

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, April 11, 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 (<i>via speakerphone</i>)
Lee Arnold	Board Supervisor, Assistant Secretary

Also present were:

Scott Brizendine	District Manager, Rizzetta & Company, Inc.
Scott Smith	Representative, Rizzetta & Company, Inc.
BJ Coryer	Representative, Rizzetta & Company, Inc.
David Hedger	Financial Advisor, Rizzetta & Company, Inc.
Mark Straley	District Counsel, Straley, Robin & Williams, P.A.
Dayne Piercefield	District Engineer, WilsonMiller, Inc.
Mark Sifford	Project Manager, DEVCO
Mike McCarn	Park Manager
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Buck called the meeting to order and Mr. Brizendine read the roll call.

SECOND ORDER OF BUSINESS

**Consideration of Minutes of the
Board of Supervisors' Meeting on
March 14, 2006**

Mr. Buck stated that the next order of business was consideration of the minutes of the Board of Supervisors' meeting on March 14, 2006, and asked if there were any corrections or additions. Mr. Gray made a motion to approve.

On a Motion by Mr. Gray, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on March 14, 2006 for Meadow Pointe III Community Development District.

THIRD ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for April

Mr. Buck stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for April (located behind tab 2). He asked if there were any questions. A question was raised regarding the timing of the payment of invoices. Mr. Brizendine stated that this relates to the dates that invoices are received at the office and the dates that checks are cut. He stated that he would research this issue and provide further clarification if needed. Mr. Buck stated that the checks were probably paid the month before, but did not make the agenda cut-off date.

Mr. Arnold raised a question regarding the payment to Meadow Pointe General Partnership for \$30,000 and whether this relates to the promissory note and if so was it cancelled. Mr. Brizendine stated that the payment is for the promissory note that was approved to cover last year's budget shortfall. Mr. Buck stated that the promissory note has not been cancelled and it was his understanding that it would be left open. A brief discussion ensued on this topic.

Mr. Buck asked for a motion to approve the Operation and Maintenance Expenditures for April.

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 April (totaling \$135,194.66) for Meadow Pointe III Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Series 2004 -1 Construction Requisition #186

Mr. Buck stated that the next item on the agenda was the consideration of the Series 2004-1 Construction Requisition #186. He asked if there were any questions. Mr. Gray made a motion to approve.

On a Motion by Mr. Gray, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the Series 2004-1 Construction Requisition #186 for Meadow Pointe III Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Series 2004 A & B
Construction Requisitions #238-#243**

Mr. Buck stated that the next item on the agenda was the consideration of the Series 2004 A & B Construction Requisitions #238-#243. He asked if there were any questions. Following a brief discussion, Mr. Arnold made a motion to approve.

On a Motion by Mr. Arnold, seconded by Mr. Delp, with all in favor, the Board of Supervisors approved the Series 2004 A & B Construction Requisitions #238-#243 for Meadow Pointe III Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of 2005 Supplemental
Construction Account Requisitions #17-#21**

Mr. Buck stated that the next item on the agenda was the consideration of the 2005 Supplemental Construction Account Requisitions #17-#21. 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 #17-#21 for Meadow Pointe III Community Development District.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel
No Report.

B. District Engineer

Mr. Piercefield stated that he has researched the resident concern regarding curb access to the nature trail at Larkenheath. He stated that the drop-down curb was installed, but the pedestrian markings were not. Mr. Piercefield stated that he would bring a cost estimate for installing the pedestrian markings to the next meeting. Mr. Buck stated that this should be a relatively low cost item and should be completed within this year's budget.

Mr. Piercefield stated that he met with the Design Engineer for the SR 56 extension project. He stated that he is monitoring the schedule and the plans to ensure that few revisions to the existing infrastructure are made. Mr. Buck stated that the current proposed plan does require that changes be made to approximately 800 feet of Meadow Pointe Boulevard. Mr. Buck explained that the District does not agree with the proposal and some of the geotechnical information presented. He stated that while discussions regarding this issue are still being held, plans are moving forward and are nearing about 60% completion.

A question was raised regarding the status of the Wiregrass portion of the SR 56 widening project. It was stated that Wiregrass plans are at about 17% completion and the August timeframe for submittal to the County is still the goal. Mr. Buck stated that the Florida Department of Transportation is requesting that design plans for each portion of the project be submitted at one time and will be monitoring their progress. A brief discussion ensued regarding the profile of the road and cost estimates.

C. Project Manager

Mr. Sifford presented three change orders from Wal Den Greene Developers. He stated that Change Orders #5 and #6 are deductions in the amounts of \$5,395.51 and \$1,178.19 respectively. Mr. Sifford stated that Change Order #4, which is an increase of \$122,935.75 relating to increased costs of materials. Mr. Sifford explained that the project was bid out in September 2005, awarded in October and it is now April and material costs have risen dramatically during that time. He stated that the cost for concrete, asphalt and other construction materials changes daily and the contractor submitted one change order rather than several to keep the accounting easier for them. Mr. Arnold inquired why the contractor was not responsible for the price increases if there was a contract already in place. Mr. Sifford explained that the bid only guarantees the price for 30 days. A brief discussion ensued regarding the pros and cons of the bidding process.

Mr. Piercefield stated that this is an issue that is currently widespread and is tied to fuel costs. He stated that contractors must take delivery of materials when ordered, so the option to buy at the time the bid is accepted is not generally available. He agreed that the situation makes budgeting for a project very problematic and is an issue regardless of which contractor was awarded the bid.

<p>On a Motion by Mr. Arnold, seconded by Mr. Gray, with all in favor, the Board of Supervisors approved the Change Orders #4, #5, #6 from Wal Den Greene Developers (as presented) for Meadow Pointe III Community Development District.</p>

Mr. Sifford stated that several months ago the Board was approached by the residents of Whitlock Village to update the landscaping at the entry gate. He presented two proposals, one for modifications to the landscaping and one that includes signage revisions and landscaping at a cost of \$18,000. Mr. Sifford stated that he does not believe that the funds for this project are available from this year's budget and will need to be allocated in next year's budget. He stated that the possibility of assessing only the residents of Whitlock Village rather than the whole community has also been discussed as an option. Following a brief discussion, it was decided that the Homeowner's Association will poll the residents to determine if they are willing to pay additional assessments next year to have the project completed. It was noted that the cost would be approximately \$90 per household. Mr. Buck cautioned that there would undoubtedly be some cost increases given the timing for completing the project.

Mr. Sifford distributed a picture to the Board showing an erosion issue at the mitigation pond within Whitlock Village. He explained that residents, whose property is adjacent to the pond, are concerned that the erosion will eventually affect their yards. Mr. Sifford stated that he met with Heidt and Associates, Inc. to determine if the drainage pipes that flow into the pond were installed according to the design. He stated that he was told by Heidt & Associates, Inc. that the pipes were installed properly. However, there is still erosion taking place. Mr. Sifford stated that he spoke with Heidt & Associates, Inc. and a contractor regarding the situation and the contractor is unable to put a price on the project due to an access issue. Mr. Buck inquired whether it was an issue of stabilizing the area. Mr. Sifford stated that obtaining access to the pond is an issue because a sidewalk goes through the easement area, as well as a drainage pipe. Mr. Buck recommended that Mr. Piercefield look at the area to determine the best way to proceed.

Mr. Sifford presented a letter from One Source Landscaping, stating that when the contract with One Source Landscaping was signed in October, it contained language limiting the terms of the contract. Mr. Straley explained that at the time the contract was signed, the District was in negotiations with Luke Brothers, Inc. and did not want to risk having two contractors under contract, therefore an interim agreement was reached with One Source Landscaping. He stated that as long as the District is satisfied with the quality of work being performed by One Source Landscaping, it would be appropriate to extend the current contract to a one-year contract now that the bid protest has been settled.

<p>On a Motion by Mr. Gray, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the extension of the contract for one year with One Source Landscaping for Meadow Pointe III Community Development District.</p>

Mr. Sifford provided a brief update on the nature trail and plans for the Boardwalk. He explained that there have been revisions made to the plans in one area. He stated that the initial plan was to place the trail back towards the cypress trees and install a boardwalk, but in researching the details the cost was too prohibitive. The current plan is to continue the boardwalk and install a mulch path back to the cypress trees. He recommended that additional landscape buffering be installed to shield the trail from the homes located along that area. He stated that this is the plan he intends to proceed with unless the Board directs him otherwise.

Mr. Sifford stated that other issues were resolved at the informational meeting that was held. Mr. Buck asked if there were any questions regarding this section of the trail. A resident stated that she and the other residents along the trail purchased their lots as conservation with the understanding that only conservation area would be behind their homes. She expressed her concerns with security issues related to the trail located behind her home.

D. Park Manager
No report.

E. District Manager

Mr. Hedger updated the Board on an analysis on the assessments within the District that were billed with incorrect amounts. He stated that 127 letters and revised bills will be sent to property owners that underpaid (totaling \$29,042) and 120 letters and refunds totaling \$30,092 would also be sent out to those who overpaid. He explained that the amounts in question will not be over \$300 either way. Mr. Hedger stated that he and Mr. Brizendine are prepared to answer phone calls regarding this situation and are offering payment arrangements if needed. He recommended that a three month timeframe be the standard for the payment of the assessments. Mr. Buck stated that he will work with Staff to discuss any hardship cases.

On a Motion by Mr. Arnold, seconded by Mr. Gray, with all in favor, the Board of Supervisors authorized Staff to proceed with notifying the residents of the error and requesting payment of any money owed and authorized the Chairman to discuss individual hardship cases resulting from the error for Meadow Pointe III Community Development District.

Mr. Brizendine presented the contract from WilsonMiller, Inc. to the Board, stating that the verbiage is the same as the one presented during the Meadow Pointe IV meeting. He asked for Board approval with the understanding that Mr. Piercefield be named as the Engineer of record for the District.

On a Motion by Mr. Arnold, seconded by Mr. Gray, with all in favor, the Board of Supervisors approved the contract with WilsonMiller, Inc. provided Dayne Piercefield is the Engineer of record for Meadow Pointe III Community Development District.

EIGHTH ORDER OF BUSINESS

Audience Comments

Mr. Buck asked if there were any audience comments at this time. A resident inquired as to the status of the gate closing at Ammanford Village. Mr. Sifford stated that the new Suarez model home is in the framing stage and is anticipated to be completed in 60 to 75 days. It was noted that a September timeframe was allowed at the time the extension was granted and it appears that this will be met.

The resident from Ammanford Village stated that the sidewalk to the left of the entrance is a hazard and the landscaping is not being maintained properly. Mr. Buck asked Mr. Sifford to research this matter.

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A resident from Larkenheath stated that she is having difficulty reaching District Staff regarding her issues within the community. Mr. Buck stated Mr. McCarn can be reached at the clubhouse to address District concerns. He explained also that the Board cannot address matters that are related to the Homeowner's Association. Mr. Brizendine stated that he would provide the resident with contact information for the management staff.

A Broughton Place resident presented a list of issues that the Broughton Place Resident Counsel would like to see addressed. Mr. Buck recommended that the list be given to Mr. McCarn and reminded everyone that it is not necessary to wait until a Board meeting to submit requests. He explained that Mr. McCarn will respond to concerns that do not require Board approval and present those issues requiring Board approval at the next meeting on behalf of the residents.

A question was raised regarding whether all residents within the Whitlock Village will be notified as to the status of their tax bills and whether the tax records have been updated. A resident inquired as to how the matter was being handled in regard to property that is in the process of being sold as the change will affect closings. Mr. Buck explained that tax records have been updated as part of the process of correcting the error and that Rizzetta & Company, Inc. provides the assessment information to the title companies, so any upcoming closings will be provided with the correct assessments. Mr. Hedger confirmed that the tax rolls have been corrected.

NINTH ORDER OF BUSINESS

Supervisor Requests

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

TENTH 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 Mr. Gray, seconded by Mr. Arnold, with all in favor, the Board of Supervisors adjourned the meeting at 1:15 p.m. for the Meadow Pointe III Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman