
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

OAKSTEAD COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Oakstead Community Development District was held on **Tuesday, April 12, 2005 at 2:30 p.m.** at the Oakstead Clubhouse, located at 3038 Oakstead Boulevard, Land O' Lakes, Florida 34639.

Present and constituting a quorum:

Robert Thurston	Board Supervisor, Chairman
Barbara Feldman	Board Supervisor, Vice Chairman
Ken Jones	Board Supervisor, Assistant Secretary
Donna Cosenzo	Board Supervisor, Assistant Secretary
Mark Sifford	Board Supervisor, Assistant Secretary

Also present were:

Matthew Campbell	District Manager, Rizzetta & Company, Inc.
Mark Straley	District Counsel, Straley Robin & Williams, P.A.
Dayne Piercefield	District Engineer, Geo Surv3, Inc.
Audience	

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' Meetings on
February 8, 2005 and March 8, 2005**

Mr. Thurston stated that the February 8, 2005 minutes were tabled from the last meeting and are now being presented to the Board for consideration. Mr. Thurston asked if there were any additions, deletions, or corrections to the Minutes. There was none, so Mr. Campbell asked for a motion to approve.

<p>On a Motion by Mr. Sifford, seconded by Ms. Feldman, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meetings held on February 8, 2005 and March 8, 2005 for Oakstead Community Development District.</p>
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THIRD ORDER OF BUSINESS

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

Mr. Thurston stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for April (behind tab 2). He asked if there were any questions or comments. There was a brief discussion regarding several of the invoices. Hearing and seeing no further comments, Mr. Thurston asked for a motion to approve.

On a Motion by Ms. Feldman, seconded by Mr. Sifford, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for April for Oakstead Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2003 Construction
Requisition #78**

Mr. Thurston stated that the next item on the agenda was the consideration of Series 2003 Construction Requisition #78 (behind tab 3). Mr. Campbell stated that this is one of the last construction requisitions. There were no questions or comments, so Mr. Thurston asked for a motion to approve.

On a Motion by Mr. Jones, seconded by Mr. Sifford, with all in favor, the Board of Supervisors approved the Series 2003 Construction Requisition #78 for Oakstead Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Recreational Facilities
Usage Fees**

Mr. Thurston stated that the next item on the agenda was the consideration of the recreational facilities usage fees. Mr. Campbell distributed the existing policies and rules to the Board. He stated that these items would be discussed at greater length during the public hearing that is being held on this day. A discussion ensued. Mr. Campbell recommended that the modifications be further discussed and reviewed by District Counsel. The final policies will be voted upon at the May meeting.

SIXTH ORDER OF BUSINESS

**Discussion on the Establishment of a
Resident Committee**

Mr. Thurston stated that next item of business is the discussion of the establishment of resident committees.

Ms. Cosenzo stated that the community has established several committees to allow more involvement from the residents. She stated that committee members were present at this meeting and would like to introduce themselves to the Board.

Mr. Thurston called upon representatives of the Planning and Finance Committee, the Clubhouse, Parks and Programs Committee and the Landscaping and Grounds Maintenance Committee. Each gave to the Board a brief overview of the committees they represent.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Straley gave an update on the Weymouth pavement issue. He stated that he is researching the best manner to pursue this claim. He stated that a litigation attorney, Mr. Jocken, who specializes in construction litigation, was present at the meeting. He recommended the Board engage Mr. Jocken to serve as Litigation Counsel on this matter. He further stated that he is still pursuing alternatives to negotiate a settlement. A brief discussion ensued regarding this matter. Mr. Campbell stated that the District does not have the funds to retain another attorney at this time. A retainer necessary for the additional counsel would have to come out of the other Budget for the District.

B. District Engineer

Mr. Piercefield stated that he had followed up on the Board directive to research a list of non-compliance that was discussed at a prior meeting. Mr. Piercefield discussed the background of this issue and presented his findings.

Mr. Straley stated that Wal-Den Greene Developers has been in contact with him regarding an accounting issue. He stated that Wal-Den Greene Developers was the low bidder construction services for Parcel 8, which is one of the last parcels to be developed. Mr. Straley stated that Wal-Den Greene Developers submitted the same change order with respect to materials two times, and it was approved both times. This has the effect of decreasing the amount of their contract with the District two times when it really should have been once. The pipe company has been overpaid and Wal-Den Greene Developers is asking to be reimbursed about \$34,000. The pipe company will not reimburse Wal-Den Greene Developers because the overpayment was made by the District.

Mr. Straley recommended the Board authorize the Chairman to either endorse the check back to Wal-Den Greene Developers or to deposit the check into the District's account and have the District reimburse Wal-Den Greene Developers.

On a Motion by Mr. Jones, seconded by Mr. Sifford, with all in favor, the Board of Supervisors approved depositing the overpayment reimbursement from the pipe company into the District account, and approved the District to reimburse Wal-Den Greene Developers for Oakstead Community Development District.

C. District Manager

Mr. Campbell presented two vending contracts, one from Café Liberty and one from Zephyrhills Water to the Board for consideration (behind tab 4). Café Liberty would maintain their vending machine inside the clubhouse and remove their beverage machine on the pool deck. The beverage machine on the pool deck would be replaced by Zephyrhills Water. Mr. Campbell recommended the Board authorize the ratification of these contracts. A discussion ensued as to how the vending machines would be monitored. The Board discussed revising the Café Liberty contract to omit the 12-month commitment. The Board also discussed allowing Café Liberty to install a vending machine for 30-day trial period. The Board will readdress this matter at the next meeting.

On a Motion by Mr. Sifford, seconded by Ms. Cosenzo, with all in favor, the Board of Supervisors revised the Café Liberty contract, omitting the 12-month commitment and authorizing installation of a vending machine for a 30-day trial period for Oakstead Community Development District.

EIGHTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments and Questions**

Mr. Thurston stated that the next item on the agenda is Supervisor requests and audience comments. He stated that there were members of the public present. Mr. Thurston asked if there were any audience comments. The Board entertained audience comments; however, the Board took no actions.

Mr. Campbell recommended that the Board authorize Staff to draft a policy to the homeowners that would require permission for any modifications to be made to any individual pieces of property within the District.

Mr. Sifford distributed a packet of information regarding the street signs to the Board. He stated that there are numerous repairs that are needed for the sign posts within the District. He specified total cost for the repair is \$3,730.00.

Mr. Campbell stated that the Board could recommend that the money be spent. He stated that although the cost of the repair is \$3,730.00, it could cause the District to go over budget. Mr. Campbell specified to the Board that they would need to identify an alternative funding source for items not covered in the existing Budget, similar to this item. However, the Board elected to proceed with warranty repairs based on an immediate need.

On a Motion by Ms. Feldman, seconded by Mr. Jones, with all in favor, the Board of Supervisors approved the proposal from Universal Painting to repair the signs for Oakstead Community Development District.

There was discussion regarding a homeowner's property that is located adjacent to a conservation area. There is currently a problem determining where the boundary of the homeowner's property is in relation to the conservation area. A discussion ensued regarding this issue. Mr. Campbell, backed by Staff clarified that the land between the resident's fence and the conservation area is within the wetland setback or buffer. The resident was advised to contact both the County (Pasco) and the Southwest Florida Water Management District (SWFWMD), to inquire about possible maintenance of the buffer area since this area is the responsibility of the individual homeowner and not the District, and that both the county and SWFWMD have jurisdiction over all conservation areas in the District.

NINTH ORDER OF BUSINESS

Adjournment

With no further business to come before the Board, Mr. Thurston asked for a motion to adjourn.

On a Motion by Mr. Jones, seconded by Ms. Feldman, with all in favor, the Board of Supervisors adjourned the meeting for Oakstead Community Development District.



Matthew L. Campbell
Secretary



Robert E. Thurston
Chairman