

**MINUTES OF MEETING  
OAKSTEAD COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Oakstead Community Development District was held on Tuesday, September 18, 2007 at 6:30 p.m. in the Oakstead Clubhouse, 3038 Oakstead Boulevard, Land O'Lakes, Florida.

Present and constituting a quorum were:

John Witmer	Chairman
Barbara Feldman	Vice Chairman
Joseph Cascio	Assistant Secretary
Diane Davis	Assistant Secretary
Larry Cyment	Assistant Secretary

Also present were:

Andrew Mendenhall	District Manager
Tracy Robin	District Counsel
Tonja Stewart	District Engineer
Mario Grasso	Field Manager
Nancy Intini	Park Director
Several Residents	

*The following is a summary of the discussions and actions taken at the September 18, 2007 Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

Mr. Witmer called the meeting to order and Mr. Mendenhall called the roll.

**SECOND ORDER OF BUSINESS**

**Consent Agenda**

**A. Approval of the Minutes of the July 17, 2007 and August 21, 2007 Meetings**

**B. Approval of the Financial Statements through August 31, 2007**

Mr. Mendenhall stated each Board member received a copy of the minutes and requested any additions, corrections or deletions.

On MOTION by Mr. Cascio seconded by Ms. Feldman with all in favor the consent agenda was approved.
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**THIRD ORDER OF BUSINESS**

**Manager's Report**

**A. Consideration of Resolution 2007-9 Designating the Treasurer and Assistant Treasurer**

Mr. Mendenhall reported Severn Trent had organizational changes and new officers were needed in order to sign certain financial documents.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor Resolution 2007-9 designating Pamela Rower as Treasurer and Robert Koncar as Assistant Treasurer was adopted.

**B. Passive Park Agreement Update**

Mr. Mendenhall reported he received comments on the lease agreement from the Pasco County School Board. A number of changes were suggested in verbiage and terminology.

Mr. Robin advised edits and revision was required before the document could be signed. He referenced various sections such as parking and educational church uses, the aggregate insurance amount and an indemnity provision, which will be discussed with the School Board's counsel. He requested guidance on Oakstead's plans for the property as to mowing brush, installing and/or maintaining any landscaping, etc., to make sure the agreement addresses them.

Discussion ensued regarding conceptual ideas on ways to utilize the land and portions of the draft document pertaining to use and termination. Concerns were also raised on liability and security. Mr. Robin will talk with the school district about the 'passive' term or negotiate the ability to install temporary structures such as exercise stations, a picnic shelter and possibly a playground.

**C. Workshop Action Items**

Mr. Mendenhall advised the workshop was cancelled due to the continued meeting on September 5<sup>th</sup>, which addressed several landscaping items. He reported the Greenbriar Landscaping contract was signed and work was scheduled to begin October 1, 2007. In addition, an agreement with OLM to rebid the landscape maintenance was presented for consideration.

Discussion developed on how things were done in other communities and different service options i.e. separating irrigation itself from the landscape maintenance contract. Mr. Grasso advised TruGreen submitted their termination notice effective October 31, 2007. He suggested Greenbriar Landscaping perform the interim maintenance work until a solid RFP is developed.

On MOTION by Mr. Cyment seconded by Mr. Witmer with all in favor the OLM agreement in the amount of \$2,000 to rebid the landscape maintenance was approved.

Mr. Mendenhall reported the following additional items:

- The Board may want to consider authorizing Greenbriar Landscaping for the interim work at a not to exceed price to commence prior to October 31, 2007.

Discussion occurred regarding off-season service needs and a corresponding price.

On MOTION by Mr. Cascio seconded by Ms. Davis with all in favor authorizing the current levelized amount not to exceed \$15,420 and District agents to negotiate with the contractor to determine services to be provided and their worth was approved with the Chairman authorized to execute the interim contract.

Mr. Mendenhall will contact OLM to find out if they would assist the Landscape Committee in developing a wish-list of items such as tree-trimming, fertilization and irrigation.

Mr. Heath will have further discussions with Mr. Mauzer of Greenbriar Landscaping regarding manpower and the length of the temporary contract, suggested by staff as being six months.

Mr. Witmer suggested suspending the monthly payments to OLM for monitoring the current specifications during the three month installation process. The consensus of the Board was to have OLM suspend their services for three to four months and Mr. Mendenhall will investigate whether it is possible as well as their contract term.

- Sample employee review questions were emailed to Supervisors. He encouraged the Board to provide feedback as to relevancy or additional questions so he can build a good form to administer the reviews twice per year.
- A template of an employee manual will be emailed for comments by the Board and placed on the agenda for the October meeting to begin building the Oakstead manual which can be used in conjunction with the employee reviews.

Mr. Witmer requested finalized job descriptions for both the Field Manager and Park Director be sent to the Board to aid in preparing comments on both the review questions and employee manual.

Discussion ensued on the Board perfecting the review questionnaire and the employee manual at the same time (to be discussed during a future workshop) and forgoing the October employee reviews for the initial six months so the employees would have the benefit of working under a handbook as well as the review documents.

On MOTION by Ms. Davis seconded by Mr. Cyment with Ms. Davis, Mr. Cyment, Ms. Feldman and Mr. Cascio saying aye and Mr. Witmer saying nay the October employee reviews were tabled and development of the manual/handbook is to be in conjunction with the evaluation form with a due date of November 2007.

**FOURTH ORDER OF BUSINESS**

**Attorney’s Report**

Mr. Robin reported the following:

- The Greenbriar landscape contract was signed.
- Both the easement agreements for the monument signs were signed and recorded in the public records.
- The Chief Engineer of Pasco County was contacted by the School Board regarding the drop off at the edge of the pavement at the school and end of Lake Patience Road. The county planned to install a culvert in the swale with temporary material around it to stabilize the area. He assured Mr. Robin the county surveyed the area, the culvert would be on county owned property and would not be in the wildlife corridor area. No other improvements were being contemplated and the county’s capital improvement program has the Lake Patience extension for the 2008-2009 year with construction anticipated on the real through-road about 13 months from now. The county property connects with the right-of-way for Lake Patience and they will not have to go over any District property.

Mr. Bob Thurston provided additional information and noted several vehicles were utilizing the dirt road at the end of Lake Patience. Mr. Paradiso added historical conversations on the piece of land and temporary road.

Mr. Cyment requested a determination on whether Parcel 2 is within District boundaries.

On MOTION by Ms. Feldman seconded by Ms. Davis with all in favor the District engineer was authorized to survey the land along with the wildlife corridor and work with District counsel to evaluate ownership of the area in question.

Mr. Cyment requested an amendment to the recent DEVCO agreement restricting it to its original purpose. He also requested a written document regarding a resolution to the sidewalks on Lake Patience Road.

Mr. Robin advised WalDen Green is going to review their records and contract to see what the plans called for and whether there were change orders. He was hopeful to have follow up information within a couple of weeks so a more definitive response could be provided at the October meeting.

- Changes to the Rules of Procedure concerning competitive bidding provisions and bid protest provisions may not be more beneficial to the District. He is no longer recommending changing the sections at this time but continues to review the matter.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor the public hearing to adopt Uniform Rules of Procedure and consideration of Resolution 2008-1 was continued to November 20, 2007 at 6:30 p.m. in the Oakstead Clubhouse.

**FIFTH ORDER OF BUSINESS**

**Engineer's Report**

Ms. Stewart reported the following:

- She met with Weymouth residents to look at specific drainage issues. It was explained the tops of the plastic inlets need to be removed because they restrict the water from entering the pipe therefore causing backup in the yards. Because of a possible HOA concern, the residents requested written notification of the recommendation to remove the inlet tops, especially during the rainy season.

Mr. Robin advised if the system does not belong to the District or is not their responsibility, it should be handled by the HOA, or other responsible entity, as it does not appear the pipe is technically part of the master drainage infrastructure.

Discussion developed in regard to responsibility for correcting or lessening the problem and any potential CDD liability. Resident comments were heard on the drainage issue.

Mr. Robin further advised if improvements are made on the developed lot and the District did not construct them and the District does not have an easement to maintain them, it is not the District's responsibility. The District constructed the master infrastructure for the community, not parts of infrastructure up on developed lots. This is not something on District property. It is on private property the District has no legal right to deal with.

Mr. Witmer believed the District should no longer take on the responsibility of flushing the pipes and it should be done by the Weymouth HOA who would include it in their assessment to the Weymouth homeowners.

Ms. Stewart will work with Mr. Robin on the language of a letter to the Weymouth HOA and/or their counsel advising the District's position on the drainage issue and its solution.

- Erosion issues throughout the community were investigated and there appears to be the possibility of backwash occurring from pools. Additionally, backwash is not allowed in conditioners, pools, etc., and it should be a consideration when dealing with erosion problems, especially in isolated areas. Seven locations were noted as crisis erosion needing to be corrected in Strathmore, Ashmonte and Tanglewylde. BioMass Tech quoted a price of \$13,720, less than the already approved not to exceed \$25,000, for the whole project. Work should commence within 10 days.
- The Director of Developmental Services of Pasco County called regarding the Lake Patience issue and ownership of the triangular piece. The county was able to align the extension of Lake Patience Road to where it ends and to Concord Station and still stay within the right of way at the very western end of the road which was conveyed to them by the CDD in 2006. They have issue with the drainage from the section of the roadway which drains into three ponds currently owned by the District. They want/need an easement or some kind of agreement to allow drainage from that segment into the District ponds. In turn, they will confirm acceptance for the maintenance of Oakstead Boulevard and certain arterials.
- There is environmental land DEVCO will want to convey to the District. Mr. Sifford was not prepared to give further information until after his meeting with SWFWMD at the end of September. From what she could gather, Parcel 2 has multiple mitigation areas but she did not have specifics on where the indicated land is. There are also two SWFWMD permits which have not been transferred to operation & maintenance. No punch list items exist as they did not perform an inspection and the as-builts in the record requirement changed.
- The mitigation area in Phase II is not being reported on and Heidt & Associates passed it off to Ecological Associates. Mr. Grasso will check the July report to see if it was done.

*The record will reflect Ms. Stewart and Mr. Robin left the meeting.*

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Field Manager**

Mr. Grasso reported the following in addition to his weekly reports:

- Two additional estimates were received to power wash and paint the outside of the walls.

Mr. Casio offered to work with Mr. Grasso to compile the specifications for the project to aid in comparing the proposals from the same basis. Mr. Mendenhall also volunteered to assist.

- Challenges continue with appropriate behavior by various community youth while at the clubhouse.

Supervisor comments were heard on the need to enforce clubhouse rules and developing a code of conduct policy with clear consequences for any violations. Clarification on Mr. Grasso's responsibilities pertaining to security was also provided. Mr. Mendenhall suggested a formal Rule be made (or amended) and the rulemaking process be followed. He will compile a list of suggested rules from other CDD clubhouses to be used as a guideline in establishing the rules.

**B. Park Director**

Ms. Intini reported the following in addition to her weekly reports:

- The quote for the front sign was \$743.45 to install 8" tall by 3/4" thick letters.

On MOTION by Mr. Cyment seconded by Ms. Feldman with all in favor the clubhouse sign letters proposal for \$743.45 was approved.

- Another quote was obtained for the playground cement for a substantially lower cost.

On MOTION by Ms. Feldman seconded by Ms. Davis with all in favor the R & D proposal for concrete work was reconsidered for the Wertham Concrete & Masonry quote of \$1,075.

- The vending machine contract was due for renewal. The 20% commission would remain the same but the term would be extended to two years.

On MOTION by Ms. Feldman seconded by Ms. Davis with all in favor the renewal of the M & A Snacks contract was approved.

- Hurricane shutters for the building were quoted by a walk-in representative and the information is available should the Board desire.

Mr. Cascio suggested hurricane protection be a workshop topic since many options exist.

- A draft of the security procedures was created should something happen with the alarm system.

Mr. Cascio stated the document was not intended to be complete and recommended it be discussed at a workshop.

**C. Clubhouse Committee**

- The Family Fun Fair went well with help from Mr. Witmer and Ms. Feldman.
- A pancake breakfast was planned for September 23, 2007.
- Work is being done on the Holiday Fair and tables are being booked for it.
- Work is also being done on the second annual Caribbean Night. This year's event will have a steel drum player.

**D. Finance Committee**

There not being any, the next item followed.

**E. Landscape Committee**

Mr. Heath reported the following:

- They have been conversing with other CDDs and/or their operation managers compiling their suggestions, thoughts and experiences on removing the irrigation portion of the landscape contract and utilizing in-house staff or an independent company instead. They hope to have a recommendation by the next meeting.

Mr. Mendenhall confirmed there would be significant savings and more control managing the issues.

**F. Newsletter Committee**

Ms. Bilello reported the following:

- The newsletter should arrive by the end of the week.
- New guidelines and deadlines were established for the new year.
- There is a new artist who seems to be doing a better job than the former so things should look better.

**SEVENTH ORDER OF BUSINESS**

**Supervisor's Reports, Requests and Comments**

Ms. Davis offered the following comments:

- For professional reasons, detailed letters concerning specific problems or situations found in the community should come from the management company or all the current templates for correspondence need to be reviewed by the Board and Mr. Mendenhall for content and clarity.

Ms. Feldman offered the following comments:

- The information from the Weymouth settlement was disseminated and the only pending item is the Severn Trent accountant found the \$30,000 together with another \$20,000. An expenditure still to be deducted from the \$30,000 was \$1,400 for the pond reading. In addition, Mr. Robin will investigate how much he was paid by the CDD for services on the case and the accountant will transfer that amount back into the general fund. The balance of the \$30,000 will be placed in an earmarked reserve fund for the resurfacing.

Mr. Witmer offered the following comments:

- The above mentioned money was never transferred out of the general fund. The District will end up having to take \$50,000+ out of the bank and setting it aside in a reserve.

Mr. Mendenhall clarified \$30,000 was received in March 2006 and is now in the SBA reserve which totals \$50,000 due to \$20,000 rolled in from 2006's budget but Mr. Witmer indicated the \$50,000 was received from DEVCO for connecting to the stormwater system.

Mr. Cascio offered the following comments:

- Once the outstanding concerns are resolved, consideration should be given to having the District Counsel and District Engineer attend meetings only if there is a specific, high priority item needing to be discussed among Board members. Otherwise, issues could be conveyed through Mr. Mendenhall, which would be more economical.

Mr. Cyment offered the following comments:

- Something needs to be done about the late hour of the Board meetings.
- A projector and board should be purchased to project information discussed at the meetings. He motioned to purchase a business level, unless one could be found for entertainment purposes as well, a projector which will allow the projection of presentations along with a conference white board inside a cabinet at a price not to exceed \$1,500.

Mr. Witmer suggested the item be researched and recommendations be distributed for the October meeting.

Mr. Mendenhall suggested setting an end time for the meetings.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor the Board meetings are to end no later than 9:30 p.m.

**EIGHTH ORDER OF BUSINESS**

**Audience Comments**

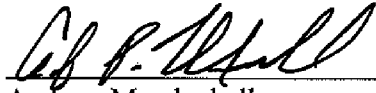
There not being any, the next item followed.

**NINTH ORDER OF BUSINESS**

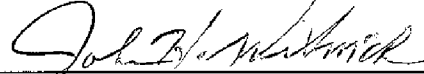
**Adjournment**

There being no further business,

On MOTION by Ms. Feldman seconded by Ms. Davis with all in favor the meeting was adjourned.



Andrew Mendenhall  
Secretary



John Witmer  
Chairman

MINUTES OF MEETING  
OAKSTEAD COMMUNITY DEVELOPMENT DISTRICT

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Present and constituting a quorum were:

John Witmer Chairman Barbara Feldman Vice Chairman Joseph Cascio Assistant Secretary Diane Davis Assistant Secretary Larry Cymant Assistant Secretary

Also present were:

Andrew Mendenhall District Manager Tracy Robin District Counsel Tonj a Stewart District Engineer Mario Grasso Field Manager Nancy Intini Park Director Several Residents

*The following is a summary of the discussions and actions taken at the September 18, 2007 Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS Call to Order and Roll Call** Mr. Witmer called the meeting to order and Mr. Mendenhall called the roll.

**SECOND ORDER OF BUSINESS Consent Agenda**

**A. Approval of the Minutes of the July 17, 2007 and August 21, 2007 Meetings B.**

**Approval of the Financial Statements through August 31, 2007**

Mr. Mendenhall stated each Board member received a copy of the minutes and requested any additions, corrections or deletions.

On MOTION by Mr. Cascio seconded by Ms. Feldman with all in favor the consent agenda was approved.

September 18, 2007

Oakstead CDD

### **THIRD ORDER OF BUSINESS Manager's Report**

#### **A. Consideration of Resolution 2007-9 Designating the Treasurer and Assistant Treasurer**

Mr. Mendenhall reported Severn Trent had organizational changes and new officers were needed in order to sign certain financial documents.

**On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor Resolution 2007-9 designating Pamela Rower as Treasurer and Robert Koncar as Assistant Treasurer was adopted.**

#### **B. Passive Park Agreement Update**

Mr. Mendenhall reported he received comments on the lease agreement from the Pasco County School Board. A number of changes were suggested in verbiage and terminology.

Mr. Robin advised edits and revision was required before the document could be signed. He referenced various sections such as parking and educational church uses, the aggregate insurance amount and an indemnity provision, which will be discussed with the School Board's counsel. He requested guidance on Oakstead's plans for the property as to mowing brush, installing and/or maintaining any landscaping, etc., to make sure the agreement addresses them.

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September 18, 2007 Oakstead CDD

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September 18, 2007 Oakstead CDD

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**FOURTH ORDER OF BUSINESS** Mr. Robin reported the following:

**Attorney's Report**

- The Greenbriar landscape contract was signed.
- Both the easement agreements for the monument signs were signed and recorded in the public records.
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utilizing the dirt road at the end of Lake Patience. Mr. Paradiso added historical conversations on the piece of land and temporary road.

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September 18, 2007 Oakstead CDD

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#### FIFTH ORDER OF BUSINESS

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#### **Engineer's Report**

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September 18, 2007 Oakstead CDD

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September 18, 2007 Oakstead CDD

**SIXTH ORDER OF BUSINESS Staff Reports A. Field Manager**

Mr. Grasso reported the following in addition to his weekly reports:

- Two additional estimates were received to power wash and paint the outside of the walls. Mr. Casio offered to work with Mr. Grasso to compile the specifications for the project to aid in comparing the proposals from the same basis. Mr. Mendenhall also volunteered to assist.
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**B. Park Director**

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On MOTION by Mr. Cymant seconded by Ms. Feldman with all in favor the clubhouse sign letters proposal for \$743.45 was approved.
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On MOTION by Ms. Feldman seconded by Ms. Davis with all in favor the R & D proposal for concrete work was reconsidered for the Wertham Concrete & Masonry quote of \$1,075.
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**September 18, 2007 Oakstead CDD**

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September 18, 2007 Oakstead CDD

Ms. Feldman offered the following comments:

- The information from the Weymouth settlement was disseminated and the only pending item is the Severn Trent accountant found the \$30,000 together with another \$20,000. An expenditure still to be deducted from the \$30,000 was \$1,400 for the pond reading. In addition, Mr. Robin will investigate how much he was paid by the CDD for services on the case and the accountant will transfer that amount back into the general fund. The balance of the \$30,000 will be placed in an earmarked reserve fund for the resurfacing. Mr. Witmer offered the following comments:

- The above mentioned money was never transferred out of the general fund. The District will end up having to take \$50,000+ out of the bank and setting it aside in a reserve.

Mr. Mendenhall clarified \$30,000 was received in March 2006 and is now in the SBA reserve which totals \$50,000 due to \$20,000 rolled in from 2006's budget but Mr. Witmer indicated the \$50,000 was received from DEVCO for connecting to the stormwater system.

Mr. Cascio offered the following comments:

- Once the outstanding concerns are resolved, consideration should be given to having the District Counsel and District Engineer attend meetings only if there is a specific, high priority item needing to be discussed among Board members. Otherwise, issues could be conveyed through Mr. Mendenhall, which would be more economical.

Mr. Cyment offered the following comments:

- Something needs to be done about the late hour of the Board meetings.
- A projector and board should be purchased to project information discussed at the meetings. He motioned to purchase a business level, unless one could be found for entertainment purposes as well, a projector which will allow the projection of presentations along with a conference white board inside a cabinet at a price not to exceed \$1,500.

Mr. Witmer suggested the item be researched and recommendations be distributed for the October meeting.

Mr. Mendenhall suggested setting an end time for the meetings.

On MOTION by Mr. Cyment seconded by Mr. Cascio with all in favor the Board meetings are to end no later than 9:30 p.m.

**EIGHTH ORDER OF BUSINESS Audience Comments** There not being any, the next item followed.

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**NINTH ORDER OF BUSINESS Adjournment** There being no further business,  
On MOTION by Ms. Feldman seconded by Ms. Davis with all in favor the meeting was adjourned.

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Secretary

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