

**MINUTES OF MEETING
OAKSTEAD COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Oakstead Community Development District was held on Tuesday, April 11, 2006 at 2:30 p.m. at the Oakstead Clubhouse, 3038 Oakstead Boulevard, Land O'Lakes, Florida.

Present and constituting a quorum were:

Barbara Feldman	Chairman
John Witmer	Vice Chairman
Ken Jones	Assistant Secretary
Mark Sifford	Assistant Secretary
John Cascio	Assistant Secretary

Also present were:

Bob Fernandez	Severn Trent Services
Mario Grasso	Field Manager
Nancy Intini	Park Director
Mark Straley	Attorney
Dayne Piercefield	Engineer
Several Residents	

The following is a summary of the discussions and actions taken at the April 11, 2006 Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Feldman called the meeting to order and Mr. Fernandez called the roll.

SECOND ORDER OF BUSINESS

Consent Agenda

A. Approval of the Minutes of the March 14, 2006 Meeting

B. Approval of the Financials & Check Register

Ms. Feldman requested changes on pages 13 and 14. The corrections were made and will be included in the official record.

On MOTION by Mr. Jones seconded by Mr. Sifford with all in favor the minutes of the March 14, 2006 meeting were approved as amended.

Mr. Witmer asked when the approved budget will be reflected in the financial statements

Mr. Fernandez responded it will be done for the March financials.

Mr. Witmer asked if the legal fees contain all the billing related to the Luke Brothers case.

Mr. Straley responded the case has been slow. Substantially, all fees have been billed at this point.

Ms. Feldman asked if the legal fees can be paid from the amount both the CDD and Weymouth HOA received.

Mr. Straley responded yes, if both the Weymouth HOA and CDD Board are agreeable to doing it.

Mr. Fernandez stated it is strictly the agreement between the two parties on what the intent is with the proceeds.

Mr. Straley stated there are no legal limits if everyone is in agreement.

Mr. Sifford asked when the Board anticipates doing the road repairs.

Ms. Feldman responded they are waiting until everything is done.

Mr. Sifford stated it is estimated to cost \$60,000 to overlay the roads. We received a total of \$130,000 in the settlement.

Ms. Feldman stated the majority of it is for cleaning the sidewalks and driveways. Whatever is left from the cleaning, Weymouth agreed to pass to the CDD for resurfacing. The breakdown was \$17,000 for resealing and the other was for the monitoring of the ponds.

Mr. Sifford stated the real answer to the question is we have no idea how much it will cost to clean the sidewalks and driveways.

Ms. Feldman stated the streets were never going to be cleaned; they needed resurfacing. They felt there was no structural damage to the roads so they gave us funds for resealing. We decided to keep it for when Weymouth does need resurfacing and add it to whatever is left over from the cleaning project.

Mr. Fernandez stated there is hope the monitoring will not uncover any need for remediation of the ponds. If it needs to happen, it will be an additional expense.

Mr. Witmer stated the attorney fees are \$45,000 to date. At least \$30,000 is probably related to the Luke Brothers litigation.

Ms. Feldman stated this discussion should be tabled until the actual legal fees are known.

Mr. Casio asked why Luke Brothers was not picking up the legal costs if it was an award by them.

Mr. Straley responded there were two issues with Luke Brothers. The first had to do with work they did for the Weymouth HOA. They damaged both District property and some privately owned property within Weymouth. The dispute ended in mediation and a settlement was reached. Somewhat independent of that, there was also a bid protest with Luke Brothers which also settled. As part of that settlement, each side bore their own attorney's fees relative to the bid protest. There was no agreement or provision providing for either side to pay the fees of the other. From the Weymouth settlement, they made a sum of money available to be used for cleaning, monitoring the ponds, remediation of the ponds if necessary, legal fees and also to set up a potential reserve if there are excess funds to cover the eventual resurfacing cost for the roads of Weymouth. There is flexibility as to how the money can be used.

Mr. Witmer stated Weymouth has \$100,000 available to them right now. They are spending the money on cleaning the sidewalks, driveways and pond mediation. Whatever money is left from the \$100,000 will be forwarded to the CDD.

Ms. Feldman stated to an account opened by the CDD for Weymouth resurfacing.

Mr. Witmer stated the revenue from the special assessments shows an actual through February 28th of \$1.012Million which is substantial in relation to what was expected.

Mr. Fernandez stated there is about \$80,000 left to collect. To date, \$164,912 has been collected from the special bills. There were 176 payments received and there are 102 outstanding.

On MOTION by Mr. Sifford seconded by Mr. Witmer with all in favor the financial statements and check register were approved.

THIRD ORDER OF BUSINESS

Manager's Report

A. Approval of Stormwater Connection of Tract 1 Offices and Retail

Mr. Fernandez referred to a letter from Devco and one to SWFWMD regarding the approval of the stormwater connection.

Mr. Piercefield distributed a colored map identifying Tract 1 and the adjacent out parcel. Tract 1 was part of the original Oakstead development. The out parcel was purchased later by the developer. There were two 36 inch pipes which stubbed out across Oakstead Boulevard when it was built to give access for drainage to Tract 1. The developer has tied into the two 36 inch pipes which gives access to Tract 1 drainage to the small pond just west of Oakstead Boulevard. The out parcel has its own pond which is adjacent to the large wetland area currently

owned by the out parcel owner and Oakstead CDD. Tracts 2 and 3A have the same type of development. It is all in accordance with SWFWMD's criteria for joint ownership of ponds.

Discussion to clarify the areas and the requested approval ensued.

Mr. Straley stated he is working on a proposed agreement between the commercial property owners and the Oakstead CDD which will address the possibility of contaminated runoff. It covers responsibility for remediation in the event anything improper is put in the drainage system. He expects to have something to show the Board at the May meeting.

The discussion continued in regard to maintenance of the ponds.

Mr. Bob Thurston stated he provided a map with supporting documents on what is proposed for Tract 1. If the developer does not have to build a pond, he can build more buildings at his discretion. The Development Review Board and Planning of Pasco County reversed their attitude and is requiring all developments to keep the well stormwater on their properties and not extend it somewhere else. The pipes are in but the CDD can eliminate its responsibility for anything that happens with the ponds if the developer has their own holding pond on their property. Mr. Thurston urged the Board to find out from SWFWMD why they cannot have all the proposed properties runoff go from their parking lot into their pond so any problems can be monitored there, rather than in our ponds.

Mr. Piercefield stated the drainage divide is approximately where the old property line was. It is properly designed for the topography which exists there. SWFWMD is strongly against taking water from one watershed and putting it in another. They are very particular about maintaining drainage divides the way they were created by nature.

Mr. Witmer asked if there would be any harm to the developer or SWFWMD by postponing a decision for 30 days.

Mr. Piercefield responded SWFWMD needs a letter from the Board in their files assuring you understand the water is going this way. It may or may not stop the review of this project.

Mr. Fernandez stated in summary, it appears the request is consistent with the design of the drainage of the area and it is not going to change in 30 days. It looks like the design will accommodate this request.

On MOTION by Mr. Witmer seconded by Ms. Feldman with all in favor the approval of the stormwater connection of Tract 1 Offices and Retail was tabled for 30 days until the next Board meeting.

B. Payroll Processing

Mr. Fernandez stated there was interest in terminating the relationship with ADP for personnel payroll. If the Board wishes Severn Trent to do it, the standard rate is \$3,500 per year billed on a monthly basis. ADP is \$75 per payroll and there is no contract with them. In all fairness, Severn Trent works with ADP in several other districts and have been very happy with their work.

Mr. Grasso stated the base problem was one time when payroll checks bounced. There were other little incidences.

Mr. Witmer stated we will leave it as is and Ms. Intini will contact ADP to handle the situation.

C. Lake Patience Road Offsite Forcemain & Watermain

Mr. Fernandez stated this is a previous approval the Board gave but never took in a formalized contract. The contract essentially carries out the project. The letter from Devco confirms the commitment they made to cover any costs which exceed the amount remaining in the construction fund. The contract was presented for signature and formalizes the prior approval.

Mr. Sifford added the notice of commencement needs to be signed as well.

Ms. Feldman stated it will all be signed at the end of the meeting pending the Board's authorization.

On MOTION by Mr. Sifford seconded by Mr. Jones with all in favor the Chairwoman was authorized to sign the formal contract and commencement notice for the offsite forcemain and watermain.

Mr. Fernandez stated the budget recommendation will be submitted to the Board at the May meeting to start the process. Mr. Witmer will work with Mr. Fernandez in developing the budget recommendation. The scheduled budget adoption is July 11, 2006.

FOURTH ORDER OF BUSINESS

Attorney's Report

There being no report, the next item followed.

FIFTH ORDER OF BUSINESS

Engineer's Report – Consideration of Contract with WilsonMiller as District Engineer

Mr. Fernandez stated it is the contract to continue the relationship the District had with GeoSurve3 and acknowledges the fact the company was purchased by WilsonMiller.

Mr. Piercefield stated GeoSurve3 no longer exists as of November 8, 2005. WilsonMiller wants to formalize everything in accordance with their way of doing contracts. The rate structure is a level six and raises the rate for the District Engineer by \$10 an hour, to \$145 per hour, for engineering services. Mr. Piercefield is not an employee of WilsonMiller but a special sub-consultant. When WilsonMiller purchased GeoSurv3, they bought the assets, liabilities and existing clientele. However, they were not especially interested in serving the District so Mr. Piercefield offered to do it for them. He has a contract with them for such services for two years with renewal at his option.

On MOTION by Mr. Jones seconded by Mr. Witmer with all in favor the contract with WilsonMiller with a modification to add Mr. Piercefield as a sub-consultant was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

Mr. Grasso introduced Mr. Alex Guzman to present an estimate for the linear path and wall.

Mr. Guzman stated he is with Rhino Wall Systems and is currently doing a project at Stonegate. The two proposals Mr. Guzman gave Mr. Grasso were for a six foot and eight foot wall. If the Board wants to replace the wooden fence with a wall system from Rhino the cost would be \$160,275 for the six foot height or \$209,426 for the eight foot. Both quotes are for 2137 linear feet. The walls have a 10 year warranty, are engineered to 130 mile per hour winds, mechanically fastened and non-corrosive. Everything is enclosed with an aluminum skid before the synthetic finish is sprayed over to give the wall a stucco appearance. It is a four-man turn-key operation with all work done onsite. Wall sections come prefabricated with a simple installation process.

The discussion continued with drainage, construction and permitting issues being addressed.

Mr. Grasso reported on the following:

- Glass Water Systems was the only company to respond on the temporary fix for the trail drainage problem. They quoted three half-horse power sump pumps, 300 feet of drain line and a drain box for \$3,688. This is the recommended solution for flooding on the bike trail at the

north end heading east. The affected area is approximately 600 feet. Electricity for the pumps would probably be tapped from one of the gate boxes in Brenford. Mr. Piercefield felt the system is not vandal proof in regard to children. It would be better to have something buried such as a gravity drainage system. Yard drains and four inch corrugated pipe may work but he would need to survey the area.

On MOTION by Ms. Feldman seconded by Mr. Cascio with all in favor Mr. Piercefield will work with Mr. Grasso on the trail flooding problem and implement a solution not to exceed \$3,688.80

- There were three water main breaks with the most important being at the end of the trail. Mr. Wells, a resident, created a break when installing his pool. There is now an active valve not being hooked up in the horseshoe which can be used in the future to irrigate the length of path where the grass was dying. The resident has already done the cement work on the trail and the walkway on the round-about. He knows he has to take care of the sod when the time comes because the leak needs to be repaired first. All costs should be covered by the resident's \$2,000 construction deposit.

- Ms. Feldman requested Mr. Grasso show Mr. Piercefield the Weymouth drainage report.

B. Park Director

Ms. Intini reported she has been familiarizing herself with the District and clubhouse policies during her six days in the position. Mr. Fernandez has been assisting with a better understanding of how the CDD Board operates as a government and how to get things started in the clubhouse. She has reviewed all clubhouse expenditures on record and is analyzing the data in regard to the 2007 budget. One of her major projects will be getting the building back in condition, due to rapid disintegration.

C. Finance Committee

Mr. Witmer confirmed copies of the survey results went to all Board members. Ms. Feldman reported of the 1,183 homes in Oakstead, only 315 replied to the survey. Mr. Witmer distributed an initial summary and indicated time is still needed to analyze the opinions. The results of the survey will be posted on the website. The finance committee is attempting to meet within 10 days to discuss the returned polls.

D. Clubhouse Committee

A committee representative, Kim, reported the following:

- The barbeque scheduled for May was postponed. It will be combined with the resident's desire to hold a fund raiser for the new playground equipment at the elementary school.
- There will be a community garage sale on May 13 and a note will be put in the newsletter stating only one is allowed per year. Oakstead was fined by the county last year for having two sales.
- A request was received from Logical Learning Lab to utilize the clubhouse for three hours per day during one week this summer for a science camp. There were only one or two Oakstead residents participating last year. This year there would be approximately 12 students at a participant cost of \$110 each. The classes would be held from 12:00 to 3:00 p.m. which would not conflict with other clubhouse classes.
- The Easter egg hunt will be held at 4:00 p.m. on April 15th. There are plenty of volunteers to help and a good turnout is expected.
- The clubhouse committee will be holding meetings beginning April 30th at the clubhouse and continuing on the last Sunday of every month at 7:00 p.m. If it is a holiday weekend, the meeting will be held on the Sunday prior.
- The Oakstead Elementary School mascot was chosen to be an otter. The school colors will be hunter green and silver. There will be a parent information night on April 18th at 7:00 p.m. in Sander's media center.

E. Resident Council & Landscape Committee

Mr. Don Hickson reported the following:

- Enhancements to the entrance to Oakstead would be based on the bond refinancing. The landscape committee wants to hire a landscape architect to draw plans on the entrance to include some modification to the structure and the type of vegetation to be used there as well as in the center median on Tuckerman Drive. The unofficial survey on the website reflects one of the largest "yes" votes on the use of a portion of the bond refinancing funds to be used for upgrading landscaping and grass in the community. Mr. Hickson requested official information on the current easement parameters for the entrance and authorization of funds for a preliminary study and analysis on the area.
- Mr. Cascio will represent the CDD on the landscape committee.

respect to trying to come up with budgets. The most popular item is setting up a reserve fund. If the Board wants to, you could take some of the savings from a refinancing which would have the effect of lowering the capital assessments, to lower capital assessments and raise the O & M assessments for the express purpose of creating reserves, which would not cause anyone's total assessment to increase.

SEVENTH ORDER OF BUSINESS

Consideration of Website Maintenance Agreement with MercerWebDesign.com

Mr. Witmer stated the cost on an annual basis is \$500 to \$600 maximum. There is the possibility of needing to pay \$200 upfront. Positive feedback has been received on creating the website and making it available to the residents to pass information onto them. He felt there is no reason not to do it.

On MOTION by Mr. Witmer seconded by Ms. Feldman with all in favor the agreement with MercerWebDesign.com to create OaksteadCDD.org was approved.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests – Consideration of the Relationship Between the Positions of Park Director and Field Manager – John Witmer

Mr. Fernandez stated the discussion is whether there is a need to change the salary of the Field Manager to make it in line with the Park Director.

Mr. Witmer stated Mr. Grasso has been in the community for a long time and has been functioning as both, prior to hiring Ms. Intini. No Board member was really aware of the going rate for a Park Director. It was determined at the last meeting \$38,000 was not an unreasonable amount. Mr. Witmer reviewed the many benefits Mr. Grasso delivers to the community and felt it would be fair to him to at least make his salary commensurate with what is being paid to the Park Director. From the February financial statement, salaries year-to-date were \$20,455. The budget, as approved by the Board last fall was for a total of \$120,000. With Ms. Intini's salary only affecting six months of the current year and Mr. Grasso's current annual salary of \$33,280 the money is in the budget.

Mr. Cascio stated Mr. Grasso frequently saves the CDD in costs of having to contract services. He felt it is a worthy suggestion.

Mr. Jones stated Mr. Grasso is due an increase.

Mr. Witmer stated Mr. Grasso will be instrumental in the capital improvement projects. His expertise and knowledge of how things work here will be invaluable to the community.

On MOTION by Mr. Witmer seconded by Mr. Jones with all in favor the Field Manager's position will be changed to full-time with Mr. Grasso remaining in the position with an annual salary of \$38,000 effective retroactively from April 3, 2006.

Ms. Feldman stated there is a resident who is having a problem with a privately hired landscaper. The landscaper is parking his vehicle in front of a neighbor's driveway who is a Sergeant with the Tampa Police Department. As the streets are owned by the CDD, can the CDD write a letter to the landscaper?

Mr. Straley responded there is a Pasco County ordinance prohibiting on street parking without a permit. The Sheriff could be contacted in regard to the landscaper parking illegally. The problem is the District does not have police power with authority to arrest or fine him. He is willing to write a letter if the landscape contractor is known.

Mr. Grasso stated he has contact information for the landscaper who is Mr. Mark Hembrick. Mr. Vazquez approached the owner of the property where the work is being done and the owner stated the landscaper was told but is very stubborn. Mr. Grasso also spoke with the landscaper and asked him not to block the driveway but he has not complied.

Ms. Feldman stated a police report has been filed and it is on record with the Pasco County Sheriff.

NINTH ORDER OF BUSINESS

Audience Comments

Mr. Sal Paradiso of Brenford in speaking for a resident who could not attend the meeting commented a child could trip and fall down the storm drain at the entrance to Strathmore.

Mr. Grasso stated a letter was to be sent to Patty. He will call for estimates on repairing the concrete top of the drain and have it fixed.

Mr. Paradiso still speaking for the other resident asked if the current OneSource contract contains any provisions to fertilize and control weeds. In addition, there is a 400 foot plot of land on Sheehan with no irrigation causing it to be mostly dirt and weeds. He asked if there will be any irrigation in the area they could possibly tie off or will something be done to bring irrigation to the area.

Mr. Witmer responded it is CDD property and there is no point of putting in St. Augustine grass if there is no irrigation. There are homes across the street from it but it is a long

stretch of conservation area. The landscape committee could possibly propose something to plant which might survive; Zeroscape type plants which can survive without water.

Mr. Grasso stated as agreed, OneSource does not herbicide in the common areas to kill weeds. They weed on the fence lines and in the beds but not the actual grass.

Ms. Dorothy Sherwin commented the northeast corner of Simonton and Weymouth is the only corner she noticed in Weymouth without the extra cement piece which runs from the sidewalk to the street. Residents in wheelchairs and strollers cannot get up or down.

Mr. Witmer suggested the same concrete service as in the Strathmore issue be used to resolve this one.

Mr. Sifford indicated it is the builder's responsibility.

Mr. Jones commented it is not practical in this sense.

A resident, Kim, asked if the landscapers are putting anything down for the ant piles on the sidewalks.

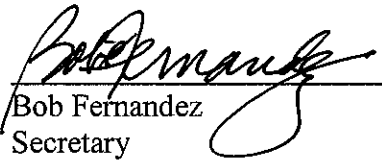
Mr. Grasso responded yes, they are. They are scheduled to come in again the week after next.

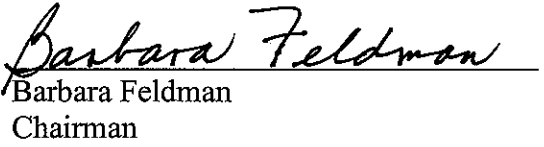
TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Sifford seconded by Mr. Witmer with all in favor the meeting was adjourned.


Bob Fernandez
Secretary


Barbara Feldman
Chairman