

**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, September 13, 2005 at 12:10 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	<b>Board Supervisor, Chairman</b>
Tom Gray	<b>Board Supervisor, Vice Chairman</b>
Lee Arnold	<b>Board Supervisor, Assistant Secretary</b>
Michael Delp	<b>Board Supervisor, Assistant Secretary</b> ( <i>via speakerphone</i> )
Laura St. Clair	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Scott Brizendine	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Tina Wells	<b>Rizzetta &amp; Company, Inc.</b>
Mark Straley	<b>District Counsel, Straley, Robin &amp; Williams, P.A.</b>
Dayne Piercefield	<b>District Engineer, GeoSurv3, Inc.</b>
David Hedger	<b>Financial Advisor, Rizzetta &amp; Co., Inc.</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

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

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the  
Board of Supervisors' Meeting on  
August 9, 2005**

Mr. Buck stated that the first order of business was the approval of the August 9, 2005 minutes and asked if there were any corrections or additions. Hearing none, a motion was made for approval.

On a Motion by Mr. Gray, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on July 12, 2005 for Meadow Pointe III Community Development District.
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**THIRD ORDER OF BUSINESS**

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

Mr. Buck stated that the next item on the agenda was Consideration of Operation and Maintenance Expenditures for September (under separate cover). He stated that there was an invoice for website development that needed clarification and Mr. Brizendine promised to get him the information he wanted. Mr. Arnold asked if Meadow Pointe IV information was going to be included on the same website as Meadow Pointe III. Mr. Brizendine stated that he believes there will be two separate websites. A brief discussion ensued regarding the need for two separate websites. With no further comments being heard, 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 the Operations and Maintenance Expenditures for September totaling \$44,300.80 for the Meadow Pointe III Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Series 2003 A & B  
Construction Requisition #456- #457**

On a Motion by Mr. Gray, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved the Series 2003 A & B Construction Requisition #456-#457 for Meadow Pointe III Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Series 2004 A & B  
Construction Requisitions #161-#163**

On a Motion by Mr. Gray, seconded by Mr. Arnold, with all in favor, the Board of Supervisors approved the Series 2004 A & B Construction Requisitions #161-#163 for Meadow Pointe III Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Change Orders**

Mr. Buck briefly reviewed the Change Orders and stated that Change Order #1 from Florida Commercial Contractors, Corp. was for Parcels FF/OO and is an addition for permitting and engineering fees totaling \$1,903.50. Change Order #2 & #3 are also from Florida Commercial Contractors and are for Parcels SS and PP/QQ in the amount of \$2,160 each for the installation of 180 LF of the sidewalk. The next Change Order was from Stewart & Associates relating to Parcel SS. It is a reduction in the amount of \$1,005.56 for materials purchased from the District. There was another Change Order from Florida Commercial Contractors for Parcel 1E, which was an addition of \$9,163.00 for cost adjustments and permitting fees.

The last Change Order was from Wal Den Greene Developers, Inc. relating to Parcel UU and was a decrease in the amount of \$37,013.29 for materials purchased directly through the District. Mr. Buck asked if there were any questions. Hearing none, Mr. Buck asked for a motion to approve.

On a Motion by Mr. Arnold, seconded by Mr. Gray, with all in favor, the Board of Supervisors approved the change orders as presented for the Meadow Pointe III Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2005-07,  
Designating the Meeting Schedule for Fiscal  
Year 2005/2006**

Mr. Buck stated that the next item on the agenda was Resolution 2005-07, Designating the Meeting Schedule for Fiscal Year 2005/2006. He explained that the Board has agreed to keep the same meeting schedule, which is the 2<sup>nd</sup> Tuesday of the month at 12:00 p.m. Mr. Buck stated that there may be occasions when an additional meeting will need to be called, and should this need arise, a special advertisement would be placed. He stated that advertising the schedule for the entire year provides the District with a cost savings. He asked for a motion to approve Resolution 2005-07, Designating the Meeting Schedule for Fiscal Year 2005/2006.

On a Motion by Ms. St. Clair, seconded by Mr. Gray, with all in favor, the Board of Supervisors approved Resolution 2005-07, Designating the Meeting Schedule for Fiscal Year 2005/2006 as the 2<sup>nd</sup> Tuesday of the month at 12:00 p.m. for Meadow Pointe III Community Development District. The meetings will be held at the Meadow Pointe III Clubhouse, located at 1500 Meadow Pointe Blvd., Wesley Chapel, Florida 33543

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Straley stated that, during the last meeting, the Board discussed proposals for landscape services in which the Board did not award the contract to the lowest bidder, Luke Brothers, Inc. He explained that, given the Board's concern regarding Luke Brothers, Inc.'s ability to do the work and the pending dispute at the Oakstead Community Development District, the contract went to the second lowest bidder, One Source. Mr. Straley stated that he received a Preliminary Notice of Protest from Luke Brothers, Inc. indicating their objection. He explained that he responded to this notice and any formal protest would be due on September 14, 2005. It is his hope that the issue would be dropped based on the response to the Preliminary Notice of Protest, but he will keep the Board informed.

B. District Engineer

No report.

C. Project Manager

Mr. Buck stated that, there are proposals for Parcel CC that need to be considered at this time. He explained that three information packets were picked up but only one firm submitted an actual proposal. Mr. Sifford evaluated the bid from Wal Den Greene Developers, Inc. and found it to be in line with other bids for comparable work. Mr. Buck stated that Mr. Sifford has recommended that the Board approve this bid. A brief discussion ensued.

On a Motion by Mr. Arnold, seconded by Mr. Gray, with all in favor, the Board of Supervisors approved the bid for Wal Den Greene Developers totaling \$1,396,784.30 for site work to Parcel CC for Meadow Pointe III Community Development District

D. District Manager

Mr. Hedger stated that he would like to present his follow-up on the Board's concerns relating to the "B" bond payoffs. He explained that, at the last meeting, it was stated that improved communications might be needed to effect a timelier turn-around for the funds to reach the trustee's after home closings. Mr. Hedger stated that since last month, Rizzetta has modified its procedures, as has the Developer, and he is confident that the Board will see the results they are looking for. Mr. Buck asked if there was any money owed to the District for the loss of interest on funds not received in a timely manner. Mr. Hedger explained that it was his understanding that everyone was satisfied that there were a number of parties responsible. When asked if anyone knew the dollar amount involved, Mr. Hedger stated that he believes it was under \$5,000. Mr. Buck asked that Mr. Gray meet with District Management to determine if there was any need to pursue reimbursement for funds lost due to negligence issues.

Mr. Buck asked if any of the Board members could meet with management to discuss this issue and send a written report on the outcome of the meeting. Mr. Straley stated that any of the Board members could meet individually with management to discuss the issue, but not as a group. It was also stated that a report could be sent by management to all of the Board, providing any questions that went through management.

On a Motion by Ms. St. Clair, seconded by Mr. Gray, with all in favor, the Board of Supervisors authorized Mr. Gray to meet with management to discuss the financial impact on the District relating to slow processing of bond payments and report back to the Board at the next meeting for the Meadow Pointe III Community Development District.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

Mr. Buck briefly reviewed the procedures for audience members to speak to the Board. He stated that if there are park issues and community issues, residents are encouraged to speak with the park manager at any time during the month. He asked if there were any audience comments at this time.

Residents expressed concerns with the lack of maintenance around the ponds. Mr. Buck stated that he signed several work orders today relating to this type of work. He indicated that work should begin within the next couple of weeks. It was asked if One Source would also be treating the ponds for algae and it was noted that this was within their scope of service. However, treatments are done seasonally.

In response to resident questions, Mr. Buck explained the election procedures for the Board, the terms of the current Board Supervisors and when the Board will have resident members. He stated that the Board has asked the various villages to send representation via the HOA to District meetings to ensure that requests are those of the whole village and not just the individual. A general discussion ensued. Mr. Buck also responded to questions regarding the assessments and the budget. It was stated that the Board would consider evening meetings during next year's budget process

Ms. Morris, president of the Whitlock Homeowners Association, stated that her concern regarding non-disclosure of the new budget during the July meeting was not reflected in the minutes. It was explained that there is a verbal recording of the minutes available and that the written version is representative of the discussions held and actions taken during the meeting. Ms. Morris stated that her concern stems from the budget not being published on the website or mailed to individual residents, which she felt did not provide residents with enough information on the proposed budget. Mr. Brizendine stated that all meetings were publicized as required and that those individuals requesting a copy of the budget were given one. Mr. Buck explained that all legal requirements were met and that all records are public and available to anyone requesting them. The website is up and running and it should facilitate the process for next year.

Ms. Morris asked if the plan submitted by the Beautification Committee has been reviewed by the Board. Mr. Buck stated that costs have not been considered at this point and suggested that she contact John Toborg regarding this.

Ms. Morris stated that she is in the process of collecting signatures on the petition to close the gates at Whitlock and inquired as to how many signatures were needed. Mr. Buck stated that, the Board would need to determine that this was something the majority of the residents wanted to do.

Mr. Buck responded to a question regarding the inclusion of District news in the newsletter, stating that while the Board has no formal connection with the newsletter, if a representative were to contact Mr. Sifford or District Management regarding specific information, it would be provided.

**TENTH ORDER OF BUSINESS**

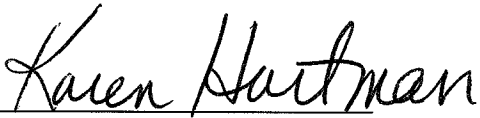
**Supervisor Requests**

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

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Gray, seconded by Ms. St. Clair, 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