. Straw presented the August 2010 Financial Statements for the Board's review and approval; a copy of which is attached hereto and made part of the public record.

There being no comments or questions,


On MOTION by Mr. Lynn seconded by Mr. Glassman with all in favor, the August 2010 Financial Statements 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  
Chairperson