

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based

**MEADOW POINTE III
COMMUNITY DEVELOPMENT DISTRICT**

The regular Board of Supervisors' meeting of the Meadow Pointe III Community Development District was held on **Tuesday, February 14, 2006 at 12:00 p.m.** at the Meadow Pointe III Clubhouse, located at 1500 Meadow Pointe Blvd., Wesley Chapel, FL 33543.

Present and constituting a quorum:

Don Buck	Board Supervisor, Chairman
Tom Gray	Board Supervisor, Vice Chairman
Michael Delp	Board Supervisor, Assistant Secretary
Laura St. Clair	Board Supervisor, Assistant Secretary
Lee Arnold	Board Supervisor, Assistant Secretary

Also present were:

Scott Brizendine	District Manager, Rizzetta & Company, Inc.
Mark Straley	District Counsel, Straley, Robin & Williams, P.A.
Dayne Piercefield	District Engineer, WilsonMiller, Inc.
Mark Sifford	Project Manger, DEVCO
Wes Tibbals	Attorney, Akerman Senterfitt
Mike McCarn	Park Manager (<i>joined the meeting in progress</i>)
Edda Gibson	Representative, Suarez Housing
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Buck called the meeting to order and Mr. Brizendine read the roll call. It was stated that the shaded meeting would be moved to the last item on the agenda to accommodate the residents in attendance. Mr. Buck explained that the shaded meeting is being held as a result of a bid protest filed by a firm responding to a request for proposals for landscape maintenance. He explained that the firm was the low bidder, but was not awarded the contract. He stated that the attorneys involved need to discuss this matter with the Board and this discussion will take place in the form of a shaded meeting. During this meeting, general audience members and Staff cannot be present. He explained that a court recorder will take minutes of this meeting. Mr. Straley stated that once the dispute is settled, the minutes will become public record and will be on file at the District office.

Mr. Buck asked that Mr. Sifford be allowed to present the Project Manager's report to the Board at the beginning of the meeting as he has another District related meeting to attend. The Board agreed. *(Mr. McCarn joined the meeting in progress)*

Mr. Sifford stated that at the last meeting, a resident had a map and questioned why residents within the Whitlock Village were paying varying assessment rates. He stated that he was unsuccessful in determining how the assessments were assigned and asked that the Financial Advisor meet with the Developer regarding this issue. Mr. Buck stated that there were two separate bond issuances, but the Board wants to verify that assessments are being collected appropriately. Mr. Brizendine stated that Staff would report back to the Board at the March meeting regarding this issue.

Mr. Sifford stated that bids for the boardwalk installation are due on Friday, February 17, 2006. He asked Mr. Straley if protocol would allow the Chairman to approve the bid rather than waiting until the March meeting. Mr. Straley stated that with the Board's concurrence they could delegate the Chairman or Vice Chairman the authority to approve the award and bring the action back to the Board for ratification. Mr. Buck stated that the awarding of the bid will need to be within the previously approved parameters.

On a Motion by Mr. Arnold, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors authorized the Chairman to approve the award of the bid for the construction of the boardwalk within the parameters previously set forth by the Board for Meadow Pointe III Community Development District.

SECOND ORDER OF BUSINESS

**Consideration of Minutes of the
Board of Supervisors' Meeting on
January 10, 2006**

Mr. Buck stated that the next order of business was consideration of the minutes of the Board of Supervisors' meeting on January 10, 2006, and asked if there were any corrections or additions. Hearing none, he asked for a motion to approve.

On a Motion by Ms. St. Clair, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on January 10, 2006 for Meadow Pointe III Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Operation and Maintenance
Expenditures for February**

Mr. Buck stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for February (located behind tab 2). He asked if there were any questions. A question was raised regarding the purchase of a vehicle and whether it had been included in the budget.

Mr. Brizendine stated that the vehicle purchased was the Gator included in the budget and had actually come in below the budgeted amount. He explained that the Gator was purchased for use by maintenance staff. With no further comments being heard, Mr. Buck asked for a motion to approve.

On a Motion by Mr. Arnold, seconded by Mr. Delp, with all in favor, the Board of Supervisors approved the Operations and Maintenance Expenditures for February (totaling \$41,074.73) for Meadow Pointe III Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Series 2004 -1 Construction Requisitions #180-#181

Mr. Buck stated that the next item on the agenda was the consideration of the Series 2004-1 Construction Requisitions #180-#181. He asked if there were any questions. A comment was made that Heidt and Associates, Inc. be requested to accumulate invoices rather than submitting a \$14.00 invoice. It was stated that this invoice was a clean up item for supplies. Mr. Buck asked for a motion to approve.

On a Motion by Mr. Gray, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved the Series 2004-1 Construction Requisitions #180-#181 for Meadow Pointe III Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Series 2004 A & B Construction Requisitions #209 & #214-#225

Mr. Buck stated that the next item on the agenda was the consideration of the Series 2004 A & B Construction Requisitions #209 & #214-#225. He asked if there were any questions. It was noted that Construction Requisition #223 is pending and as such, would not be approved at this time.

On a Motion by Ms. St. Clair, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the Series 2004 A & B Construction Requisitions #209 & #214-#222 & #224-#225 for Meadow Pointe III Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of 2005 Supplemental Construction Account Requisitions #5-#8

Mr. Buck stated that the next item on the agenda was the consideration of the 2005 Supplemental Construction Account requisitions #5-#8. He asked if there were any questions. Hearing none, Mr. Buck asked for a motion to approve.

On a Motion by Mr. Gray, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the 2005 Supplemental Construction Account Requisitions #5-#8 for Meadow Pointe III Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Additional Change Orders #1
& #3**

Mr. Buck stated that the next item on the agenda was the consideration of additional Change Orders #1 & #3 (located behind tab 6). It was stated that they are both credits to the contracts for landscape maintenance and irrigation within Wrencrest and Heatherstone, respectively. Mr. Buck asked for a motion to approve.

On a Motion by Mr. Arnold, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved Change Orders both from Be-Mac Services, Inc., #1 a deduction of \$9,469.35 and #3 a deduction in the amount of \$3,986.81 for Meadow Pointe III Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2006-04, Adopting
Fiscal Year 2004/2005 Amended Budget**

Mr. Buck stated that the next item on the agenda was the consideration of Resolution 2006-04, adopting the Fiscal Year 2004/2005 Amended Budget. Mr. Brizendine presented Resolution 2006-04 to the Board for consideration, stating that the budget is being amended due to a budget deficit. He stated that the Developer presented a \$75,000.00 Promissory Note to cover the shortfall in the Fiscal Year 2004/2005 Budget. Mr. Brizendine stated that this resolution is also a requirement of the audit requiring the budget to reflect actual expenditures. Mr. Buck asked for a motion to approve Resolution 2006-04. A brief discussion ensued.

On a Motion by Mr. Arnold, seconded by Mr. Delp, with all in favor, the Board approved Resolution 2006-04, Adopting the Fiscal Year 2004/2005 Amended Budget for Meadow Pointe IV Community Development District.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Straley stated that the Developer advanced the District funds in an amount not-to-exceed \$75,000 to cover the budget shortfall. He stated that the interest rate was 6.5%. He further explained that the promissory note has never been executed. Mr. Straley asked that the Board authorize the chairman to sign the Promissory Note at this time.

On a Motion by Mr. Gray, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors authorized the Chairman to execute the Promissory Note between the Developer and the District for an amount not-to-exceed \$75,000 to cover the Fiscal Year 2004/2005 Budget shortfall for Meadow Pointe III Community Development District.

B. District Engineer
No report.

C. District Manager
No report.

TENTH ORDER OF BUSINESS

Audience Comments

Mr. Buck asked if there were any audience comments at this time. A resident from Ammanford Village inquired on the status of the gate closing. Mr. Buck stated that there is still model activity in the village, which requires that the gates continue to be open. He explained that the Board was told that there was no model center.

Ms. Gibson from Suarez Housing stated that she was not aware of the initial petition or she would have approached the Board prior to the request being approved. She explained that Suarez Housing still owns three lots within Ammanford Village. Ms. Gibson explained that the new model home is being built even though the plat has not been finalized. Mr. Buck stated that the final plats are currently in the process of being approved with the County. A brief discussion ensued.

A resident asked if there was a contingency plan in place to activate the gates in the event of an electrical outage. Mr. McCarn stated that there is a battery back-up system that should activate the gate in such an occurrence. However, the battery at the Whitlock Village gate did not work. He stated that a technician looked at the situation and it has been corrected.

In response to another gate question from an Ammanford Village resident, Mr. Buck explained that once the plats are recorded he will work with Suarez Housing to facilitate the permanent closing of the gate. A question was raised regarding how construction of the homes on the other lots will be handled and if that will delay the gate closing. Another resident inquired as to when the construction trailer can be moved. Mr. Buck stated that he will provide an update at the next meeting.

A resident asked if there is a record of the codes that are used on the gates. Mr. McCarn stated that a record is kept for 72 hours and then it is deleted. He explained that the record is kept primarily for the purpose of knowing when the gates were open should a break-in or other criminal activity occurring within the community.

A question was raised regarding the issue of varying assessment rates within Whitlock Village. Mr. Buck stated that this was discussed at the onset of the meeting. He explained that District Staff would be looking into this matter further.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Buck asked if there were any Supervisor requests. There were none.

TWELFTH ORDER OF BUSINESS

Shaded Meeting

Mr. Buck stated that the next item on the agenda was the shaded meeting. He explained that the Board will be meeting with the attorneys to discuss issues relating to a bid protest. Mr. Buck stated that a court recorder will be transcribing the minutes and they will become part of public record once the litigation has been resolved.

Mr. Brizendine called for a recess of the regular meeting at 12:45 p.m.

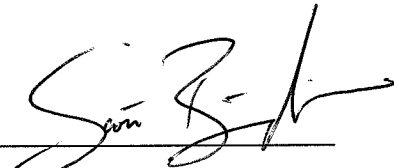
Mr. Buck reconvened the meeting at 1:30 p.m. with all Board members in attendance at the onset of the meeting still in attendance.

THIRTEENTH ORDER OF BUSINESS

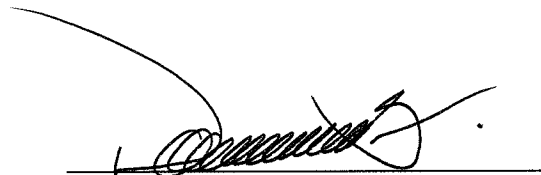
Adjournment

Mr. Buck stated that with no further business to come before the Board at this time, he asked for a motion to adjourn.

On a Motion by Ms. St. Clair, seconded by Mr. Gray, with all in favor, the Board of Supervisors adjourned the meeting at 1:32 p.m. for the Meadow Pointe III Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman