

**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, October 6, 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:

William Snyder	Property Manager
Yolanda Bush	ARC/DRC
Renee Glassman	ARC/DRC
Michael Hummel	LMP, Inc.
Joe Payne	Lighthouse Engineering
Jim Bovis	Resident
Richard DiCarlo	Resident
Joe Gallagher	Resident

The following is a summary of the discussions and actions taken at the October 6, 2010 Meadow Pointe II Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Straw called the meeting to order and Supervisors and staff identified themselves.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Guest Speakers

Mr. Michael Hummel from LMP, Inc. introduced himself to the Board and briefly discussed his background.

- He is the Account Manager with LMP for the CDD; as well as the Agriculture and Horticulture Manager.
 - He diagnoses turf and plant problems.
 - He controls scheduling of any necessary spraying.
 - The CDD is close to his home and he will be able to drive through periodically.
- He will attend inspections with Mr. Snyder and Mr. Woods.
- Everything they do will be documented.
- Mr. Hummel submitted proposals to Mr. Snyder for work at the clubhouse.
- The winter plantings will be colorful and able to withstand colder weather.
- Mrs. Glassman wants to know if the plants behind the larger ones at Morningside are going to be looked at or changed.
 - Mr. Hummel will ensure the plants have a *stair step* effect in these and other similar areas.
 - Many shrubs will be cut back in order for them to be maintained low over the winter.
- The first annual color change at the entryways will be done on November 1st.
 - The areas will be left blank for the next month, but kept clean.
 - The Board members will work with them and make recommendations as the work is being done.

A Resident of Covina Key is concerned with the fact CDD fees continue to increase and wants an explanation of the workings of a CDD.

- All community expenditures are taken into consideration and built into the reserves accordingly.
- The CDD owns the roads in Covina Key.
 - This necessitates expenditures for road paving projects.
- All residents of Meadow Pointe II pay a portion of the General Fund, which covers the following items:
 - Street lighting;
 - Walls and monuments;
 - Clubhouse and other facilities

- CDD fees increase as these expenses increase.
- Increases in specific village fees will also impact residents' tax bills.
- A trim notice is submitted in June with an estimated budget amount which cannot be exceeded.
- The final budget is presented for formal adoption at a Public Hearing in August.
- The actual CDD bill is lower than the amount on the trim notice.
- Increased expenses also result from increases in utility bills.
- Mr. Lynn told the resident their bill only increased \$33, as opposed to \$90 which was indicated on the statement.

Mr. Joe Gallagher discussed foreclosure issues in the community.

- The lawn is extremely overgrown on a property next to him; and his landscaper has cut it a couple of times at his request.
- He indicated the Meadow Pointe III Association is maintaining the lawns on the foreclosures in their community.
- He does not believe the CDD stepped up to its responsibility in maintaining the welfare and good of the community.
- Property values are declining because of these vacant homes.
- He believes the abandoned properties should become common areas; thereby, making the CDD responsible for maintaining it; until such time as someone else purchases the property.
- Mr. Shahin responded to Mr. Gallagher.
 - The developer failed to provide an HOA for Meadow Pointe II.
 - The developer was later sued and forced to start an HOA.
 - It was voluntary because they could not get any residents to agree to make it mandatory.
 - The HOA which existed at the time failed; and is no longer in existence.
 - The developer realized his mistake when he built Meadow Pointe III and IV.
- They now each have their own HOAs which are separate from the CDDs.

- Since the CDD is considered a governmental entity, they are not permitted by statute to maintain property which does not actually belong to the District.
 - Mr. Gallagher suggested this law should be changed.
- The foreclosed property adjacent to Mr. Gallagher is going to be presented as a Deed Restriction Violation.
- Mr. Shahin explained the Deed Restriction process.
 - A notice must be sent to the property owner giving a certain amount of time to respond to the violation letter.
 - If there is no response, it is escalated to the District Attorney.
- Mr. Gallagher submitted a violation five weeks ago.
- Ms. Straw stressed the CDD cannot work outside the confines of the law with regards to foreclosed properties.
- Mrs. Glassman told Mr. Gallagher the property can be reported to the county code enforcement; and they will send someone to mow it.
 - Mr. Lynn reminded Mr. Gallagher the county has certain restrictions as to what they will take care of.
 - They do not have a financial budget to take care of many of these processes.
 - The lawn will have to be in total disarray for them to consider mowing it.
 - The lawn must be 12 inches in height for county mowing enforcement.
 - The county has the right to impose a lien on the property, but the CDD does not.
- Ms. Straw emphasized the Deed Restriction process depends on the progression of the foreclosure process in order to ensure the home has a viable owner.
 - Many banks have stopped the foreclosure process, which hinders the CDD's process.

Mr. Richard DiCarlo is going to receive a copy of Dade City's Ordinance and discussed a comparison between the two.

- He believes an abandoned property is considered a District asset.

- Dade City does not have a special taxing District; whereas the CDD is considered a special taxing District.
- He is going to present the Dade City Ordinance to the CDD's attorney and ask him to adopt it for the CDD; to which Mr. Lynn provided a response.
 - The Statute which governs the CDD specifically states the CDD is required to monitor, maintain and manage the CDD's property.
- Mr. DiCarlo believes private property should be considered common property once it is abandoned, and the CDD should be responsible for maintenance.
 - Ms. Straw indicated this would be the case if there was an HOA.
 - HOAs have the ability to do certain things which the CDD does not.
 - The CDD cannot do anything with private property; and abandoned property is still considered private.
 - Mr. DiCarlo still disagrees and will research further in an attempt to find a loophole.
- Mr. DiCarlo wants to know the reason Meadow Pointe II cannot have an HOA; to which Ms. Straw provided a response.
 - This was attempted, but required 100% participation and agreement.
 - This is voluntary and cannot be mandated.
- Mr. DiCarlo discussed the issue with Mr. Mendenhall and indicated if the CDD has the power of authority to tax the homeowners in the District; it has a fiduciary relationship to protect the properties within the District.
 - Mr. DiCarlo quoted Mr. Mendenhall's response.
 - *Meadow Pointe II District is empowered to manage the "assets" of the District.*
 - Mr. DiCarlo told Mr. Mendenhall that abandoned property becomes a public nuisance; and as such becomes common area to the District, which falls under the CDD's authority.
 - Ms. Straw asked Mr. DiCarlo to present all of his research at the October 20, 2010 meeting which will be attended by the District's attorney.
- Mrs. Glassman indicated there were only 200 members volunteering on the HOA; and were only charging \$10 to \$20 per year.

- Mr. Lynn indicated Meadow Pointe I and II approached the Florida legislature and asked them to pass a separate law enabling the CDD to enforce deed restrictions and architectural standards.
 - They agreed to do something, but the net result was not what the CDDs asked for.
 - The CDD was given full authority to enforce deed restrictions and limited architectural control.
 - The CDD has no control over anything outside of the structure of the home for all practical purposes.
 - For example, the CDD cannot do anything about a fence since it is not part of the home's structure.
 - The CDD cannot do anything about a pool being put in, unless it includes structure of a screened room.
 - The CDD was advised by different legislators that any attempts to present amendments will cause the CDD to lose more authority.

FOURTH ORDER OF BUSINESS

Resident Council Representative

There being no issues for discussion, the next item followed.

FIFTH ORDER OF BUSINESS

Committee Reports

A. Architectural Review

Ms. Bush presented 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.

- 2010-43 – Installation of four foot white PVC fence in yard from middle point of home to the back and one five foot gate on side – recommend approval.
 - Diagram was resubmitted at the Board's request.
- 2010-44 – Replacement of wooden picket style fence with four foot PVC fence – recommend approval.
- 2010-45 – Pool being built with full screen enclosure – to be returned for documentation.
 - A property survey indicating placement needs to be included.
- 2010-46 – Installation of fence in yard – to be returned for documentation.
 - A property survey indicating placement of fence needs to be included.

- Mr. Glassman clarified Ms. Bush is making sure these fences are not being put on the easements.

There being no further discussion,

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

B. Deed Restrictions

Mrs. Glassman presented the Deed Restrictions Report for the Board's review and approval; a copy of which is attached hereto and made part of the public record.

- 2010-102 – property overgrowth and property not being maintained – N/A.
- 2010-103 – Abandoned home with grass and weeds overgrown on entire property growing over sidewalk – DR-16.
- 2010-104 – Owner removed lawn and is installing white stone instead of grass – N/A.
 - Gravel was removed.
- 2010-105 – Tall weeds and grass on entire lawn – DR-14.
- 2010-106 – Wheelbarrow left out; garbage cans kept at the front; barbecue to the left of garbage cans with hot coals left on it; the hot plate was still smoldering – DR-10, DR-19.

There being no further discussion,

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

SIXTH ORDER OF BUSINESS

New Business

Mr. Lynn discussed the traffic light at Mansfield and 56th.

- The work is not proceeding as quickly as anticipated.
- It is expected to go for permitting with the DOT on October 15, 2010.
- The current estimated completion date is sometime in March 2011.

Mr. Lynn discussed rules regarding alcoholic beverages in the clubhouse.

- Mr. Lynn checked with the insurance carrier as to the implications if this is allowed.
 - The CDD will have to purchase a rider to the policy covering up to 25 events in the amount of approximately \$3,000.
 - The residents using the room will have to purchase a rider on their home insurance policy to cover the event.
 - The District will still incur a risk in the event if something happens to someone attending the event as a result of alcohol consumption.
 - Mr. Lynn outlined the possible risks to the District.
 - The CDD can be sued up to the limits of its legal liability, which is minimal since the CDD is subject to government sovereignty.
- Mr. Lynn recommends the District Attorney and insurance company representative discuss this.
- Ms. Straw indicated this can be discussed in more detail at the Rules Workshop.
- Ms. Straw recommends foregoing relaxation of this rule for the upcoming holiday season since the budget does not have \$3,000 to cover purchase of this rider.

Mr. Shahin discussed an e-mail directed to Mr. Mendenhall; in which he was copied.

- The e-mail was from Ms. Angela Hester of Covina Key regarding paving.
 - The e-mail alludes to puddling of water and holes which need to be re-drilled because the area was paved over, blocking the dumpster gates.
 - Mr. Shahin will forward this e-mail to the Board; and let Ms. Hester know this is going to be taken care of.

Ms. Straw discussed CDD fees.

- She received two e-mails from residents requesting information as to how CDD fees are determined.
- She asked Mr. Lynn to describe the process for a resident to pay off a bond.
 - The resident should contact Mr. Mendenhall on behalf of the management company and provide information regarding the address.
 - Mr. Mendenhall will get the current payoff amount due at that point in time.

THIRD ORDER OF BUSINESS

Guest Speakers (Continued)

Mr. Joe Payne of Lighthouse Engineering made a presentation to the Board as a possible District Engineer.

- Ms. Straw asked Mr. Payne to describe the process for the CDD to transition to a new District Engineer.
 - The new engineering firm will contact the old one advising them of the situation and request files owned by the community be returned to the CDD within one month.
 - They have a share file server set up to accept electronic transfer of files; and the link will be given to the old engineering firm in order for them to transfer any items this way.
 - If the old engineering firm does not want to do this or charges for it, the new firm will set up a courtesy appointment to pick up files and/or bring a flash drive to accept files electronically.
 - A letter can be sent to the old firm through the District's attorney to get any other information belonging to the CDD.
 - Any necessary documents which cannot be obtained from the old engineering firm can be obtained from Pasco County and SWFWMD.
 - The plats can definitely be obtained from the county.
 - They can obtain any documentation for the ponds from SWFWMD.
- Mr. Lynn indicated the new engineer will have to determine the useful life of many CDD assets.
 - Mr. Payne indicated this is one of their areas of expertise.
 - Mr. Payne recommended the CDD determine a timeframe to replace these items since construction fees are approximately 50% lower than estimates from one year ago.
- Mr. Lynn recommends approving Lighthouse Engineering as the District's new engineer.
- Lighthouse Engineering is willing to enter into a Professional Services Agreement, as they will not enter into a long-term contract.

- They operate from basic invoices.
- Their fee structure changes once per year.
- They usually implement cost of living increases.
- They are willing to lock their rate for a certain period of time.

Mr. Lynn MOVED to approve Lighthouse Engineering as the CDD's new District Engineer; and Mr. Shahin seconded the motion.

- Ms. Straw indicated the CDD currently has a Professional Services Agreement with American Consulting Engineers of Florida, which allows the CDD to make changes.
 - Mr. Glassman recommends amending the motion to authorize the Chair to notify American Consulting Engineers of Florida they are no longer being used for District engineering services.
 - Mr. Lynn does not believe the motion needs to be changed because once the CDD makes the determination to accept a new company, it will automatically be known that the other firm will be notified.

There being no further discussion,

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

SIXTH ORDER OF BUSINESS

New Business (Continued)

Ms. Straw discussed the newsletter.

- Submissions are due to Mr. Snyder by October 13th.

Ms. Straw discussed a concern regarding opening of the gates at Iverson.

- The School District asked that the gates be kept open as a result of the construction on Chatterly Drive, as the school buses needed alternate access.
- Mr. Snyder programmed the gates to remain open for a certain amount of time in the morning and afternoon.
- A resident noticed an increase in crime in the District.

- Ms. Straw sent a letter to the Deputy; and he responded that he is unaware of any increase in crime specifically at Iverson.
- Mr. Lynn confirmed there is nothing unusual going on, but crime has increased in Meadow Pointe III.
- Ms. Straw will respond appropriately to the resident.

Mr. Lynn and Mr. Snyder had a meeting with Meadow Pointe III to discuss entry of their residents' names into the Meadow Pointe II call box.

- Mr. Lynn presented them with a program to do this, but they are not satisfied with it.
- Meadow Pointe III wants to be able to add or delete names themselves.
 - Meadow Pointe II needs to have full control to avoid any damage to the system.
 - A form was made up for them to send to their residents.
 - If they proceed with putting their information onto the CDD's system, the information currently there may be wiped out.
- Mr. Lynn believes the Board should stand firm on its decision to have full control of the system.
 - Ms. Straw is in agreement, but would like to find an equitable program which would work for both CDDs.
 - If there is no other alternate program, the Board agreed to stand firm on its decision to have full control.

SEVENTH ORDER OF BUSINESS

Property Manager

Pool repairs were discussed.

- The marcite has buckled, but the structure and integrity of the pool have not been compromised in any way.
 - Repairs are scheduled to commence next week.
 - It takes approximately seven hours to empty the pool.
 - The pool will be inspected.
 - The drain covers will be replaced with stainless steel screws.
 - The glass lenses will be replaced with one-quarter inch Lexan.
 - The pool will be acid washed.

- Only the areas in need of repair will be resurfaced, and not the entire pool.
- Cracks in the tile will be repaired.
- The fence around the pool is being prepped to be repainted.

The awning was discussed.

- Mr. Snyder believes some debris blew onto the awning and tore it.
- It was removed for repair and should be put back tomorrow.

Power washing was discussed.

- The walks, common areas and village entrances are being power washed.
- Mr. Lynn indicated the areas with manhole covers and storm sewers have a lot of mildew.
 - These are on CDD property.
 - Mr. Snyder will check on this.

Landscaping and irrigation were discussed.

- The recyclable water is back on.
- The new sod was planted.
- OLM will do an inspection on October 29th.
- Mr. Snyder has had no further contact with Scapes.
 - Ms. Straw and Mr. Snyder should meet with Mr. Woods when their final invoice comes in.
 - Any recommendations which Mr. Woods indicated to be warranty items should be reduced.
 - The calculation for early cancellation should be taken care of appropriately.
 - Much of the sod work Scapes should have done was not taken care.
 - Ms. Straw wants to ensure the new contractor is not penalized, but should be held accountable for bringing the bad areas forward.
- Mr. Bovis noticed his water pressure was abnormally low.
 - Mr. Snyder has not received any reports indicating the water pressure on the potable water is lower than normal.
 - Ms. Straw speculated about the construction as a possible cause of the low water pressure.

- Mr. Snyder indicated more lines are being installed and he is uncertain whether or not the water pressure was increased as a result.

Mr. Lynn discussed power washing of sidewalks.

- The attorney should determine whether or not the CDD should power wash sidewalks at the individual properties.
- The attorney needs to determine if there is any wording in the Deed Restrictions mandating individual owners to power wash their sidewalks.

EIGHTH ORDER OF BUSINESS

Status Reports – Supervisor Areas of Specialization and Comments

Mark Glassman

- The trees in Iverson and Wrencrest are completed.
 - Although there were a couple of complaints, most people are happy.
 - The trees are now the legal height of 14 feet.
 - The bus drivers are satisfied.
- Manor Isle repaving commenced on Monday and is 80% complete.
 - It should be done on Friday.
 - The seal coating will be done 30 days later.
- There were warranty issues at Sedgewick and Vermillion.
 - Wright went out of business.
 - Pro Way will come up with a price to take care of those areas.
 - Ms. Straw asked Mr. Snyder to look at the insurance certificate of Liability with Wright once Pro Way submits their price.
- Mr. Lynn told Mr. Glassman holes are developing at the intersection of Burleigh and Wrencrest.
 - They are aware of this problem.
 - The warranty work will be taken care of.
- Pro Way notified Mr. Valentine on May 21st they will reevaluate the parking lot in six months.
 - They assured the Board the tire marks would disappear in the curing process.
 - The curing process speeds up during the rainy season.

- Staff will have to ascertain there are no further warranty issues in November.

Brian Shahin

- Mr. Shahin discussed the architectural review/deed restriction process.
 - Ms. Diperi recently updated the forms which were discussed.
 - She e-mailed the forms to Mr. Mendenhall.
 - The necessary information on certain items was forwarded to Mr. Santiago.
- Mr. Shahin reminded Mr. Mendenhall to ensure the newly adopted Fiscal Year 2011 budget is posted on the website.

Gerald Lynn

- Mr. Lynn discussed the Fiscal Year 2011 budget which was modified with Mr. Mendenhall.
 - It will come back to the Board for adoption via resolution at the next meeting.
 - It will be posted on the website after this is done.
- Mr. Lynn discussed the issue of Mr. Stuart Aronoff receiving an agenda package each month.
 - Mr. Mendenhall responded to this.
- Mr. Lynn clarified the resident which was discussed at the last meeting was denied facility privileges.
- Mr. Lynn wants to know if there has been progress on the credit card machine.
 - Mr. Snyder has not heard anything further from Mr. Mendenhall.
 - Ms. Straw indicated a decision needs to be made soon since one of the goals in adopting the new rules is to accept credit cards.
 - The Board needs to have a full understanding of the fee structure.
- Mr. Lynn asked for the status of the Meadow Pointe III agreement.
 - Ms. Straw asked that this item be tabled to the next meeting.
- Mr. Lynn is working with the county on replacing the necessary signs.
 - Mr. Lynn is hoping to have a response from the county whether the CDD or the county needs to purchase the signs.

- The actual signs must be purchased from the county.
- Mr. Glassman indicated the Charlesworth sign needs to be replaced since it is spelled wrong.
- The sign stating; *No Parking on Any Street at Any Time* was not put up at the entrance on the new road at Mansfield.
 - This is a county obligation.

Linda Straw

- Ms. Straw gave an update on Digital Rescue.
 - She was working with them on the restructure of the drives.
 - They were low on hours last month with Digital Rescue.
 - She has been receiving a lot of spam mail and wrote a letter to John at Digital Rescue.

NINTH ORDER OF BUSINESS

**Approval of the Minutes of the
September 1, 2010 Meeting**

Ms. Straw stated each Board member received a copy of the Minutes of the September 1, 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 September 1, 2010 Meeting were approved.

TENTH ORDER OF BUSINESS

Other Business

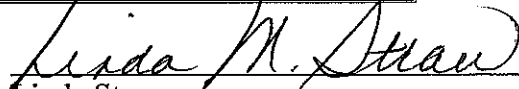
- Most of the Board members have tried the new CD discs which Mr. Glassman distributed.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Lynn seconded by Mr. Shahin with all in favor, the meeting was adjourned at 8:15 p.m.


Linda Straw
Chairperson