

**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 Wednesday, February 16, 2011 and called to order at 6:31 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
James Bovis	Assistant Treasurer
Glen Aleo	Assistant Secretary
Brian Shahin	Supervisor

Also present were:

Andrew Mendenhall	District Manager
Joseph Payne	District Engineer
Bill Snyder	Property Manager
Yolanda Bush	ARC/DRC
Gerald Lynn	Sheriff's Department & Government Liaison
Residents	

*The following is a summary of the discussions and actions taken at the February 16, 2011 Meadow Pointe II Community Development District's 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**

**Audience Comments**

- Mr. Robert Setser of Lettingwell asked for the status of the CDD's negotiations with the county regarding removal of the road closure barricade.
  - Mr. Bovis and Mr. Snyder are scheduled to meet with the appropriate county officials at the site on Friday, February 18<sup>th</sup>; and should have something to report at the next meeting.

**FOURTH ORDER OF BUSINESS**

**Guest Speakers**

There being no guest speakers, the next item followed.

**SIXTH ORDER OF BUSINESS**

**New Business**

**Linda Straw**

- A resident in Wrencrest requested a cement wall be put up on her property because a car drove onto the property and almost hit her home.
  - She can request a modification to her property by filling out an Architectural Review form.
  - Ms. Straw will send her an e-mail indicating the Board is not in favor of putting up the requested cement wall.

**James Bovis**

- Costs for floodlights for the multi purpose court was addressed.
  - A 1,000 watt bulb will cost approximately \$70 with no pole; and a 400 watt bulb will cost approximately \$50 to \$55, depending on whether it will be put on a timer or just from dusk to dawn.
- The code enforcement issue associated with the home in Sedgewick in which the laundry detergent was leaking out to the ponds was addressed.
  - Mr. Bovis spoke to the HOA President; and the issue has been resolved.
- The possibility of a joint meeting with Meadow Pointe I was addressed.
  - A couple of Board members in Meadow Pointe I are hesitant to proceed, but some Board members would like to have better communication between the two CDDs.
  - Mr. Bovis would like Ms. Straw to consider asking each Board member to bring possible items for discussion at the next meeting.

- Ms. Straw indicated she is not opposed to the two CDDs meeting, but perceives the same difficulties as in the past.
- Mr. Lynn commented that it may be a better idea for both Chairs to meet instead of the entire Boards; to which Ms. Straw was in consensus.

**FIFTH ORDER OF BUSINESS**

**Resident Council Representative**

- There was some discussion regarding the road closure barricade.
- There were no other residents in attendance.

**THIRD ORDER OF BUSINESS**

**Audience Comments (Continued)**

- A group of men knocked on Mr. Setser's door after midnight asking to speak to him, but he scared them away.
  - He was told they were arrested for committing another robbery in the neighborhood.
- A resident in Mr. Setser's neighborhood has been driving his vehicle around the neighborhood with no license plates.
  - The CDD cannot get involved here.

**SEVENTH ORDER OF BUSINESS**

**Committee Reports**

**A. Architectural Review**

There being no issues to report, the next item followed.

**B. Deed Restrictions**

Ms. Bush 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.

- 2011-001 – Oversized commercial vehicle blocking view – N/A
- 2011-002 – Broken down car in driveway for over one year – N/A

There being no further discussion,

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

**C. Government Liaison**

- Mr. Lynn discussed a complaint from a resident who received a parking ticket in the CDD's construction area.

- The citation was issued by a Zone Deputy who patrols in the community when the CDD Deputies are not working.
- Mr. Glassman spoke to the Sergeant and indicated he will give residents a tag allowing them to park in these areas when their roads are being worked on; to which the Deputy in attendance was in agreement.
- The traffic light at Mansfield and 56<sup>th</sup> is done, but will not be operational until the DOT and the county inspect and approve it.
- The upcoming meeting between PACA and the County Commission was discussed.
  - The revised tree ordinance will be discussed.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

There being no attorney present, the next item followed.

#### **B. Engineer**

- Mr. Santiago mentioned the engineering aspect of the Eagle Station Drive item was moving forward and would contact Mr. Mendenhall and Mr. Payne to discuss next steps.
  - Ms. Straw understands some Board or staff members may also be contacted to submit depositions.

#### **C. Property Manager**

- Further monitoring of the ponds will be done and any issues can be taken care of by staff and no permits with SWFWMD are necessary.
- The new sealant for the roads in Wrencrest will be done on or about March 14<sup>th</sup> and should be sufficient to cover the material which was coming up.

#### **D. District Manager**

##### **i. Discussion of Aquatic Management Agreement with American Ecosystems**

- Mr. Mendenhall addressed Mr. Bovis' requested changes.
  - The statement which includes *plus any sales or use tax* should be deleted since the CDD does not pay sales tax.
  - It is difficult to determine whether or not planting is actually included as stated under *1.b. of Terms and Conditions*.

- Mr. Bovis believes American Ecosystems should be cutting the shoreline grass.
  - Ms. Straw believes the landscaper takes care of this on CDD property only and not private property.
- The contractor should give 60 as opposed to 30 days notice to terminate the contract because the CDD needs more time to seek a new contractor.
- The contractor should not be allowed to adjust the monthly payment as stated in item 13, but it should be edited to state *may request an adjustment*.
  - Mr. Mendenhall indicated the CDD is protected by the fact that their contract can be terminated at any time.
- Item 16 should indicate the agreement is not assignable by both the customer and the contractor.
- The Board will consider these changes when the contract comes up for renewal in August 2011.
- ii. **Discussion of Management Contract with Severn Trent Services**
- Mr. Mendenhall briefed the Board regarding Mr. Bovis' changes along with Mr. Koncar's comments and the Board held a lengthy discussion.
  - Ms. Straw would like the District Attorney to verify Mr. Bovis' requested change in item 1.6.
  - Mr. Koncar was agreeable to the changes in 4.2.
  - Mr. Koncar was not agreeable to the requested changes in 4.3.
  - Mr. Bovis would like 5.1 to indicate the agreement is automatically renewable each year, but Mr. Koncar objects, as a provision would need to be added.
  - In Article 5.2, item (a) should be deleted, but Mr. Koncar objects because the timeframe allows Severn Trent to work out possible performance issues.
    - Forty-five days is acceptable as long the timeframe is included as part of the 90-day termination clause.
  - *With or without cause* should be inserted at the end of item (c).

- Ms. Straw asked that the requested change in Article 6.2 be clarified by Mr. Santiago.
- Under Article 6.4, Mr. Bovis would like damage limitations deleted, to which Mr. Koncar objected.
- Under Article 7.1, Mr. Bovis would like, *The manager shall not assign without written approval of the District* to be added.
  - Mr. Koncar indicated the contract cannot be assigned legally to another party since Severn Trent and the CDD are the only parties to the contract.
- Charges for additional meetings were discussed.
  - Mr. Mendenhall clarified Severn Trent would charge for additional meetings if they were extremely lengthy on a regular basis or if special meetings were called on a regular basis.
- Under *Field Services*, *When asked* should be inserted before *Provide*, since Severn Trent does not provide regular Field Services to the District.
- Mr. Mendenhall clarified the *Record Storage* fees cover all of the District files stored at the Coral Springs office.
  - Ms. Straw would like to discuss storage of engineering records at the next meeting, as that issue has not been completely resolved.

**NINTH ORDER OF BUSINESS**

**Approval of the Minutes of the  
January 19, 2011 Meeting**

Ms. Straw stated each Board member received a copy of the Minutes of the January 19, 2011 Meeting and requested any additions, corrections or deletions.

- On Page 6 in the third bullet, *PACA* should be inserted before *last*.

There being no further additions, corrections or deletions,

On MOTION by Mr. Shahin seconded by Mr. Bovis with all in favor, the Minutes of the January 19, 2011 Meeting were approved as amended.

**TENTH ORDER OF BUSINESS**

**Other Business**

**Brian Shahin**

- Mr. Shahin recalled the Board previously tabled discussion of a potential change order process.
  - The Board's previous discussion referred to two specific change orders which Ms. Straw was not comfortable signing off on without Board discussion.
- The minor change was made to the ARC form and a copy of the form is attached hereto for the public record.

**James Bovis**

- The insurance coverage in the Pro Way contract should be more specific; more attention should be paid to legal fees and should be clarified with Mr. Santiago.

**Mark Glassman**

- The parking rules in Meadow Pointe III are extremely stringent according to an article in the Meadow Pointe News.

**Linda Straw**

- No Board members attended the last PACA Meeting.
  - Ms. Straw volunteered to attend the March meeting; and the April and May meetings will be rotated to other Board members.
- The District Attorney's non-attendance at this evening's Board meeting was discussed.
  - The Board was not notified.
  - Mr. Mendenhall prepared an RFP document which will be discussed at the next meeting.
  - Ms. Straw asked the Board to go through the RFP document and mark up with any recommended changes for discussion at the next meeting.
- Changes to the Employee Manual will be discussed at the next meeting.
- The employee manual does not contain a policy mandating random drug testing even though it is required by the state program.
  - Mr. Snyder will compile any documents or brochures regarding the *Applicant 360 Program* to aid Ms. Straw in her research to edit this section.

- The workshop will only be held if Mr. Santiago sends the reviewed documents one week prior to the workshop.

**ELEVENTH ORDER OF BUSINESS****Approval of January 31, 2011  
Financial Statements**

Ms. Straw presented the January 31, 2011 Financial Statements for the Board's review and approval; copies of which are attached hereto and made part of the public record.

- Mr. Shahin asked for an explanation of the payment for the seminar; to which Ms. Straw provided a response.
  - Ms. Straw and Ms. DiPeri are attending a *Microsoft Access Seminar*.
  - Payment for the seminar likely comes from the *Subscriptions & Memberships* line item.
- General legal expenses are higher than Deed Restrictions; and Mr. Shahin believes the opposite would have been the case.
  - Ms. Straw believes this was applied to the policies and procedures discussions and workshops, but Mr. Mendenhall will run a trial balance for clarification.
- Mr. Shahin indicated *R&M-Irrigation* and *R&M-Pools* line items are trending over budget.
  - Ms. Straw asked Mr. Mendenhall to run a trial balance for clarification; and reminded all Board members to ask Mr. Mendenhall to do this if anything unusual is noticed in the financial statements.
  - Mr. Glassman indicated a large amount of material was purchased for repair of the pool.
  - Ms. Straw asked Mr. Mendenhall to ensure the expenses for resurfacing are coming out of *Contingency* as opposed to *Repairs & Maintenance*.
  - All of these items will be discussed at the next meeting and any adjustments will be reflected in next month's financial statements.
- Mr. Bovis reminded Mr. Mendenhall to ensure Accounting is doing a breakout of all utility deposits.
  - Mr. Mendenhall indicated this information will show on next month's financial statements.



Mr. Glassman MOVED to approve the January 31, 2011 Financial Statements as discussed; and Mr. Aleo seconded the motion.

**TWELFTH ORDER OF BUSINESS**

**Audience Comments**

- A Board member from the Covina Key HOA wants to know if their parking lot is going to be re-sealed; to which Mr. Glassman provided a response.
- He noted all of the spots which have to be re-done and spoke to Pro-Way.
- The work is under warranty and will be done as soon as possible.
- Mr. Glassman will look the area over with the Board member to determine whether or not there are any other problems.

**ELEVENTH ORDER OF BUSINESS**

**Approval of January 31, 2011  
Financial Statements (Continued)**

There being no further discussion,

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

- Mr. Bovis would like to know if Board or staff members have a certain spending authority.
  - Mr. Snyder is authorized to spend up to \$5,000, as long as the expense is justified in the budget.

**TENTH ORDER OF BUSINESS**

**Other Business (Continued)**

**Linda Straw (Continued)**

- No changes will be made to the website.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
 Linda M. Straw  
 Chairperson