

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

**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, June 20, 2012 at 6:30 p.m. in 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
Gerald Lynn	Sheriff's Department & Government Liaison
David Starkey	Assistant Property Manager
Renee Glassman	ARC/DRC
Kimberly Walker	WilliamsParker
Alan Baldwin	Severn Trent Services
Numerous Residents	

The following is a summary of the discussions and actions taken at the June 20, 2012

Meadow Pointe II Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

The record reflects Mr. Aleo is present, but stepped out of the room momentarily.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

42 **THIRD ORDER OF BUSINESS** **Audience Comments**

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

44
45 **FOURTH ORDER OF BUSINESS** **Guest Speakers**

46 Mr. Cohen introduced Kimberly Walker, Special Counsel, to discuss employment-related
47 issues on behalf of the District.

- 48 • The CDD’s obligations to the *Family Medical Leave Act* were addressed.

49
50 Mr. Bovis MOVED to authorize allocation of funds in the budget
51 for Special Counsel to review the employee manual and provide an
52 opinion.

- 53
- 54 ➤ Ms. Walker advised she can provide feedback as opposed to writing an opinion to
- 55 save the District money.
- 56 ➤ Ms. Walker was e-mailed the most recent version of the manual.

57
58 Mr. Aleo SECONDED the prior motion as discussed.

59
60 There being no further discussion,

61
62 On VOICE vote with all in favor, Ms. Kim Walker serving as
63 Special Counsel was authorized to review the Meadow Pointe II
64 CDD’s Employee Manual and provide feedback.

- 65
- 66 ➤ Ms. Walker recommended authorizing Severn Trent Services to work with
- 67 Special Counsel to address specific issues on behalf of the Board.

68
69 On MOTION by Mr. Aleo seconded by Mr. Shahin with all in
70 favor, Severn Trent Services was authorized to inform any
71 interested Meadow Pointe II employees the CDD is not qualified to
72 provide FMLA benefits because it does not have 50 employees
73 within a 75 mile radius.

74
75
76 **FIFTH ORDER OF BUSINESS** **New Business**

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

78

79 **SIXTH ORDER OF BUSINESS** **Committee Reports**

80 **A. Architectural Review**

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

- 83 • 2012-32 – Install white vinyl fence on left side of property and extend fencing on
- 84 the right side – proper documentation was submitted – Recommend approval.
- 85 • 2012-33 – Paint house – Recommend approval.
- 86 • 2012-34 – Paint house – Recommend approval.

87 There being no further discussion,

88
89 On MOTION by Mr. Glassman seconded by Mr. Aleo with all in
90 favor, the recommendations from the Architectural Review Report
91 were accepted as presented.

92
93 **B. Deed Restrictions**

94 Ms. Glassman presented the Deed Restrictions Report for the Board’s review and
95 acceptance; a copy of which will be entered into the official record.

- 96 • 2012-031 – Grass is completely out of control – DR-14, DR-10.
- 97 • 2012-030 – Trash cans left out all the time – DR-10, DR-14; not cleaning up after
- 98 dogs – DR-6; installing a wood fence in front yard – there are no deed restrictions
- 99 associated with this, but Ms. Glassman will determine whether it was submitted
- 100 for architectural review.

101 There being no further discussion,

102
103 On MOTION by Mr. Bovis seconded by Mr. Glassman with all in
104 favor, the recommendations from the Deed Restrictions Report
105 were accepted as presented.

106
107 **C. Government Liaison**

- 108 • Mr. Lynn announced Deputy Ben Beason replaced Deputy Aaron Smith
- 109 approximately two weeks ago; and briefly discussed his background.
- 110 • The county is conducting workshops to inform the public of the benefits of
- 111 *Pennies for Pasco Tax* which will be voted on in the General Election to extend

112 for another 10 years; and would like to provide interested communities with a
113 guest speaker on the issue.

114 ➤ Ms. Straw asked Mr. Lynn to facilitate a gathering of residents of all
115 Meadow Pointe communities.

116
117 **SEVENTH ORDER OF BUSINESS** **Staff Reports**

118 **A. Attorney**

119 • Two payments, each in the amount of \$300, were received for the Aqua Pools
120 settlement.

121 • A judgment was secured regarding reimbursement from a former employee for
122 gate school attendance; and the information sheet listing assets is due on July 17,
123 2012.

124 • Information was received regarding the mitigation properties; and staff will move
125 forward.

126 • Mr. Cohen received notification the CDD will be reimbursed for non-ad valorem
127 assessments.

128 • Mr. Cohen explained the Public Hearing and advertising requirements to update
129 the rules; upon further discussion, the Board determined they are not prepared to
130 set the Public Hearing.

131 • Riviera Pools counsel reviewed the contract and sent a few revisions; some of
132 which Mr. Cohen agreed with and some he wanted to discuss with Board.

133 ➤ They requested liquidated damages be reduced from \$500 to \$100 per day;
134 to which the Board was in favor.

135 ➤ They requested the CDD remove the stipulation for the Board to approve
136 additional work or accept completion of portions of the project at its sole
137 discretion, which Mr. Cohen does not favor, or reduce its authority in this
138 regard.

139 ▪ Mr. Cohen is in favor of authorizing the District Engineer to sign
140 off on certain items.

141 ▪ The Board is in favor of reducing sole discretion approval to
142 reasonable discretion.

143 There being no further discussion,

144 On MOTION by Mr. Aleo seconded by Mr. Glassman with all in
 145 favor, the suggested changes to the Riviera Pool Contract were
 146 approved as discussed.
 147

148 • Ms. Straw represented the CDD for the mediation regarding the Verizon case,
 149 which is going to trial in September.

150 ➤ It was recommended a CDD Board member be present for the trial.

151 **i. Discussion of Responsibility for Sidewalk and Apron Maintenance**

152 • Mr. Cohen disagrees with the Resolution currently in place.

153 ➤ The CDD is usually responsible for capital repairs associated with
 154 sidewalks within its right-of-way, with the homeowner responsible for
 155 minor maintenance as dictated by the HOA.

156 ➤ Mr. Cohen believes the CDD-owned sidewalks which lie within the
 157 roadway right-of-way should be the responsibility of the CDD and not the
 158 homeowner.

159 ➤ Mr. Cohen is in favor of modifying the current resolution.

160 ➤ The Reserve Study should be reviewed to ensure it includes the sidewalk.

161 **B. Engineer**

162 **i. Discussion of District Reserves**

163 • Mr. Payne provided a Reserve Analysis for District-owned facilities; a copy of
 164 which will be entered into the official record.

165 ➤ The updated analysis should reflect how it relates to the assessments to
 166 ensure the information is incorporated in the next budget.

167 Mr. Payne summarized items he is currently working on for the District.

168 • Support was provided for the Verizon claim and the Bass vs. Lackey case.

169 • Miscellaneous support was provided to the Property Manager and District
 170 Attorney regarding the sidewalks.

171 **C. Property Manager**

172 • Mr. Starkey discussed a letter from the University of Florida requesting access to
 173 certain private properties within the CDD to perform a study to assess the state of
 174 the woodlands and urban forest in the Tampa Bay Watershed which involves
 175 measuring trees; a copy of which will be entered into the official record.

- 176 ➤ Mr. Starkey was directed to ensure the people involved have the
177 appropriate identification and to make the Sheriff's Department aware of
178 this.
- 179 • The fax machine is broken and Mr. Starkey asked the Board whether a new one
180 should be purchased or the old one should be repaired.
 - 181 ➤ Mr. Starkey was directed to contact Toshiba and determine whether or not
182 they can provide a new machine prior to the contract expiration date.
 - 183 • The new stainless steel water fountain which was installed for \$2,200 can be
184 shaded from the heat for \$2,000.
 - 185 ➤ Mr. Starkey was directed to find a water fountain which does not require
186 shading from the heat.
 - 187 ➤ The fountain needs to be ADA-compliant.
 - 188 ➤ The current three-tier fountain can be replaced with a two-tier fountain.
 - 189 • Mr. Starkey would like to purchase a new dumbbell system with different weight
190 levels, but the Board previously voted against them.
 - 191 ➤ Mr. Shahin suggested tabling this item to the next meeting.
 - 192 • Mr. Starkey asked for the Board's approval for Ms. Diaz to take a one-day
193 Microsoft Access course in the amount of \$175.
 - 194 ➤ The Board is in favor of her taking this course; and Mr. Starkey is
195 authorized to approve this expenditure without seeking Board approval.
 - 196 • Mr. Starkey briefly discussed salary increase requests for certain employees.
 - 197 • Mr. Glassman asked for an update regarding removal of stains at the bottom of
198 the pool.
 - 199 ➤ Mr. Starkey indicated a pipe on the pool heater which was capped rusted
200 over time and may have caused these stains, but staff is taking action to
201 minimize the staining.
 - 202 ➤ Ms. Straw suggested putting chlorine tablets in a sock and dragging it
203 across the pool if possible.
 - 204 • Staff continues to seek to hire lifeguards.
 - 205 ➤ Mr. Starkey was directed to contact the Red Cross to determine whether or
206 not they have a job placement service.

- 207 • Mr. Starkey asked the Board whether or not approval was given to the resident
- 208 wanting to conduct fitness classes under the name, umov.com.
- 209 ➤ Mr. Starkey was directed to have her prepare a contract using the template
- 210 from the tennis instructor and ensure she has all of the appropriate
- 211 insurance coverage.
- 212 ➤ This contract does not require attorney review.
- 213 • Mr. Shahin commented someone received an electrical shock in the pool.
- 214 ➤ The pool was immediately closed and checked out, but no problems were
- 215 found.
- 216 ➤ The person did not file an accident report, as there was no injury.
- 217 • Mr. Starkey assured Mr. Aleo he is able to take on the pool renovation project.
- 218 • Mr. Starkey is in the process of having the soda machine moved.
- 219 • Mr. Starkey submitted information to Mr. Payne regarding the radar signs.
- 220 • Any employee benefits issues should be handled by Severn Trent Services with
- 221 the attorney's guidance.
- 222 **D. District Manager**
- 223 • Mr. Mendenhall received three pond review proposals:
- 224 ➤ Lighthouse Engineering, Inc. (Mr. Payne's firm) – \$2,920
- 225 ➤ Stantec Engineering - \$3,380
- 226 ➤ Atkins Engineers, Inc. - \$39,100
- 227 • The Board tabled this item to the November/December timeframe, as this work
- 228 should be done during the dry season.
- 229 **i. Questions and Comments on Proposed Budget**
- 230 • Funds allocated for legal costs may be too low; and there are ongoing costs
- 231 associated with Mr. Santiago's firm.
- 232 • Ms. Straw asked staff to review Mr. Payne's invoices to ensure they are allocated
- 233 properly.
- 234 • A detailed discussion was tabled to the next full staff meeting due to the late hour;
- 235 which Mr. Baldwin will attend.
- 236

237 **EIGHTH ORDER OF BUSINESS** **Approval of the Minutes of the**
 238 **May 16, 2012 Meeting**
 239 Ms. Straw stated each Board member received a copy of the Minutes of the May 16, 2012
 240 Meeting; requesting any additions, corrections or deletions.

241 There not being any,

242
 243 On MOTION by Mr. Glassman seconded by Mr. Shahin with all in
 244 favor, the Minutes of the May 16, 2012 Meeting were approved.
 245

246
 247 **NINTH ORDER OF BUSINESS** **Other Business**

248 **James Bovis**

- 249 • Mr. Bovis would like Severn Trent to consider moving all accounts to a different
 250 bank.
- 251 • \$701.66 for *Clubhouse ID Zone* was for hardware compatibility for the upgraded
 252 ID software.
- 253 • Mr. Starkey was directed to ask Mr. Snyder for details regarding purchase of U-
 254 line trash can lids.
- 255 • Mr. Bovis is concerned with accounting for the soda for the vending machine.

256 **Brian Shahin**

- 257 • Mr. Shahin would like to look at bank statements from the past six months.

258
 259 **TENTH ORDER OF BUSINESS** **Approval of Financial Statements**

260 **A. April 30, 2012**

261 **B. May 31, 2012**

262 Ms. Straw presented the April 30, and May 31, 2012 Financial Statements for the Board's
 263 review and approval; copies of which will be entered into the official record.

264 There being no comments or questions,

265
 266 On MOTION by Mr. Glassman seconded by Mr. Bovis with all in
 267 favor, the April 30, and May 31, 2012 Financial Statements were
 268 approved.
 269

270
 271 **ELEVENTH ORDER OF BUSINESS** **Audience Comments**

- 272 • A Resident commended Mr. Bovis for his work on the CDD's financial issues.

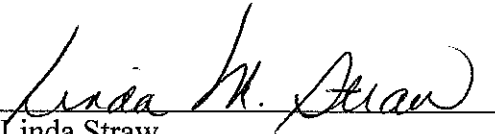
273

274 **TWELFTH ORDER OF BUSINESS**
275 There being no further business,

Adjournment

276
277
278
279
280
281
282
283
284
285
286

On MOTION by Mr. Shahin seconded by Mr. Glassman with all in favor, the meeting was adjourned at 11:00 p.m.


Linda Straw
Chairperson