

**MINUTES OF MEETING
OAKSTEAD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Oakstead Community Development District was held on Tuesday, May 19, 2009 at 6:30 p.m. at the Oakstead Clubhouse, 3038 Oakstead Boulevard, Land O' Lakes, Florida.

Present and constituting a quorum were:

| | |
|-----------------|---------------------|
| Joseph Cascio | Chairman |
| Barbara Feldman | Vice Chairperson |
| Diane Davis | Assistant Secretary |
| Sal Paradiso | Assistant Secretary |
| Lawrence Cymant | Assistant Secretary |

Also present were:

| | |
|-------------------|-------------------|
| Andrew Mendenhall | District Manager |
| Tonja Stewart | District Engineer |
| Nancy Intini | Park Director |
| Mario Grasso | Field Manager |

The following is a summary of the discussions and actions taken at the May 19, 2009 Oakstead Community Development District's Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

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

SECOND ORDER OF BUSINESS

**Audience Attendance Count (6) and
Comments**

Mr. Mendenhall invited comments from the audience on any agenda items. He also explained there will be another audience comment segment where audience comments will be heard.

Mr. Krauer discussed Pond 54 and the erosion problem. He asked when this erosion issue will begin to be corrected.

Mr. Cascio requested that the erosion issue be deferred to later on in the meeting.

THIRD ORDER OF BUSINESS

Consent Agenda

A. Approval of the Minutes of the March 17, 2009 and April 21, 2009 Meetings

B. Approval of the Financial Statements through March 31, 2009

Each Board member received a copy of the March 17, 2009 minutes and the April 21, 2009 meetings and was asked for any additions, corrections or deletions.

There not being any questions or comments on the consent agenda,

| |
|---|
| Ms. Feldman MOVED to approve the consent agenda and Mr. Cascio seconded the motion. |
|---|

Mr. Cyment did not approve of the minutes, as he felt the public hearing portion of the meeting minutes as transcribed, were missing the essence. He requested that Mr. Mendenhall review the recorded meeting and have the recording secretary add any missing essence, if he finds it was missing.

Mr. Cascio suggested since it is Mr. Cyment's opinion that the essence is missing, he should review the recording and make recommendations on what needs to be added to the minutes.

Mr. Cyment continued that if the rest of the Board is comfortable with the minutes as is, he will stand by that they are just a summary and that the District is protected by both the Attorney and the District Manager, but he is not that comfortable with that.

Mr. Cascio noted he is comfortable with Mr. Robin overlooking the documents of the meetings, providing assurances that they are reasonably accurate and there is not anything in them that might be liable.

Mr. Paradiso asked if there was any update on the SBA restricted accounts.

Mr. Mendenhall responded there has been no update recently. He explained whenever the State allows funds to be released he receives an email stating what percentage is being released from the A or the B Fund. He will check with the District Accountant to see if there has been any word on when additional funds will be released.

Mr. Paradiso also had a question on the financials, page 16 of the Check Register; regarding the gate operators, why was Ballastone slightly more expensive?

Mr. Grasso responded because it had no mounting pads.

On VOICE vote with all in favor the consent agenda was approved.

FOURTH ORDER OF BUSINESS

Attorney's Report

There not being any, the next item followed.

Mr. Mendenhall introduced Mr. Brian Seufert of Garcia, Seufert Architects who gave a presentation on the new fitness/storage area extension.

Mr. Cascio noted that the design would not be finalized this evening.

A copy of a floor plan – option 3 prepared by Mr. Seufert is attached hereto and made part of the public record.

FIFTH ORDER OF BUSINESS

Engineer's Report

Ms. Stewart relayed a message from Mr. Robin regarding information he received from Pasco County on the road acceptance. The County has acknowledged acceptance of all the roads, not just Oakstead Boulevard. A report saying that they submitted something formal for the acceptance of Manassas, Lake Patience and Tuckerman will probably be presented at the next Board meeting.

Ms. Stewart discussed the erosion issue noting the following:

- She apologized for any delays that caused anyone problems with fixing the erosions.
- She was not aware of the 2920 Tanglewylde problem; which is erosion that was occurring last year, 55B. It would have been no problem to repair the problem if she had been aware of the problem.
- After last month's meeting she understood there were 5 areas of erosion and after getting with Mr. Grasso she came back with 19 areas of erosion. This diverted her from getting things moving until another meeting was held today to discuss the additional areas, as she does not have the authority to have \$50,000 worth of work done. There is also not that amount of money set aside to make those kinds of repairs.

Mr. Paradiso noted 54 and 55B were approved to be repaired once the water level went down low enough. The money for those repairs was already put aside.

Ms. Stewart noted we did some work on 54 last year.

Pond construction was explained by Ms. Stewart.

- Just because there is a drop off, it does not mean there is an erosion problem. An erosion problem is defined as an area that has washed out.

Ms. Stewart made the following comments on the pictures presented as exhibits to the erosion discussion:

- 41 and 45 leave alone.
- 54 and 55 need repair.
- If there is money left we can do 8; it does not necessarily need to be done. (\$1,400)
- 11 is a yes, needs repair (\$3,500)
- 36 needs repair. (\$5,500)
- 56 looks okay, but it should be looked at again. (\$7,500)
- 59 is over by the commercial property. This pond water level does not come up very high. It is recommended to leave it alone; it needs to be monitored.
- 30 needs repair. (\$1,200)
- 4 leave alone.
- 53 needs repair. (\$900)
- 33 leave alone.
- 7 leave alone.
- 37 will be looked at again. (\$2,500)

Payment for the erosion repairs was discussed.

On MOTION by Mr. Cascio seconded by Mr. Paradiso with all in favor an expenditure of up to \$25,000 for conducting pond repairs, to be taken from the budget reserve fund, as per the prioritized list provided by Ms. Stewart and if as Ms. Stewart revisits other ponds that have a repair need and if she feels they warrant immediate attention, she is authorized to proceed with those repairs as well, was approved.

Mr. Paradiso suggested starting with 54 and 55B since they have been waiting

A discussion on the reason for the erosion problem ensued.

Mr. Cascio asked if bond money can be used to relocate a switchbox that was never in the right place. He explained it is a vehicle and safety hazard.

Ms. Stewart will re-evaluate the capital improvement list and send an email to Mr. Cascio regarding his switchbox question.

A resident, Mr. Karaoulanis asked about what the District intends to do about the inside of pond 55B regarding cat tails and mosquitoes, which has been a problem for three years.

Mr. Cascio explained the ponds are being treated and cat tails, in some ponds, is not a bad thing.

Mr. Grasso explained he has been working on this issue for some time. The dead brush will not be removed because the pond is dry and if you remove the dead brush and the pond fills up again, it will have left exposed fill that will erode.

Ms. Stewart explained that the cat tails will eventually be taken out and replaced by better vegetation that is low lying. The vegetation will not be completely gone.

Mr. Cascio noted that once the water level comes up to normal range, the water management company will address that and spray appropriately to eliminate some of the vegetation.

Ms. Stewart will review this dry pond issue through the rainy season. She also suggested getting some options for correcting the problem from American Eco Systems. A proposal should be obtained from them for removal of the cat tails and replacing with aquatic vegetation.

The record will reflect Ms. Stewart left the meeting.

SIXTH ORDER OF BUSINESS

Managers Report

A. Consideration of Greenbriar Landscaping Inc. Addendum to Contract

Mr. Mendenhall explained the addendum was received from Mr. Chuck Fuller of Greenbriar Landscape. It is to amend the contract to include the increased annual counts of plants inside the village gates that were recently installed. They would like to update the contract to reflect that.

On MOTION by Mr. Paradiso seconded by Ms. Davis with all in favor the Greenbriar Landscape Addendum to the contract as presented, was approved.

B. Report on Letter from Pasco County Supervisor of Elections Regarding the Number of Registered Voters in the District (1,960)

Mr. Mendenhall explained Florida Statute, Chapter 190 requires that the number of registered voters within the District be announced at a public meeting and that number is 1,960.

C. Update on Employee Reviews

Mr. Mendenhall reported the objective was to have Ms. Intini and Mr. Grasso perform a self-assessment, and he and Ms. Feldman have put together a review for each of them.

He further explained that upon his report to the Board tonight, the Board should begin considering whether there will be increases or not. As it is the beginning stages of preparing the budget it is appropriate to open this matter for discussion.

Mr. Cascio requested that the discussion of potential pay raises be deferred to a future workshop meeting. If it is decided to recommend increases, those increases can be made retroactive.

Mr. Paradiso was in favor of discussing the employee reviews at this meeting and Mr. Cymment was in favor of discussing a general theme but putting together a budget is all the components and while it is a small number, it still is very difficult. He would like to open up the discussion on the assessments and what is expected from the employees.

Mr. Mendenhall recommended that if a deep discussion is anticipated, it should be done in a workshop session.

Some comments regarding the employee review discussion were as follows:

- The employee manual that is being worked on should incorporate some of the expectations of the employees.
- A letter sent to Mr. Mendenhall from Mr. Murray was mentioned.
- It was explained that the letter from Mr. Murray was not forwarded to the Board yet because a response to the letter had not been drafted yet and the Chairman had not yet been consulted on how to proceed with the issue.
- When a Board member comes to Mr. Mendenhall with a comment regarding an employee, the employee should be evaluated and the issue should be conveyed to the employee.
- There is Board concern that the conveyance is not happening.
- Any comments or correspondence made by residents to Mr. Mendenhall should be forwarded to all Board members.

Mr. Cascio requested that Mr. Mendenhall convey the gist of the letter to Mr. Grasso and forward the letter from Mr. Murray to the Board.

- Ms. Intini's review was discussed.

- The indecisiveness of the Board should not reflect upon an employees performance review.
- The Health and Safety item of the Performance Appraisal was discussed.
- The issue of pay increases was again introduced.
- The majority of the Board members did not feel that this is a good time to be considering pay raises as per the difficult economic times.
- It was suggested that pay raises not be considered at this time, and at the end of the budget cycle, the Board will look to see what funds are available and if there are appropriate funds, a lump sum dollar figure may be considered for compensation to the employees.

D. Distribution of the Proposed Budget for Fiscal Year 2010 and Consideration of Resolution 2009-9 Approving the Budget and Setting the Public Hearing

The proposed budget was discussed and Mr. Mendenhall explained the discussion tonight should be a start off point for this budget, as only the preliminary budget will be adopted. The acceptance of this preliminary budget sets the high water mark for the TRIM notices in Pasco County. Pasco County requires an overall budget figure that the Board will not go higher than by the time the final budget is adopted in August. It is not anticipated that a long, lengthy budget discussion occur at this meeting.

A figure that is not anticipated to go higher, a moderate amount, should be set at this meeting.

A discussion on the Reserves, particularly Road Reserves, ensued.

Mr. Mendenhall reported he previously reviewed this budget and Mr. Grasso and Ms. Intini have provided a great deal of information regarding their respective budget components. He also suggested that he attend one of the budget workshops if the Board recommends that he do so.

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor the Fiscal Year 2010 proposed budget, which includes a TRIM Notice increase setting the assessment amount at not to exceed \$1,000 per household for Operations and Maintenance and setting a public hearing date of August 18, 2009 at 6:30 P.M. at the Oakstead Clubhouse as per Resolution 2009-9 was adopted.

Mr. Paradiso suggested having the proposed budget posted on the CDD website and he offered to post it on the Oakstead.org website.

Mr. Mendenhall noted in order to get the increase to \$1,000 for Operations and Maintenance, the reserve would be increased to the point that it makes those equal to \$1,000.

Mr. Cascio asked Mr. Witmer if he had anything to offer.

Mr. Witmer responded he did not.

Mr. Paradiso requested a workable budget spreadsheet to work with.

The next District workshop meeting was set for June 9, 2009 at 4:00 P.M., which will be a budget workshop.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

Mr. Grasso directed the Board to review the document he distributed regarding the frost damage plant proposal provided by Greenbriar Landscaping.

Mr. Cascio requested that the landscaper verify that the plants listed on the proposal are cold tolerant and have a reasonable degree of survivability in this location.

Mr. Cyment suggested the proposal be accepted provided that the Manager tells the Board the money is available.

Mr. Paradiso noted under Field, there is a Reserves Other, that currently has zero spent to date; on page 3 of the financials.

Mr. Mendenhall responded that is designated for ponds but, it is listed as Other with the idea it was to be used for ponds.

The discussion on the plant proposal and where the funds would be taken from in the budget continued and the consensus of the Board was to accept the Greenbriar proposal.

On MOTION by Mr. Cyment seconded by Mr. Paradiso with all in favor the frost damage plant proposal submitted by Greenbriar Landscaping in the amount of \$4,658.50 was accepted.

Mr. Grasso presented a proposal from Greenbriar Landscape for lime rock boulders.

The boulders would be placed in order to deter residents from driving golf carts on the trail. The resident in question was asked not to drive his golf cart on the trail but continues to do so.

Mr. Cascio asked to have the residents name and address and he will send a letter to him asking him to desist from driving on the linear path.

On MOTION by Mr. Paradiso seconded by Ms. Davis with all in favor the proposal submitted by Greenbriar Landscape for 3 lime rock boulders was approved.

A notice regarding driving motorized vehicles in restricted areas will be put in the news letter explaining that fines will be attached to violators.

Mr. Grasso presented a plant proposal submitted by Greenbriar Landscape for Board consideration. The plants would replace existing small plants.

Mr. Cyment MOVED to approve the Greenbriar proposal and it was seconded by Ms. Davis.

Ms. Davis suggested transferring the small plants to a different location and plant the larger plants in its place.

Mr. Cyment suggested fertilizing the small plants.

Board consensus was to have Greenbriar heavily fertilize the existing small plants and revisit the plants in a few months from now.

On VOICE vote with Mr. Cyment, Mr. Cascio, Mr. Paradiso, Ms. Feldman and Ms. Davis voting Nay the motion to approve the Greenbriar plant proposal failed.

Greenbriar will be informed to get together with Mr. Grasso to execute fertilization of the small plants.

Mr. Grasso reported on the wild boar that has been seen between Weymouth and Ashmonte.

B. Park Director

Ms. Intini discussed a fence proposal for around the playground. She recommended approval of the fence proposal submitted by Personal Pride Fence.

Mr. Cyment MOVED to approve the fence proposal and Ms. Feldman seconded the motion.

Mr. Cyment noted we need the option of a gate to come in from the outside.

Ms. Intini explained there would be two removable panels to allow her entrance with any maintenance equipment.

Mr. Cyment suggested installing a gate that could be kept locked and would not add more than \$200 to \$300 to the cost.

The previous motion was AMENDED to include installing a gate for the playground fence.

On VOICE vote with all in favor the fence proposal submitted by Personal Pride Fence including the purchase and installation of a gate was approved.

Ms. Intini asked the Board if they want to go ahead with Mr. Seufert and if so, he requires \$500 for the work he has already done.

On MOTION by Mr. Cascio seconded by Mr. Paradiso with all in favor payment to Mr. Seufert for the architectural design of the clubhouse enhancement, which includes the expansion, the kitchen and the other areas, the door replacements in an amount not to exceed \$3,500 contingent upon Attorney review was approved.

Ms. Intini requested that the District Attorney review the contract from Mr. Seufert and she asked the Board to consider Mr. Seufert to coordinate the bidding process.

Mr. Cascio agreed with the suggestion made by Ms. Intini and he asked Mr. Mendenhall to see that Mr. Robin receives a copy of the contract.

Mr. Mendenhall explained that Mr. Seufert would be involved in putting the specifications together, essentially the appendix for the bid itself. He will inform the Board on whether the bids will be invited or public. The rules of procedure will be reviewed regarding this type of contracted work.

Mr. Paradiso discussed the pool plans. He noted that the plans have not arrived as of this meeting but would be available tomorrow. It was requested that the Board approve the plans tonight with the specified changes so that he and Ms. Intini can start to get pool contractor

estimates and get GB Collins going on the next phase, which is the construction drawings. The next dollar amount for the construction plans as stated in the original contract is \$3,000.

The changes included were the moving of a palm tree more towards the shallow end, the 2 sprayers down at the deep end would be removed, the fence that will surround it would be pushed out to accommodate landscaping on the interior and the other remaining sprayers, that were left, would be flush with the pool deck.

Mr. Cascio made an inaudible comment about the fence. He asked what can be done to help move this along.

Mr. Cyment responded at the end of the day we still have to get a dollar estimate for what the pool is going to cost.

Mr. Paradiso explained he does have a dollar estimate; ballpark is between \$80,000 and \$100,000 and he estimates it will come in about \$90,000.

Mr. Cascio asked is he going to do construction?

Mr. Paradiso responded he has to do the plans for it, I am assuming the plumbing and what not. There is a gas line back there that will need to be moved.

Mr. Cascio asked are we with this company because they are able to design and build?

Mr. Paradiso responded no, he has a preferred contract.

Mr. Paradiso MOVED and Mr. Cascio seconded the motion to move forward with the pool bid from GB Collins in the amount of \$3,000 to prepare construction documents with the caveat that the Board can make changes if necessary due to the late delivery of the plans.

Mr. Cyment stated we need to get all the numbers together; we need to see the plans.

A lengthy discussion on whether to approve of GB Collins moving forward with preparing the pool construction documents ensued.

Mr. Cyment expressed that we need to take that additional step of seeing what we are buying.

Mr. Paradiso stated he will make it very clear to Mr. Liberatore that because the plans were not available for tonight's meeting when they were needed, the Board would have to wait

until next month to make a decision on them unless he is willing to go forward with the construction documents so that in the future the Board is able to make changes to them.

Ms. Davis stated he has to definitely know that there is a very strong possibility that there will be changes to the plans.

On VOICE vote with Mr. Cascio, Mr. Paradiso, Ms. Davis and Ms. Feldman voting Aye and Mr. Cyment voting Nay the previous motion to move forward with the GB Collins bid in the amount of \$3,000 with the caveat as stated above was approved.

Mr. Cyment stated he would like to see a drawing showing not the elevation, just the relationship.

Mr. Paradiso will ask Mr. Liberatore if he can provide the drawing requested by Mr. Cyment.

Mr. Cyment stated it was a mistake for us not to ask for it.

Mr. Paradiso responded we asked for a pool drawing and we received a pool drawing.

C. Clubhouse Committee

There not being any, the next item followed.

D. Landscape Committee

Mr. Paradiso reported the next forum will be at the end of June and there will be an article in the newsletter and it will state the time and date.

E. Newsletter Committee

Mr. Paradiso reported June 1st is the absolute deadline for June. If anything is not submitted by June 1st it will not be in the next issue.

EIGHTH ORDER OF BUSINESS

Supervisors' Reports, Requests and Comments

Mr. Paradiso noted he spoke with Eric about possibly putting something up there and the feeling on the phone is that it was not a very receptive response and he reiterated that just because he is the only one complaining does not mean that others are not. He knows of others

that have also mentioned things about the parking and what not. He feels that we should not be supplementing the need for people to park here.

Ms. Feldman asked if Mr. Paradiso brought that up to the HOA board?

Mr. Paradiso responded the HOA discussed it last night. They passed a resolution last night allowing parking on the south side of the parking lot, just moving vans. The second you see a moving van parked there an email will come across your desk.

Mr. Mendenhall discussed a letter he drafted regarding the Adopt-A-Pond program and Ms. Frohnhoefer's responsibilities.

On MOTION by Ms. Davis seconded by Mr. Cymment with all in favor the letter to Ms. Frohnhoefer, drafted by Mr. Mendenhall, dated May 19, 2009 regarding her responsibilities with the Adopt-A-Pond Program was approved and will be forwarded to Ms. Frohnhoefer.

Mr. Grasso was instructed to address the unauthorized pond sign with Ms. Frohnhoefer emphasizing that signs are not permitted on CDD property without the approval of the Board of Supervisors. Ms. Frohnhoefer will be asked to have the sign removed.

NINTH ORDER OF BUSINESS

Audience Comments


There not being any, the next item followed.

TENTH ORDER OF BUSINESS

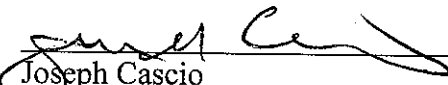
Adjournment

There being no further business,

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



Andrew P. Mendenhall
Secretary



Joseph Cascio
Chairman