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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, March 21, 2012 and called to order at 6:32 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
Andrew Cohen	District Counsel
Joseph Payne	District Engineer
Bill Snyder	Property Manager
David Starkey	Assistant Property Manager
Yolanda Bush	ARC/DRC
Gerald Lynn	Sheriff's Department & Government Liaison
Deputy Aaron Smith	Pasco County Sheriff's Department
Scott Carlson	LMP
Tom Weiss	Riviera Pools Inc.
Ed Carter	Resident
Carol Gassler	Resident
Roland Gassler	Resident
Kat Laubach	Resident
Renee LoCiero	Resident
Rich DeCarlo	Resident

The following is a summary of the discussions and actions taken at the March 21, 2012 Meadow Pointe II Community Development District's Board of Supervisors Meeting.

42 **FIRST ORDER OF BUSINESS**

Roll Call

43 Ms. Straw called the meeting to order and Supervisors and staff members introduced
44 themselves.

45
46 **SECOND ORDER OF BUSINESS**

Pledge of Allegiance

47 The Pledge of Allegiance was recited.

48
49 **THIRD ORDER OF BUSINESS**

Audience Comments

- 50 • Mr. Glassman assured Ms. LoCicero the pool will not be closed during the
51 summer season.
- 52 • Mr. DeCarlo asked for an explanation regarding the lengthy amount of time the
53 Manor Isle wall repair is taking; to which Ms. Straw responded.
 - 54 ➤ Insurance companies are involved since the wall was hit by an individual
55 in a vehicle.
 - 56 ➤ The contract for the repair was executed and work is ready to commence.
- 57 • Ms. Bush wants to know whether or not there are enough funds to cover the cost
58 of the pool renovation, and whether or not the renovation will require an
59 assessment increase.
 - 60 ➤ It was acknowledged costs increased slightly but a buffer was built in; and
61 the Board may consider using the General Fund Reserve as well as the
62 unspent funds from last year's budget.
 - 63 ➤ Ms. Straw reminded everyone the pool renovation project is necessary
64 when you consider the impact on the community if the pool is not
65 completed and is shut down.

66
67 **FOURTH ORDER OF BUSINESS**

Guest Speakers

- 68 • Mr. Scott Carlson, General Manager of LMP addressed their inspection report as
69 well as the e-mail from Mr. Paul Woods of OLM.
 - 70 ➤ Mr. Carlson requested full payment for the month in which the funds were
71 withheld based on the explanation provided.
 - 72 ➤ Ms. Straw acknowledged this matter will be discussed during the Property
73 Manager's report.

74

75 **FIFTH ORDER OF BUSINESS** **New Business**

76 There being no new business, the next item followed.

77
78 **SIXTH ORDER OF BUSINESS** **Committee Reports**

79 **A. Architectural Review**

80 Ms. Bush presented the Architectural Review Report for the Board’s review and
81 acceptance; a copy of which will be entered into the official record.

- 82 • 2012-08 – Replace existing wood fence with the same type within property lines
83 (same location as the current fence) 6’ high – Recommend approval.
- 84 • 2012-09 – Paint house – Recommend approval for color scheme.
- 85 • 2012-10 – Paint house – Recommend approval.
- 86 • 2012-11 – Paint house – Recommend approval.
- 87 • 2012-12 – Paint house – Recommend approval.

88 There being no comments or questions,

89
90 On MOTION by Mr. Shahin seconded by Mr. Glassman with all in
91 favor, the recommendations from the Architectural Review Report
92 were accepted as discussed.

93
94 **B. Deed Restrictions**

95 Ms. Bush presented the Deed Restriction Report for the Board’s review and acceptance;
96 copies of which will be entered into the official record.

- 97 • 2012-004 – Needs to mow lawn – N/A.
- 98 • 2012-005 – Needs to mow lawn; weeds very high on side of house – DR-14.
- 99 • 2012-006 – Needs to mow lawn – Follow up at the next meeting.
- 100 • 2012-007 – Needs to mow lawn. Window in front has been broken for one year –
101 DR-14.
- 102 • 2012-008 – Grass has not been cut and is overgrown with high weeds – DR-14.
103 ➤ Pictures were reviewed and a discussion ensued regarding the criteria used
104 to determine violations as well as the corresponding liabilities and
105 responsibilities for action.
- 106 • 2012-009 – Needs to mow lawn, weeds are growing on side; dead Christmas tree
107 beside house; pavers beside road; pallets of pavers in yard for almost one year.

108 ➤ Ms. Bush was directed to send a letter to the property owner informing
109 them the storage of pavers presents a safety hazard.

110 There being no further discussion,

111
112 On MOTION by Mr. Bovis seconded by Mr. Glassman with all in
113 favor, the recommendations Deed Restrictions Report were
114 accepted as discussed.

115
116 • Mr. Cohen commented the Board was provided a copy of a follow up letter sent to
117 30506 Wrencrest Drive, which is a code enforcement matter. Additional follow
118 up by the Property Manager is requested.

119 • Mr. Shahin offered recognition, thanks and appreciation for the time and effort
120 Ms. Yolanda Bush puts forth working on this committee.

121 **C. Government Liaison**

122 • Mr. Lynn advised the house involved in the fire was condemned; determined to be
123 arson based; and ordered for demolition, but all demolition in the County is on
124 hold due to lack of funding.

125 ➤ Ms. Straw asked Mr. Cohen to discuss the District's current position.
126 ▪ Although the process with the County may be slow, it will
127 probably be the fastest route since the mortgage company has not
128 responded.

129 ➤ Mr. Lynn asked for direction from the Board if they want him to continue
130 on this matter.

131 ▪ The Board was in concurrence to authorize Mr. Lynn to continue
132 in this regard.

133 • There is a PACA meeting on April 14, 2012; and there will be a discussion
134 regarding sinkhole issues in Pasco County.

135
136 **SEVENTH ORDER OF BUSINESS**

Staff Reports

137 **A. Attorney**

138 Mr. Cohen worked with staff regarding the individual requesting to provide tennis
139 instructions.

140 • A background check revealed no issues.

- 141 • Insurance documentation was provided; and a contract was prepared and
- 142 distributed to the Board.
- 143 ➤ The instructor agrees to pay the District \$150 by the first day of each
- 144 month for use of the tennis courts.
- 145 ➤ The contract is on a monthly basis; termination effective with a 30-day
- 146 written notice; or immediate termination for default or violation of any
- 147 terms, obligations, restrictions or conditions.
- 148 ➤ The contract covers indemnification and insurance.
- 149 ➤ There is a resident's only provision with a list of individuals receiving
- 150 instruction.
- 151 • Mr. Brady was assured the instructor will work with staff in order to avoid any
- 152 interference with residents who want to use the courts.
- 153 • The contract limits instruction is provided only to District residents.
- 154 ➤ Ms. Straw asked for a clarification of District residents; and whether it is
- 155 for Meadow Pointe II only or all of Meadow Pointe.
- 156 ▪ The contract will be defined as *residents who have membership*
- 157 *privileges to Meadow Pointe II facilities.*

158 There being no further discussion,

159
 160 On MOTION by Mr. Glassman seconded by Mr. Shahin with all in
 161 favor, the Chair was authorized to execute the Contract for Tennis
 162 Instruction with Steven Brady as amended.
 163

164 A letter was sent to Mr. Hanner regarding the Aqua Pools issue, which warranted
 165 discussion.

- 166 • Mr. Hanner is offering to enter into a settlement agreement to pay \$300 per
- 167 month; and if this cannot be done, he will file bankruptcy.
- 168 • He owes approximately \$45,000.
- 169 • The CDD has the following options:
- 170 ➤ Do nothing now and wait;
- 171 ➤ Accept Mr. Hanner's request for the settlement agreement;

172 ➤ Proceed with obtaining a fact information sheet listing all of his assets, as
173 there is a lien on his personal and real property.

174 Upon further discussion,

175

176 On MOTION by Mr. Glassman seconded by Mr. Shahin with all in
177 favor, Mr. Hanner's request to enter into a Settlement Agreement
178 with the CDD in the amount of \$300 per month to pay his debt to
179 the District regarding Aqua Pool & Spa Renovators was accepted.

180

181 Mr. Cohen is working with Mr. Mendenhall to pursue reimbursement of non-ad valorem
182 assessments which were charged erroneously to CDD land for fire and rescue.

183 • A fee in the amount of \$40 will be charged to the District to access and copy past
184 records from the archives.

185 Mr. Cohen is revising the operating rules and fining resolution which was previously
186 started by Mr. Santiago.

187 • Mr. Cohen requested authorization from the Board to proceed with the
188 rulemaking process.

189 ➤ Ms. Straw would like the draft to be presented to the Board for review and
190 discussion prior to authorizing the rulemaking process.

191 Correspondence was sent to Mr. Foster on February 13, 2012 regarding reimbursement to
192 the CDD for his attendance at gate school.

193 • Mr. Foster owes the District \$2,059.28 and is to be paid by February 23, 2012.

194 • Mr. Cohen has a receipt indicating the correspondence was received, but no funds
195 were paid to date.

196 • The Board was in consensus to file suit against Mr. Foster in Small Claims Court.

197 Mr. Glassman asked Mr. Cohen whether or not he contacted Mr. Santiago regarding the
198 hole at Deer Run.

199 • Mr. Starkey spoke to Mr. Santiago and he is aware the hole was covered over.

200 • Ms. Straw will set up a conference call with Mr. Santiago to determine the next
201 steps.

202 The pool contract was discussed, with Mr. Tom Weiss and the owner of Riviera Pools in
203 attendance to answer questions.

- 204 • Mr. Starkey is confident all insurance, bond and contract language regarding
205 designs were ascertained.
- 206 • The study from the ADA regarding the option of one or two lifts will be received
207 shortly.
- 208 ➤ Mr. Snyder believes two lifts are needed.
- 209 ➤ The ADA compliance schedule was delayed by 60 days from the original
210 date of March 15, 2012; and is currently being petitioned to delay further.
- 211 • Mr. Glassman wants to know if it is possible to delay commencement of the
212 project until after the school year starts if the Board executes today.
- 213 ➤ They would like their attorney to review the contract prior to execution.
- 214 ➤ Once the contract is executed, they can insert the start date which the
215 Board desires.
- 216 ➤ Ms. Straw commented postponing the project will leave enough time to
217 get a response regarding the ADA lifts.
- 218 ➤ Mr. Cohen is not in favor of executing the contract under these
219 circumstances from a legal standpoint.
- 220 ▪ Mr. Weiss assured the Board they will purchase bond insurance
221 upon execution to cover anything which may happen with the
222 company.
- 223 • Mr. Weiss estimates the job can be done in approximately 90 days, as stated in the
224 contract.
- 225 • They proposed the front parking spaces in front of the building as the best place
226 for a staging area to store materials; some of which are handicapped parking
227 spots.
- 228 ➤ Mr. Payne indicated the handicapped signs on those spaces will have to
229 moved, with the two handicapped spaces to be allocated on three regular
230 parking spaces.
- 231 • They will secure the materials to be purchased from the supplier in time for the
232 work to commence once the contract is executed.

- 233 • Mr. Snyder would like the contractor to ensure all of the imperfections in the pool
234 are repaired, as the pool would probably not pass inspection in its current
235 condition.
- 236 ➤ The contractor can commence the work sooner if the pool is shut down by
237 an inspector prior to the potential start date.
- 238 • The price is not included on the current draft contract until such time as the Board
239 determines whether or not the lifts will be added.
- 240 • The Notice to Proceed does not need to be issued until the work commences.
- 241 • The Board agreed certain items which present a possible liability to the District
242 should be repaired in the meantime.

243
244 Mr. Bovis MOVED to approve execution of the contract
245 for the pool renovation project with Riviera Pools Inc.
246 authorizing work to commence on or about September 1,
247 2012; and Mr. Glassman seconded the motion.

- 249 • Mr. Bovis discussed some of the wording in the contract and the appropriate
250 corrections were made.
- 251 • The doors on the deck cannot be opened once the floors are done due to elevation
252 issues.
- 253 ➤ Mr. Weiss indicated they cannot do the work on the doors because they
254 are attached to the structure; and the contract does not include retrofitting
255 of doors.
- 256 ➤ Ms. Straw prefers that Riviera Pools subcontract this work if necessary in
257 order to ensure they are responsible for the end product, with the
258 understanding the contract price will increase.
- 259 ➤ Mr. Weiss commented a permit may be necessary; in which case the work
260 will have to be performed by a licensed general contractor.
- 261 ➤ Mr. Payne commented Riviera Pools can cut one inch from the bottom of
262 the door as long as it is below the hinge, which does not require a permit.
- 263 • Payment schedules were discussed.

264 There being no further discussion,
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On VOICE vote with all in favor, the Chairperson was authorized to execute the contract for the pool renovation project with Riviera Pools Inc. commencing on or about September 10, 2012 subject to staff approval.

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- Mr. Cohen will prepare a revised contract based on today’s discussions.
 - The contract amount will be based on the scope of work and determination as to whether or not the pool lifts will be included.
 - Mr. Weiss announced the contract amount to be \$148,600 excluding the lifts and emblems.
 - A. **Engineer**
 - The Reserve Study was updated as requested.
 - A site visit was completed at the Eagle Station drive location in Deer Run.
 - Mr. Payne and Mr. Starkey visited Colehaven along with an independent contractor who volunteered his time to provide expertise as to whether or not the work to be done was a warranty item.
 - Staff spoke to the contractor for the Manor Isle wall to notify them of construction requirements at Mr. Starkey’s request.
 - The contractor is in the process of procuring a permit from the structural engineer as well as materials; and the work is expected to be complete by the end of March.
 - Mr. Payne told the contractor he will be involved with the inspections at the Board’s discretion; and he will need to provide a schedule which is also expected at the end of March.
 - Mr. Cohen clarified they were issued a Notice of Commencement.
 - Mr. Payne advised delaying issuance of the Notice to Proceed until the permits are received.
 - The county website showed the permit was issued on March 12th.
 - Mr. Shahin found a notation stating it was ready for pick-up, but needs to be notarized.
 - Mr. Starkey will investigate the true status of this permit.
 - Mr. Glassman discussed the issue regarding Mr. Lackey in Deer Run.

- 298 ➤ He does not believe the area was dug six feet down to repair the pipes.
- 299 ➤ They filled in the hole; and once it rains down into the gutter it is going to
- 300 drain through and wash down again.
- 301 ➤ Mr. Payne advised the CDD to put the barricade up again.
- 302 ➤ Mr. Glassman wants a letter to be sent to Mr. Lackey indicating the
- 303 barricade is going to be put up until Verizon acknowledges it was repaired
- 304 properly.
- 305 ➤ Mr. Cohen commented the resident does not have to be notified since it is
- 306 CDD property, but can be done as a courtesy.
- 307 ➤ Mr. Starkey will put up the barricade tomorrow and Ms. Straw agrees a
- 308 letter should be sent to Mr. Lackey.

C. Property Manager

- 310 • A response was received from Mr. Paul Woods of OLM regarding the letter from
- 311 Mr. Carlson of LMP.
- 312 ➤ LMP requested payment of the withheld funds based on the fact they are
- 313 making efforts to address the issues stated in the report.
- 314 ➤ OLM believes the failure is warranted and should be enforced under the
- 315 terms of the contract; although it is ultimately the Board’s decision.
- 316 ➤ Mr. Shahin is in favor of LMP being paid only if they pass tomorrow’s
- 317 inspection.
- 318 ➤ Ms. Straw commented these issues should have been dealt with before
- 319 they failed the last inspection; and believes the payment should remain
- 320 withheld.

Mr. Shahin MOVED to authorize the Board to make a decision whether or not the payment should be made to LMP after this month’s inspection takes place and shows an improvement regarding the insect problem; and Mr. Glassman seconded the motion.

- 328 ➤ The information in the motion should not be disclosed to OLM until after
- 329 the inspection is done.

There being no further discussion,

331 On VOICE vote with Ms. Straw, Mr. Glassman, Mr. Aleo and Mr.
 332 Shahin voting aye; and Mr. Bovis voting nay, the prior motion was
 333 approved.
 334

- 335 • New operating mechanisms were installed at the Vermillion entrance gate.
- 336 • The hog problem has recurred in Longleaf.
 - 337 ➤ Mr. Starkey contacted the person Mr. Bovis knows at the Pasco County
 - 338 School District as well as the trapper which was used previously.
 - 339 ➤ The District will not be charged until a hog is caught.
- 340 • The Room 1 reorganization is complete; Ms. Diaz and Ms. DiPeri were
- 341 commended for their assistance.
- 342 • Someone deliberately drove a truck into the pond at the first entrance to
- 343 Morningside.
 - 344 ➤ Mr. Glassman contacted the Deputy, as well as SWFWMD since the pond
 - 345 is part of a conservation area.
 - 346 ➤ The person was cited for trespassing.
 - 347 ➤ LMP gave Mr. Glassman an estimate to re-grade and repair the sod at the
 - 348 bottom of the pond in the amount of \$180.
 - 349 ➤ Ms. Straw asked that a letter along with a police report be sent to this
 - 350 person requesting payment within two weeks; if payment is not made the
 - 351 case will be turned over to Mr. Cohen.

352 Deputy Smith reported the following:

- 353 • Residents should be careful with their vehicles and garages, as there have been
- 354 more auto burglaries around Meadow Pointe IV, which may possibly become a
- 355 problem in Meadow Pointe II.
- 356 • Ms. Straw commented there was a fire in the grassy area between Meadow Pointe
- 357 I and Morningside recently; which may possibly be related to the house fire in
- 358 November which was deemed to be arson.
 - 359 ➤ The Deputy commented any fires not caused by electrical issues which are
 - 360 set by another person is considered arson even if was accidental.
 - 361 ➤ The Deputy cannot necessarily link these events to one person without
 - 362 evidence.

363 ▪ This recent fire occurred on an abandoned property; and Ms. Straw
364 asked Mr. Lynn to contact Code Enforcement to determine
365 whether or not something can be done under the circumstances.

366 The Property Manager's report continued.

367 • There was a vehicle accident recently on County Line Road outside of Deer Run
368 in which the driver took out Crape Myrtles.

369 ➤ The trees were removed and the ground was prepped for the replacement
370 trees.

371 ➤ Mr. Snyder obtained a report from Highway Patrol and has the driver's
372 contact information.

373 • Mr. Starkey presented information for purchase of new mailboxes for the
374 community.

375 ➤ Mr. Starkey recommends using both vendors for residents to replace or
376 repair their mailboxes.

377 ➤ Everything matches the original structures.

378 ➤ Ms. Straw indicated the company must be licensed and insured.

379 ▪ The second vendor meets these criteria.

380 ➤ Mr. Shahin wants to see samples.

381 ▪ The Board agreed to have the vendor create a prototype mailbox to
382 be put on display at the clubhouse prior to the Board approving the
383 vendor.

384 ➤ Ms. Straw asked Mr. Starkey to get the price if the vendor drops off the
385 mailbox for the resident to put up as well as the price for an unpainted
386 mailbox.

387 • The process for salary increases was discussed.

388 ➤ The Board previously approved a 3% salary increase as of April 1, 2012.

389 ➤ The increases should go into effect in the first pay period of April.

390 ➤ Mr. Snyder and Mr. Starkey will meet with Ms. Straw to finalize the
391 process.

- 392 **D. District Manager**
- 393 • The proposed Fiscal Year 2013 budget will be presented at the May meeting for
- 394 approval to be sent to the county.
- 395 ➤ Mr. Mendenhall requested the Board review the proposed budget for
- 396 discussion at the April meeting.
- 397 • The draft Reserve Study was e-mailed to the Board.

398
399 **NINTH ORDER OF BUSINESS**

Other Business

- 400 • Mr. Bovis commented about a tripping hazard on the sidewalk on County Line
- 401 Road.
- 402 ➤ He would like those curbs to be painted yellow.
- 403 ➤ Mr. Lynn reminded the Board one side of the road is owned by the county.
- 404 ➤ Mr. Starkey will investigate further.

405
406 **EIGHTH ORDER OF BUSINESS**

**Approval of the Minutes of the
February 15, 2012 Meeting**

407 Ms. Straw stated each Board member received a copy of the Minutes of the February 15,

408 2012 Meeting; requesting any additions, corrections or deletions.

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410 There not being any,

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412 On MOTION by Mr. Bovis seconded by Mr. Glassman with all in

413 favor, the Minutes of the February 15, 2012 Meeting were

414 approved.

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416
417 **TENTH ORDER OF BUSINESS**

**Approval of the February 29, 2012
Financial Statements**

418 Ms. Straw presented the February 29, 2012 Financial Statements for the Board's review

419 and approval; copies of which will be entered into the official record.

420

421 There being no comments or questions,

422

423 On MOTION by Mr. Glassman seconded by Mr. Bovis with all in

424 favor, the February 29, 2012 Financial Statements were approved.

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427 **ELEVENTH ORDER OF BUSINESS**

Audience Comments

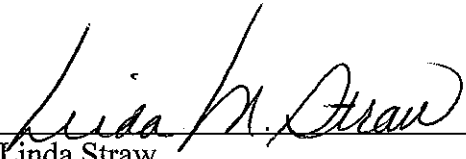
428 Hearing no comments from audience members, the next item followed.

429 **TWELFTH ORDER OF BUSINESS**
430 There being no further business,

Adjournment

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On MOTION by Mr. Bovis seconded by Mr. Glassman with all in favor, the meeting was adjourned at 10:02 p.m.



Linda Straw
Chairperson