

**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, October 11, 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>
Laura St. Clair	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Scott Brizendine	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
John Vericker	<b>District Counsel, Straley, Robin &amp; Williams, P.A.</b>
Dayne Piercefield	<b>District Engineer, GeoSurv3, Inc.</b>
Mark Sifford	<b>Project Manger, DEVCO</b>
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  
September 13, 2005**

Mr. Buck stated that the first order of business was consideration of the minutes of the Board of Supervisors' meeting on September 13, 2005, and asked if there were any corrections or additions. Hearing none, a motion was made for approval.

On a Motion by Ms. St. Clair, seconded by Mr. Gray, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on September 13, 2005 for Meadow Pointe III Community Development District.

**THIRD ORDER OF BUSINESS**

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

Mr. Buck stated that the next item on the agenda was the consideration of Operation and Maintenance Expenditures for October (located behind tab 2). He asked if there were any questions. A motion was made 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 October totaling \$14,089.17 for Meadow Pointe III Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Series 2001- A Construction  
Requisition #185- #186**

Mr. Buck stated that the next item on the agenda was the consideration of Series 2001-A Construction Requisitions #185-#186. He asked if there were any questions.

On a Motion by Mr. Arnold, seconded by Mr. Delp, with all in favor, the Board of Supervisors approved the Series 2001-A Construction Requisitions #185-#186 for Meadow Pointe III Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Series 2003 A & B  
Construction Requisition #458**

Mr. Buck stated that the next item on the agenda was the consideration of Series 2003 A & B Construction Requisition #458. It was stated that this is money that is being paid back to Meadow Pointe General Partnership.

On a Motion by Mr. Arnold, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved the Series 2003 A & B Construction Requisition #458 for Meadow Pointe III Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Series 2004 -1 Construction  
Requisitions #164-#169**

Mr. Buck stated that the next item on the agenda was the consideration of Series 2004-1 Construction Requisitions #164-169. He asked if there were any questions.

On a Motion by Mr. Arnold, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved the Series 2004-1 Construction Requisitions #164-#169 for Meadow Pointe III Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Series 2004 A & B  
Construction Requisitions #174-#181**

Mr. Buck stated that the next item on the agenda was the consideration of Series 2004 A & B Construction Requisitions #174-#181. He asked if there were any questions.

On a Motion by Mr. Arnold, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors approved the Series 2004 A & B Construction Requisitions #174-#181 for Meadow Pointe III Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Change Orders**

Mr. Buck stated that the next item on the agenda was the consideration of any change orders. Mark Sifford stated that there were none to consider at this time.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Vericker stated that, during the last meeting, the Board was made aware of a formal protest made by Luke Brothers, Inc. regarding the awarding of the landscape contract to One Source, who was the second lowest bidder. He explained that the Judge has ordered a consolidation hearing with Oakstead Community Development District on November 27<sup>th</sup> and 28<sup>th</sup>, as they also received a Notice of Protest from Luke Brothers, Inc. Mr. Vericker stated that the consolidation should work to the District's advantage and will provide a cost savings as legal fees would be split between the two communities. He estimated the legal fees to be between \$12,500 and \$25,000. Akerman Senterfitt will be assisting Mr. Robin with this case.

Following a brief discussion, a motion was made to move forward with the consolidated hearing and authorize a not-to-exceed amount of \$12,500 for legal fees providing that Oakstead Community Development District also agrees to proceed together.

On a Motion by Mr. Arnold, seconded by Ms. St. Clair, with all in favor, the Board of Supervisors authorized the expenditure of \$12,500 for legal fees to be used in conjunction with Oakstead Community Development District for defending the protest made by Luke Brothers, Inc. regarding the landscape contract for Meadow Pointe III Community Development District.

B. District Engineer

Mr. Piercefield informed the Board that as of November 2, 2005, GeoSurv3, Inc. will no longer exist. It is merging with WilsonMiller, Inc. Mr. Piercefield stated that the fee structure will remain the same. He stated that while he does have a contract with WilsonMiller, Inc. to service the Districts he is currently involved with, he will not be an employee of WilsonMiller, Inc.. Following a brief discussion, it was stated that the notification letter from WilsonMiller, Inc. should include a statement that Mr. Piercefield would continue as the contact person for the District.

C. Project Manager

No report.

D. District Manager

Mr. Brizendine stated that the District has a cash flow problem and will need to borrow approximately \$50,000 to carry the District until the funds come in for Fiscal Year 2005/2006. He explained that Ms. Thomas is researching invoices to determine if there are any that could have been paid out of bond proceeds, but currently, the District only has \$14,000. Following a brief discussion, it was decided to ask District Counsel to draft a note regarding a loan from Meadow Pointe General Partnership with a not-to-exceed amount of \$75,000.

On a Motion by Mr. Arnold, seconded by Mr. Gray, with all in favor, the Board of Supervisors authorized District Counsel to prepare a loan note with Meadow Pointe General Partnership with a not-to-exceed amount of \$75,000 for the Meadow Pointe III Community Development District.

Mr. Brizendine stated that at the last meeting he was requested to research an invoice from Rizzetta & Company, Inc. for website development. In researching the issue it was determined that in January the District entered into a contract with Rizzetta & Co., Inc. for website development, but in March the District entered into a different contract with Bayshore Solutions. Based on this information a credit, for the \$3,500 will be issued to the District. Mr. Brizendine stated that a \$100 monthly fee would continue to be billed from Rizzetta & Company, Inc. for updating the website on a monthly basis.

Mr. Arnold stated that he would soon own 5% of Bayshore Solutions and wanted to notify the Board that there might be a time when he would need to declare a "conflict of interest" before voting.

Mr. Brizendine stated that he had received a phone call from a resident whose 20 month old child, who had been at the Meadow Pointe III pool, contracted a staph infection. Mr. Brizendine stated that while the resident was unable to determine where the infection was contracted, he did make some inquiries regarding the situation.

The Pasco County Health Department representative he spoke with did not recommend that the District spend additional money to have the pool tested, as water quality varies on a daily basis. She stated that she has not received complaints from any residents or doctors regarding this pool and is confident that the pool meets the required standards.

A brief discussion ensued. A resident stated that the problem may lie with the tile grout and not the water.

#### **TENTH 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.

A resident requested an update on the Beautification Committee's plan to improve the landscaping at the gate. Mr. Sifford stated that he would provide a cost estimate for the project to both the committee and the Board for discussion at next months meeting.

Mr. Sifford responded to a question regarding the status of the "Dog Park". He explained that while there is a location in mind along Meadow Pointe Boulevard, Pasco County has not approved anything at this time. A brief discussion ensued.

A resident commented on repairs that are being done on Beardsley Drive. Mr. Sifford stated that Pasco County School Board is making some temporary repairs at this time. Mr. Buck explained that the School Board plans to run construction vehicles on the road and the District has reached an agreement with the County to put up some money for repairs, once the construction is completed in 12 to 18 months. He stated that in the meantime the County is making some temporary repairs in some of the worst sections.

Mr. Sifford responded to a question regarding the gate at Whitlock needing repair. He explained that road repairs are needed and have been scheduled.

Residents presented a petition to the Board requesting that the gate at Ammanford Village be closed and a "No Soliciting Sign" be placed at the entrance. Mr. Buck stated that District Management would verify that the petition was signed by 50% of the residents and if so, would prepare a resolution for Board approval at the next meeting to officially close the gate. A brief discussion ensued.

#### **ELEVENTH ORDER OF BUSINESS**

#### **Supervisor Requests**

Mr. Buck asked if there were any supervisor requests. Mr. Gray stated that he has spoken to Mr. Rizzetta regarding the analysis of bond payments and receipt of such payments by the Trustee and was told that it was not ready yet.

**TWELFTH 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 1:05 p.m. for the Meadow Pointe III Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman