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**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, December 21, 2011 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
James Bovis	Treasurer
Glen Aleo	Assistant Secretary
Brian Shahin	Supervisor

Also present were:

Andrew Mendenhall	District Manager
Andrew Cohen	District Counsel
Joseph Payne	District Engineer
David Starkey	Assistant Property Manager
Renee Glassman	ARC/DRC
Gerald Lynn	Sheriff's Department & Government Liaison
Diane Cline	Resident
Mike Cline	Resident
Roland Gasler	Resident
Susan Kerr	Resident
Tom Kerr	Resident
Robert Rusciano	Resident

*The following is a summary of the discussions and actions taken at the December 21, 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.

42 **SECOND ORDER OF BUSINESS** **Pledge of Allegiance**

43 The Pledge of Allegiance was recited.

44 The Board held a moment of silence in honor of Lieutenant Colonel Wayne Busbice.

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46 **THIRD ORDER OF BUSINESS** **Audience Comments**

47 • Mr. Robert Rusciano of Iverson presented a petition with more than 100  
48 signatures in favor of the gate cameras.

49 ➤ Ms. Straw commented a list of specifications must be devised for a project  
50 of this magnitude.

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52 **SEVENTH ORDER OF BUSINESS** **Committee Reports**

53 **A. Architectural Review**  
54 There being no Architectural Review issues to report, the next item followed.

55 **B. Deed Restrictions**  
56 Mrs. Glassman presented the Deed Restrictions Report for the Board's review and  
57 acceptance; a copy of which will be entered into the official record.

- 58 • 2011-097 -- Not maintaining lawn and property -- DR-14.
- 59 • 2011-098 -- There is a dead or dry Palm Tree in front of the house. This may be a  
60 fire safety issue; or potentially hurt someone walking since it may fall -- DR-14.

61 Upon further discussion,

62  
63 On MOTION by Mr. Bovis seconded by Mr. Glassman with all in  
64 favor, the recommendations from the Deed Restrictions Report  
65 were accepted as presented.

66  
67 **C. Government Liaison**  
68 • Mr. Lynn filed an on-line complaint as advised by Code Enforcement for the  
69 burned-out house in Iverson.

70 ➤ An investigator was assigned, and they are in the process of investigating  
71 ownership issues.

72 ➤ Mr. Cohen discussed further.  
73 ▪ He pulled a title search and did not find anything unusual.  
74 ▪ The CDD may pursue this as a Deed Restriction issue.  
75 ▪ Mr. Cohen sent a letter of notification to the mortgage company; a  
76 copy of which will be entered into the official record.

77 **FOURTH ORDER OF BUSINESS** **Guest Speakers**

78 There being no guest speakers, the next item followed.

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80 **FIFTH ORDER OF BUSINESS** **Resident Council Representative**

81 There being no report, the next item followed.

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83 **SIXTH ORDER OF BUSINESS** **New Business**

84 **A. Discussion of Gate Security Cameras**

- 85 • The Sheriff is compiling statistics involving crime and other factors.
- 86 • The District Engineer is compiling statistics regarding malfunctions, vandalism
- 87 and any other incidents necessitating repairs.
- 88 • Ms. Straw asked Mr. Starkey to speak to staff at Meadow Pointe III to find out
- 89 what specifications they use for their camera at the Rennselaer entry gate.
- 90 • Ms. Straw believes two cameras will be necessary to secure the Village of
- 91 Iverson.
- 92 • Mr. Cohen will send Mr. Starkey any information regarding gate security cameras
- 93 at other Districts for which he serves as Counsel.
- 94 • Mr. Starkey believes he will be able to do a formal presentation at the next full
- 95 Board meeting.
- 96 • This project needs to be included in the budget.
- 97 • Mr. Mendenhall will forward a copy of the specifications used in Lexington Oaks
- 98 to Mr. Starkey, Mr. Cohen and the Board.

99  
100 **EIGHTH ORDER OF BUSINESS** **Staff Reports**

101 **A. Attorney**

- 102 • Mr. Cohen held a conference call with Mr. Santiago and Mr. Mendenhall in which
- 103 they reviewed Mr. Santiago’s litigation list; after which he reviewed it with Ms.
- 104 Straw.
- 105 ➤ Mr. Santiago will continue with the cases in which he is heavily involved,
- 106 including Verizon.
- 107 ➤ Mr. Cohen checked the docket on some of these cases and confirmed they
- 108 are proceeding expeditiously.
- 109 • Mr. Cohen took over the Aqua Pools matter; and received all documentation from
- 110 Mr. Santiago.

- 111           ➤     The Chair executed a Stipulation for Substitution of Counsel.
- 112           ➤     A Summary Judgment was entered in the amount of \$49,590.
- 113           ➤     Mr. Cohen is in the process of reinstating the Settlement Agreement.
- 114           •     Mr. Cohen will proceed with finalization of the new operating rules and  
115           procedures.
- 116           ➤     Mr. Cohen confirmed the fining resolution should be part of this process.
- 117           •     Mr. Cohen commenced work with Mr. Starkey regarding the monuments and  
118           prepared a draft contract.
- 119           •     The CDD does not have rules for use of the recreational facility other than those  
120           which have been posted.
- 121           ➤     Mr. Cohen recommends implementation of rules for use of the  
122           recreational facility.
- 123           ➤     Ms. Straw commented much of this information is included as part of the  
124           proposed Rules and Procedures.
- 125           •     The ADA issue was discussed.
- 126           ➤     The compliance deadline is March 2012.
- 127           ➤     The fitness center is in compliance with the ADA standards.
- 128           ➤     Mr. Payne commented ADA slope requirements prohibit use of mulch on  
129           pathways.
- 130           ➤     Mr. Cohen commented the CDD needs to review the guidance to  
131           determine what needs to be done to meet all of these standards.
- 132           **B.    Engineer**
- 133           •     Mr. Payne has been working on the pool renovation and the Manor Isle Wall.
- 134           •     Mr. Payne prepared a binder summary of pool administration activities.
- 135           ➤     Ms. Straw asked Mr. Starkey to scan the document and make it available  
136           for viewing by the Board.
- 137           **C.    Property Manager**
- 138           •     The hog situation in Wrencrest was discussed.
- 139           ➤     Mr. Starkey distributed a photograph of a male hog which was captured,  
140           weighing approximately 300 lbs.; a copy of which will be entered into the  
141           official record.

- 142           ➤     The trappers caught one sow and one male hog over the past month; and  
143                     service was discontinued.
- 144           ➤     Mr. Starkey negotiated with them to exclude daily fees since the state  
145                     requires the trapper to check the traps on a daily basis.
- 146           ➤     The CDD will only get billed if the trapper catches a hog.
- 147           ➤     Mr. Starkey has been working with LMP to have the damaged areas  
148                     repaired.
- 149           •     The gates were discussed.
- 150           ➤     Two new operating mechanisms were installed on the exit side of Iverson.
- 151           ➤     Staff is waiting for material to set the loop back farther in order to ensure  
152                     the gate opens as the vehicle approaches it.
- 153           •     Cameras were discussed.
- 154           ➤     The cameras struck by lightning were replaced over the summer.
- 155           ➤     Some cameras may need to be replaced in the near future due to clarity  
156                     issues at night.
- 157           ➤     Mr. Glassman commented three screens in the clubhouse need to be  
158                     replaced.
- 159           ➤     Ms. Straw asked Mr. Starkey to review the specifications for the original  
160                     project at the next meeting.
- 161           ➤     Mr. Starkey clarified the cameras which were replaced by HPI are  
162                     functioning properly; and the ones which are fuzzy were provided by a  
163                     different company.
- 164           ➤     Mr. Cohen confirmed the CDD may be subject to liability if some cameras  
165                     are replaced, but not all which are not working properly.
- 166           ➤     Funds from miscellaneous line items can be used to replace these other  
167                     cameras.
- 168           ➤     Ms. Straw directed Mr. Starkey to have HPI look at these other cameras  
169                     and determine whether or not they can be repaired, as well as the cost for  
170                     replacement.
- 171           ➤     Mr. Starkey will determine whether or not the older cameras are covered  
172                     by a warranty.

- 173 • Mr. Starkey presented a draft Contract for Monument Construction which was  
174 prepared by Mr. Cohen and includes a proposal from Tampa Bay Masonry; copies  
175 of which will be entered into the official record.
- 176 ➤ Tampa Bay Masonry has done work for the CDD in the past.
  - 177 ➤ Mr. Cohen was asked to include a liquidated damages clause.
    - 178 ▪ Mr. Cohen does not believe it is necessary to take out a
    - 179 Performance Bond, but will proceed if the Board asks since the bid
    - 180 will increase if this is done.
    - 181 ▪ The Board may proceed with the contract in an amount not to
    - 182 exceed \$35,000 to \$40,000; and Mr. Cohen will revise the contract
    - 183 to include the bonding requirement; and will also modify the
    - 184 language to include a Notice to Proceed.
  - 185 ➤ Mr. Cohen recommends having a check from the insurance company in  
186 hand prior to proceeding with the contract.
    - 187 ▪ The insurance company is waiting for the District to approve the
    - 188 proposal to repair the wall, as they need to see the summary of the
    - 189 repair cost.
    - 190 ▪ Mr. Payne commented the Board can also execute the contract
    - 191 with a provision the work cannot begin until a Notice of
    - 192 Commencement is provided.
  - 193 ➤ Mr. Payne emphasized the specifications need to meet Florida building  
194 codes.
  - 195 ➤ Mr. Cohen confirmed the CDD is responsible if the contract is approved  
196 and the insurance company refuses to pay.
  - 197 ➤ Additional costs must be mutually agreed upon in writing by both parties.
  - 198 ➤ Mr. Payne will monitor the permitting process.

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200 **Mr. Bovis MOVED to authorize the Chair to execute the Contract**  
201 **for Monument Construction for repair of the monument wall at**  
202 **Manor Isle by Tampa Bay Masonry, Inc. in an amount not to**  
203 **exceed \$40,000 as discussed; and Mr. Shahin seconded the motion.**  
204

- 205 ➤ The contract includes signage.

206 There being no further discussion,

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

209

210 • Mr. Starkey presented proposals for the pool renovation project; copies of which  
211 will be entered into the official record.

212 ➤ One proposal is \$8,510 less because it does not include gutter drain  
213 replacement, for a total of \$103,589.65; and the second proposal does  
214 include replacement for a total of \$112,099.65.

215 ➤ It is the contractor's responsibility to ensure the project is code compliant  
216 with Florida building standards.

217 ➤ The Board agreed to have the lights included even though they are not a  
218 requirement in order to avoid having to drain the pool again if they decide  
219 to do this in the future.

220 ➤ LED lights are better because they prevent any shadows which may pose a  
221 danger to swimmers.

222 ➤ Ms. Straw believes the vendor should provide project management with  
223 the oversight of the District Engineer.

224 ➤ A Performance Bond will definitely be requested for this project.

225 ➤ Mr. Starkey will be the point of contact for the entire project.

226 ➤ Sidewalk options were discussed; as outlined in two different proposals  
227 from Real Rock Pools & Landscaping; copies of which will be entered  
228 into the official record.

229 ▪ If staff were to include the materials and scope of the main project,  
230 there will be a discounted rate.

231 ▪ There will be no discount if the Board decides to get this work  
232 done at a later date.

233 ➤ Mr. Mendenhall recommended the Board increase assessments in the upcoming  
234 budget to cover this expense.

- 235                   ▪     A Replacement Reserve line item can be included in which the
- 236                             total cost will be evenly distributed among the residents, which
- 237                             will help the Board replenish the funds in the budget within one
- 238                             year.
- 239                   ▪     Mr. Mendenhall expressed his concern the funds in the Operating
- 240                             Reserve are low.
- 241                   ▪     The CDD cannot use Deed Restriction funds for a general District
- 242                             project since only certain Villages pay into the fund.
- 243                   ▪     Mr. Bovis asked Mr. Mendenhall to e-mail an outline of budgetary
- 244                             costs for discussion at the next meeting.
- 245                   ➤     Mr. Cohen recommended preparing the contract and getting the scope
- 246                             finalized for consideration at the next meeting; to which the Board was in
- 247                             consensus.
- 248                   ➤     The timeframe for the entire project is 12 weeks at a maximum.
- 249                   ➤     Mr. Cohen will draft a contract which will include the sidewalk work for
- 250                             discussion at the first meeting in January.
- 251                   ▪     Each item will be included as a separate exhibit.
- 252                   ➤     Mr. Starkey assured the Board staff is able to maintain the pavers.
- 253                   •     Mr. Lynn asked Mr. Mendenhall how the new ADA standards are being handled
- 254                             in other Districts.
- 255                   ➤     Most Boards are consistent with the following items:
- 256                             ▪     Pool lifts;
- 257                             ▪     Accessibility to fitness equipment;
- 258                             ▪     Playgrounds with respect to mulch.

**D. District Manager**

**i. Consideration of Resolution 2012-2 Designating Mr. Andrew Cohen as the District’s Registered Agent and his Firm as the District’s Registered Office**

Mr. Mendenhall presented Resolution 2012-2 for the Board’s review and adoption; a copy of which will be entered into the official record.

There being no comments or questions,

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On MOTION by Mr. Bovis seconded by Mr. Shahin with all in favor, Resolution 2012-2 designating Mr. Andrew Cohen as the District's Registered Agent, and further designating the District's Registered Office for Service of Process was adopted.

- Mr. Bovis asked Mr. Mendenhall to follow up on the status of the reimbursement to Wrencrest in the amount of \$650 for the work done by Zephyr Stripe 'N Seal, Inc.
- Mr. Bovis wants to know the status of any funds owed to the District and Longleaf regarding the lawsuit between Wright Paving and Verizon.
- Investments were discussed.

Ms. Straw MOVED to authorize Severn Trent Services to proceed with investment recommendations; and Mr. Shahin seconded the motion.

- Mr. Mendenhall will research the District's availability of funds for the pool renovation project and the Manor Isle wall repair.

There being no further discussion,

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

- Mr. Glassman asked Mr. Mendenhall to look into the pond across the street and how it is deeded.

**NINTH ORDER OF BUSINESS**

**Approval of the Minutes of the  
November 16, 2011 Meeting**

Ms. Straw stated each Board member received a copy of the Minutes of the November 16, 2011 Meeting; requesting any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Glassman seconded by Mr. Aleo with all in favor, the Minutes of the November 16, 2011 Meeting were approved.

303 **TENTH ORDER OF BUSINESS** **Other Business**

304 **James Bovis**

305 Mr. Bovis asked Mr. Starkey to leave the room momentarily to allow the Board to  
306 discuss his role as Assistant Property Manager.

307 • Mr. Starkey has been given many projects to handle and Mr. Bovis believes he  
308 may be entitled to additional hours as well as a salary increase.

309 ➤ The Board will have to discuss this with Mr. Snyder to determine the  
310 following:

- 311 ▪ Budgetary accommodations;
- 312 ▪ The potential status change regarding benefits;
- 313 ▪ Whether or not Mr. Starkey is interested.

314 ➤ Ms. Straw will discuss this with Mr. Snyder.

315 ➤ Mr. Starkey came back into the meeting and the Board summarized their  
316 discussion.

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318 **ELEVENTH ORDER OF BUSINESS** **Approval of the November 30, 2011**  
319 **Financial Statements**

320 Ms. Straw presented the November 30, 2011 Financial Statements for the Board’s review  
321 and approval; copies of which will be entered into the official record.

322 There being no comments or questions,

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324 On MOTION by Mr. Bovis seconded by Mr. Glassman with all in  
325 favor, the November 30, 2011 Financial Statements were  
326 approved.

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329 **TWELFTH ORDER OF BUSINESS** **Audience Comments**

330 • Mr. Rusciano wants to know how the addition of cameras at communities without  
331 gates will be funded.

332 ➤ This issue will have to be approached separately and requires further  
333 discussion.

334 ➤ There are measures residents can take to protect their properties.

335 ➤ Funding usually comes out of each Village’s reserve fund.

336 ➤ Mr. Starkey stated for the record the cameras will help with any gate  
337 problems. We implore residents to call the non-emergency number and

338 the Sheriff's Department is the appropriate administrative agency to take  
339 care of these issues.

340 ➤ Mr. Aleo stated for the record I have been a resident of Iverson for 10  
341 years and I feel safe without the cameras.

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343 **THIRTEENTH ORDER OF BUSINESS** **Adjournment**

344 There being no further business,

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

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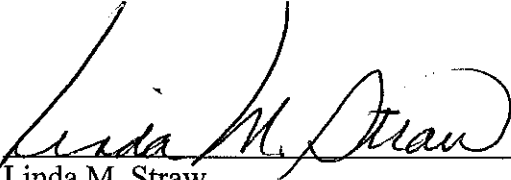
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Linda M. Straw  
Chairperson