

MINUTES OF MEETING

OAKSTEAD
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Oakstead Community Development District was held on **Tuesday, November 9, 2004 at 2:30 p.m.** at the Oakstead Clubhouse, located at 3038 Oakstead Boulevard, Land O'Lakes, Florida 34639.

Present and constituting a quorum:

Don Buck	Board Supervisor, Chairman
Tom Gray	Board Supervisor, Vice Chairman
Mark Sifford	Board Supervisor, Assistant Secretary
Ken Jones	Board Supervisor, Assistant Secretary
Steve Booth	Board Supervisor, Assistant Secretary (<i>joined the meeting in progress via speakerphone</i>)

Also present were:

Matthew Campbell	District Manager, Rizzetta & Company, Inc.
Karen Hartman	Rizzetta & Company, Inc.
Dayne Piercefield	District Engineer, Geo Surv³, Inc.
Mark Straley	District Counsel, Straley, Robin & Williams
Bobby Fox	Developer Representative, DEVCO
Audience Members	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting on October 12, 2004

Mr. Buck stated that the first item on the agenda was to consider the minutes of the Board of Supervisors' meeting on October 12, 2004 (located behind tab 1). He asked if there were any deletion, corrections or additions. Under the first order of business, there was a correction regarding Mr. Campbell reading the roll call. There were no further questions or comments, so he asked for a motion to approve, as corrected.

On MOTION by Mr. Gray, seconded by Mr. Jones, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on October 12, 2004, as corrected, for Oakstead Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Authorization to
Disburse District Funds 2005-02**

Mr. Buck stated that the next item for discussion was the consideration of the Authorization to Disburse District Funds 2005-02 (located behind tab 2). The disbursement consists of invoices for standard contractual obligations. Mr. Buck asked if there were any questions. There were none, so he asked for a motion to approve.

On MOTION by Mr. Jones, seconded by Mr. Gray, with all in favor, the Board approved the Authorization to Disburse District Funds 2005-02 for Oakstead Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2002 A & B
Construction Requisition #267**

Mr. Buck stated the next item on the agenda was the consideration of the Series 2002 A & B Construction Requisition #267 (behind tab 3). He stated that all of the requisitions have been certified by the District Engineer and approved by the Chairman. There were no questions or comments, so he asked for a motion to approve.

On MOTION by Mr. Gray, seconded by Mr. Jones, with all in favor, the Board approved the Series 2002 A & B Construction Requisition #267 for Oakstead Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2005-02,
Amending the Fiscal Year 2003/2004
General Fund Budget**

Mr. Buck stated that the next item on the agenda was the consideration of Resolution 2005-02, Amending the Fiscal Year 2003/2004 General Fund Budget. Mr. Campbell explained the resolution to the Board in detail. Mr. Campbell explained that this is strictly for accounting and auditing purposes. Mr. Campbell stated that there is no Board action required on this matter.

SIXTH ORDER OF BUSINESS

Consideration of Street Resealing

Mr. Buck stated the next item on the agenda was the consideration of street resealing. Mr. Sifford stated that the issue concerns severe staining on the streets and sidewalks due to a chemical applied by the lawn service company. Due to the fact that the streets are District streets, Mr. Sifford thought it would be prudent that the District review the actions that the Home Owners Association is taking to resolve the problem, which is why the problem. Mr. Sifford explained that a report concerning the issue has been provided in the agenda package for the Board's review.

A representative from the Home Owners Association addressed the Board and explained that an iron sulfate application was applied and severely stained the street and all the concrete surfaces. The Home Owners Association filed a liability claim with the lawn service's insurance company. The Home Owners Association representative stated that the application that is recommended does have an acid base to it and would be run off and can go into the drainage system so an environmental engineer has been asked to look into this to test the water. The Board recommended the District engineer be involved in this issue and give a recommendation on how to handle this. The Board asked for a motion to authorize the cleaning of the streets and application of a coating subject to the District Engineer's approval. A discussion ensued among the Board and Staff members. The concern among the Board is that the company that is hired to clean the problem stains up may put a chemical down that could deteriorate the asphalt. *(Mr. Booth joined the meeting via speakerphone).*

On MOTION by Mr. Gray, seconded by Mr. Sifford, with all in favor, the Board authorized the cleaning of the street and application of a coating subject to the District Engineer's approval for Oakstead Community Development District.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Straley stated that he is resigning from Akerman Senterfitt to establish his own firm. He stated that he would like to have authorization for the District files to be moved to his new firm. The name of the new firm is Straley, Robin, and Williams.

On MOTION by Mr. Gray, seconded by Mr. Jones, with all in favor, the Board approved retaining Mark Straley as District Counsel and moving the District files to the firm of Straley, Robin & Williams for Oakstead Community Development District.

B. District Engineer

Mr. Piercefield stated that he has been composing maps of the District. The maps consist of road rights-of-ways, conservation areas and are color-coded to indicate who is responsible for each area. He explained that this map is a work in progress and will change as the District grows.

C. District Manager

Mr. Campbell stated that the Landowner's meeting will be held prior to the regular December 14th Board meeting. Copies of proxies will be in the agenda packet as well as on the District website. The seats up for re-election are currently held by Steve Booth, Tom Gray and Don Buck.

EIGHTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Buck stated that the next item on the agenda was Supervisor requests and audience comments. Mr. Campbell stated that he had several audience comment sheets that he would like to bring before the Board. One issue concerned the installation of the traffic signal at State Road 54. Mr. Buck stated that the issue has been referred to the traffic engineer, who has been in contact with Pasco County. The Engineer is trying to determine what the fair-share cost would be pertaining to the traffic signal. An update is anticipated to be available by the next meeting.

Mr. Fox, a DEVCO representative, reported on a resolution to the issue concerning Ashmont wall. He stated he had a fence option that comes in at a cost of approximately \$29,000, and ties into the wall. He explained the size and color to the Board.

Mr. Ford, a resident of Ashmont commented on the traffic light issue. Mr. Ford stated that DEVCO signed a contract with the County stating they would be responsible for whatever the County deemed was their share of the traffic light. The contract doesn't state the District is responsible for it. Mr. Ford asked the Board why the District is looking at the cost of the traffic light when it is DEVCO's responsibility. Mr. Ford asked the Board how these dealings can be done without the appearance of conflict of interest between DEVCO and the District, due to the District's representation. Mr. Ford also commented that the audience issues that come before the Board are not noted unless the Board takes action.

In response to Mr. Ford's comments, Mr. Straley discussed the issue regarding conflicts of interest by explaining Florida Statute 190. He also stated that the contract in question regarding the traffic light is a zoning condition or requirement which runs with the land. Mr. Ford presented a copy of contract, or zoning condition, to Mr. Straley for his review.

In response to the matter of audience issues and comments not being noted unless Board action is taken, Mr. Campbell explained that part of the contract with the District is to record the business of the District. He explained that the minutes are paraphrased versus being verbatim transcripts of the meetings. Mr. Campbell clarified that the record, audience comments are welcome, but are not meant to be construed as public hearings. The goal of the Board is to make decisions based upon the needs of the District-owned land within the community. The audience is free to speak and comments are welcome but the Board is not required to respond. Mr. Campbell stated that the Board addresses the issues that are brought before them.

A homeowner asked for verification on whether the District mows the common area at one time, and if the developer reimburses the District for this service. Mr. Campbell stated he will look into this issue and get the documentation showing the reimbursement from the developer.

The bus stop issue at the clubhouse was addressed by a homeowner, who stated that two children almost got run over by a car that was backing out of a space. This will be addressed by the facility manager.

The issue of posting "children at play" signs was brought before the Board. Mr. Piercefield stated that studies have shown that the signs have little effect on the children's safety and do not hinder speeding in these posted areas. There was a motion to refrain from posting the "children at play" signs.

On MOTION by Mr. Gray, seconded by Mr. Booth, with all in favor, the Board approved the refraining from posting the "children at play" signs for Oakstead Community Development District.

A Board member stated that the County will allow the District to use the easement as a neighborhood park. The Board recommended that the Home Owners Association consider this issue at their next meeting and provide a recommendation to the Board.

The linear fence issue was discussed. Mr. Straley stated he sent the fence company a letter demanding they correct the problems. The owner of the fence company contacted Mr. Straley, who referred him to Mr. Fox. Mr. Fox stated that the vendor is only responsible for the installation of the fence to the post, not the condition of the actual fence materials since they were manufactured by another company. The Board recommended that the fence be repaired within two weeks. Mr. Fox stated that the fence company would come out and repair the fence at a reasonable rate. If the repairs are not acceptable, then Mr. Fox will make the recommendation as to how to build a new fence

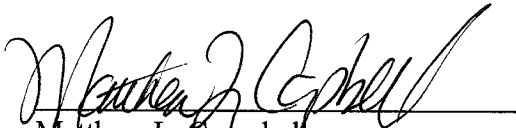
On MOTION by Mr. Sifford, seconded by Mr. Gray, with all in favor, the Board authorized the repair of the fence for Oakstead Community Development District.


NINTH ORDER OF BUSINESS

Adjournment

Mr. Buck stated that there were no other agenda items to come before the Board and asked for a motion to adjourn.

On MOTION by Mr. Gray, with all in favor, the Board adjourned the meeting for Oakstead Community Development District.


Matthew L. Campbell
Secretary


Donald A. Buck
Chairman