

**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, October 20, 2009 at 2:30 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

Also present were:

Andrew Mendenhall	District Manager
Tonja Stewart (via telephone)	District Engineer
Tracy Robin	District Attorney
Nancy Intini	Park Director
Mario Grasso	Field Manager
Alba Sanchez	Severn Trent CAM

For the record, Mr. Cyment contacted Mr. Mendenhall earlier today and reported that he would not be present at today's meeting.

The following is a summary of the discussions and actions taken at the October 20, 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 (7) and
Comments**

Mr. Mendenhall noted there were 7 audience members in attendance at the meeting.

Ms. Frohnhoefer explained, for the record, "she received an email from Mr. Tracy Robin assuring her that Mr. Mendenhall had discussed before the Supervisors that are here tonight, after the last meeting when Mr. Cyment was not present, it is her feeling that it really looked like you were in violation of the Sunshine Law and you have assured me that what

you discussed would never be discussed again at any other meeting and I hope you will live up to that statement and that nothing that you discussed in that meeting, after the meeting, will be discussed tonight. Thank you.”

There being no further audience comments at this time, the next item followed.

THIRD ORDER OF BUSINESS

Consent Agenda

A. Approval of the Minutes of the September 15, 2009 Regular Meeting

B. Approval of the Financial Statements through September 30, 2009

Each Board member received a copy of the September 15, 2009 meeting and was asked for any additions, corrections or deletions.

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

Mr. Paradiso asked if the financial statements show a true close out or are we still waiting on bills to come in; are these the final numbers for '08?

Mr. Mendenhall responded that there will still be a few that come in; a few will lag in after October. The only true way to see the yearly close out is when you get the audit; this is when they true everything up. These numbers are a good way to look at how you finished out your year.

Mr. Paradiso inquired about the Supervisors' compensation for workshop meetings, as this budget item is over budget closing out on September 30th.

Mr. Mendenhall explained it was the intention of the Board to only hold 6 workshops, but additional workshops were held and most Supervisors were compensated.

Guest Speaker – Mr. Gary Fitzgerald – Solar Security Films, Inc.

Mr. Fitzgerald gave a presentation on 3M Scotchshield Security Films.

A written proposal was presented to the Board for consideration.

Ms. Davis expressed her favorable opinion of the product.

FOURTH ORDER OF BUSINESS

Attorney's Report

A. Update on Eminent Domain Case

Mr. Robin reported Mr. Stanley is consulting with an engineer about the effect of the drainage and the change in the road right of way on the ponds. We want to have the BOCC

take action on the final acceptance of the last few road segments before we get too deep into the eminent domain discussions.

The Board was sent a copy of the agreement with the commercial property owner, Oakstead Commercial Center which contains the requirements and provisions for the pond to be maintained on a pro-rata basis with the engineer being the middle person to evaluate the needs with respect to maintenance of the pond and what needed to be done.

Mr. Robin noted he contacted the owner who has someone on staff who handles that project but he has not been able to make a connection with that person.

Ms. Stewart will be asked to make an evaluation about what needs to be done with the pond on the commercial property.

Mr. Casio inquired about the assessment payment for Parcel 5.

Mr. Robin noted when the tax bill comes out on November 1st both assessments (2009 and 2010) will be on the roll for that parcel.

FIFTH ORDER OF BUSINESS

Engineer's Report

Ms. Stewart discussed the list of items included in an inspection she did about 18 months ago. The lowest bidder is Site Masters of Florida for concrete repairs; the total is \$5,650. They were also asked to submit a price to construct new handicap ramps to comply with current DOT and ADA standards, which are \$900 a piece. These ramps are not recommended at this time.

The concrete repairs from Site Masters of Florida in the amount of \$5,650 were recommended by Ms. Stewart.

On MOTION by Mr. Cascio seconded by Ms. Davis with all in favor authorization to proceed with the concrete repairs recommended by Ms. Stewart to be accomplished by Site Masters of Florida, LLC at a cost of \$5,650 was approved.

Mr. Cascio asked what budget item the cost of these concrete repairs would be coming from.

Mr. Mendenhall noted either Miscellaneous Services or Capital Improvements General.

Ms. Stewart noted it should be put under the Reserve number that we already have saved.

Mr. Mendenhall noted you have a line item Repairs and Maintenance Reserves.

Mr. Mendenhall recommended putting it under Capital Improvements General.

The record will reflect Ms. Stewart disconnected from the meeting.

SIXTH ORDER OF BUSINESS

Manager's Report

A. Consideration of Audit Engagement Letter for Fiscal Year 2009

Mr. Mendenhall explained the current District Auditors are Grau & Associates. The fee for performing the fiscal year 2009 financial audit is \$10,000. The Board may wish to accept the engagement letter or you can go out for an RFQ for this service.

On MOTION by Ms. Feldman seconded by Mr. Paradiso with all in favor the engagement letter from Grau & Associates to perform the fiscal year 2009 financial audit was accepted.

B. Consideration of Resolution 2010-1 Adopting a Fiscal Year 2009 Budget Amendment

Mr. Mendenhall explained that it was decided at the last meeting that in order to rectify the reserve funds, it would be best to prepare a budget amendment. The amendment documents moving \$30,000 of the balance sheet into the Repairs and Maintenance item for ponds.

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor Resolution 2010-1 amending the fiscal year 2009 budget was approved.

C. Discussion of Workers Compensation Classification

Mr. Mendenhall noted this item was discussed at the last meeting. Reclassifying District employees from clerical employees to parks and recreation employees was discussed. The reclassification would take the insurance line item for Workers Compensation to \$6,500. The current amount budgeted this year is \$7,000.

On MOTION by Mr. Cascio seconded by Ms. Feldman with all in favor regarding Workers Compensation, reclassifying the District employees from clerical employees to parks and recreation employees was approved.

E. Update on Clubhouse Expansion

Mr. Mendenhall reported on a meeting held last week with the contractor and three or four subcontractors; the meeting went well.

The Notice of Commencement has been signed off on; they have 15 days to provide us with the Performance Bond based on how the contract is written.

Update on Mr. DeMasi's sod issue

Mr. Mendenhall reported there has not been any response regarding the letter sent to Mr. DaMasi's attorney from Mr. Robin. Mr. Robin's office has not received a response either.

D. Update on the Pool Project

Mr. Cascio noted even though the pool has been approved, we have not signed any document that commits the District to moving forward with the project. The Board was asked to consider possibly reallocating the pool project funds for the benefit of security to provide security systems for all of the villages including enhancing security at the clubhouse. A security system would benefit all of the residents and a kiddy pool would benefit only some residents.

Ms. Davis noted Mr. Cascio's point is definitely justified. She asked for specific details on the security system including what it would provide.

Mr. Cascio responded it depends on how much money is available and what the criteria is. Conceptually we are looking at cameras at the entrance and exit gates to all of the villages with signs posted throughout the community stating the community has video surveillance.

Ms. Davis asked if a security system would fall under the bond money?

Mr. Mendenhall responded yes, security is one of the line items in the engineers report.

Ms. Davis expressed a favorable opinion of considering implementing a new security system in lieu of the kiddy pool project.

Mr. Paradiso noted even if the kiddy pool project is scrapped, there is no way to fund the security system. It is his opinion that the recent break-ins are the homeowners own

negligence from leaving their cars unlocked. Homeowner's should exercise self-responsibility.

Ms. Feldman inquired whether the funds allocated for the kiddy pool project and approximately another \$50,000 would provide the funds for an adequate security system that would make the homeowner's feel safe. Will we be squashing the pool project for a half-baked security system?

Mr. Grasso expressed his opinion that the security system equipment should be the best and the funds available at this time are not equivalent to the cost of the best equipment. He suggested enhancing the existing system at the clubhouse.

Ms. Intini expressed her opinion that if the pool project moves forward, money can be saved on the water features; approximately \$20,000. If the pool project goes forward, it means more work for her; more long term money for the community. We already put \$4,000 in to the project.

A resident inquired about trying to do a community watch. The Sherriff's office will assist residents with setting up a community watch program.

Mr. Mendenhall explained the CDD is limited in its powers to get involved in resident programs. Village residents or an HOA would need to coordinate a community watch program.

Ms. Frohnhoefer noted some residents in Tanglewylde did not know what the baby pool was for; they did not vote for the baby pool when the letter came out and they did not know why it was being built. Her opinion is that the Tanglewylde residents feel that the clubhouse is their community property and it should be protected and this seems to be where the greatest value of property is. They would be more supportive of securing the property as opposed to a baby pool.

Mr. Cascio again asked the Board whether they are in favor of scrapping the kiddy pool project at this time and instead implement a security system for all the villages.

Mr. Paradiso noted it is his recommendation that the District move forward with the kiddy pool project.

Ms. Feldman is also in favor of the kiddy pool project.

Ms. Davis is in favor of putting the pool project on hold and further discussing the security system issue.

Mr. Robin advised that if the Board decides to scrap the pool project for now, they would have to take some action today to rescind some part or all of the prior actions regarding the pool project if they decide to change course.

Mr. Mendenhall noted the one item outstanding with regard to the pool is that the contractor is not able to secure a performance bond. The decision would be whether that is a deal stopper. He has offered to allow for a higher retainage. The second lowest bidder has assured him that they are able to get a performance bond.

Mr. Robin noted the other alternative for the Board, just to round out the options, in this size contract as you know from a prior contract, you can waive the performance bond. You have the option to rescind prior authorization or if the project goes forward, you have an issue to deal with if this contractor cannot get a bond. The decision point is either waive the bond or leave it as a requirement and move on to the second contractor who can get the bond.

The consensus of the Board was to move forward with the pool project, continuing with the lowest bidder with a higher retainage figure (15%) and the security system issue was taken off the table.

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor the proposal submitted by Florida Play Structures with a retainage figure of 15% and waiving of the performance bond requirement was accepted.

Mr. Mendenhall will forward the signed contract to the Board upon its execution.

F. Discussion of Adopt-A-Pond Program

Ms. Davis noted the pilot time for this program is over and it was explained at the last meeting that the Board would take over.

Mr. Paradiso expressed his opinion that the CDD should seek out “greener” reputable pond companies; getting away from using chemicals should be looked at as much as possible.

Ms. Davis suggested asking the current company where they are going with the “going green” issue.

Ms. Feldman recalled a previous meeting with Ms. Stewart where certain plants that could be used by certain companies that fall into the Adopt-A-Pond guidelines were discussed. At that meeting Ms. Stewart suggested the Board look into such companies.

Mr. Cascio invited Mr. Grasso to comment on the issue.

Mr. Grasso reported he is working with a company that is using ultrasonic sound for control. The company is located in Massachusetts and they can provide a renting program for 90 days. We can pick a pond for a device to be implanted for 90 days as a trial.

Mr. Cascio inquired about the status of the carp and Mr. Grasso reported they are on order.

Ms. Frohnhoefer noted she previously presented the Board with a petition signed by 75 homeowners who were in support of the Adopt-A-Pond program. She also submitted 14 or 15 proxies from homeowner's who could not attend the meeting and they wanted her to speak in support of the program. A copy of the programs workbook has been sent to the Board so they could see what the project was.

Addressing the pond fish issue, we had a fish kill yesterday; all of the fish in pond 54 died. There are hundreds of birds, including vultures eating the dead fish and the pond stinks. Information from the Florida Department of Fish and Wildlife has been forwarded to the Board regarding the fish issue.

Ms. Frohnhoefer continued to explain her opinion of the scenario which led to the fish dying in pond 54.

Ms. Intini noted there have been reports from all communities about fish kills.

It was noted that the fish kill issue was on the news and reported that the kill was the result of the cold temperatures.

Mr. Cascio reiterated that based on the Board's previous conversation, the Adopt-A-Pond Pilot Program has been terminated. However, because of Ms. Frohnhoefer's knowledge and experience and the fact that she is serving on the landscape committee she has the opportunity to have a greater influence in making recommendations to the Board on what they can do that is proven to work and will benefit the entire community, not just pond 54.

On MOTION by Mr. Cascio seconded by Ms. Davis with all in favor terminating the Adopt-A-Program was approved.

Mr. Paradiso added he would like to explore “greener” options sooner rather than later.

Mr. Mendenhall introduced a discussion regarding Supervisor compensation for the last workshop meeting. The following was noted by each Supervisor:

- Mr. Cascio stated he would like not to be compensated for last week’s workshop meeting.
- Mr. Paradiso did not state if he was in favor or opposed to being compensated.
- Ms. Feldman expressed her opinion that the Board should have that meeting one way or another. Nothing was accomplished at the workshop meeting. She suggested re-conducting that workshop at another date.
- Mr. Cascio recommended in lieu of workshops the Board should have extensions of their regular meetings.
- Ms. Davis stated she would waive her compensation for the last workshop meeting. She noted she is not in favor of continuances, all the meetings should be moved to 2:30 P.M.; workshops and CDD meetings except for the financials and budget meetings should be held at 6:30 P.M.

On MOTION by Ms. Davis seconded by Ms. Feldman with Mr. Cascio, Ms. Feldman, and Ms. Davis voting Aye and Mr. Paradiso voting Nay changing the time for all regular Board of Supervisor meetings, except the June, 2010 and August, 2010 budget meetings to commence at 2:30 P.M.; the June, 2010 and August, 2010 budget meetings to commence at 6:30 P.M., and changing all workshop meeting times to 9:30 a.m. was approved.

Mr. Paradiso explained his vote by stating time is not the issue, he feels the meeting time change shuts out certain residents who would only be available in the evenings.

On MOTION by Ms. Feldman seconded by Ms. Davis adding another workshop meeting to the annual meeting schedule for Friday, October 30, 2009 at 9:30 a.m. was approved.

A resident, Mr. Murray asked if DEVCO decides to go to Chapter 7 or 11, where would that leave the District as far as the money they owe for Parcel 5.

Mr. Robin responded it is a lien on the land; they have to either pay the taxes or they run the risk of forfeiting the property on the tax deed sale. They cannot pay the taxes without paying the CDD's assessment.

Ms. Davis introduced a discussion regarding responsibility for sidewalks in the community.

Mr. Robin noted if the sidewalk problem is in the CDD right-of-way, the governmental entity is generally responsible to maintain that right-of-way and pedestrian pathways in a reasonably safe decision. When there is an obvious condition that poses a danger, the District should undertake a reasonable step to correct that.

From the standpoint of the District's liability, dangerous conditions should be fixed. If an accident should occur due to a sidewalk problem in the right-of-way, that is what the District insurance is for.

Mr. Robin concluded the discussion by suggesting that the District Engineer look at the tree and sidewalk problem to evaluate it.

The record will reflect Mr. Robin left the meeting.

A. Field Manager

Mr. Grasso reported the pedestrian gates have to come off, they cannot be repaired.

On MOTION by Mr. Paradiso seconded by Ms. Feldman with all in favor the proposal submitted by Mozart Artistic for gate repairs in the amount of \$4,275 was accepted.

A proposal from Trimmers Holiday Décor for holiday lights was discussed.

On MOTION by Ms. Davis seconded by Mr. Cascio with all in favor the proposal from Trimmers Holiday Décor for holiday lights in the amount of \$3,100 was accepted.

The annuals for the front entrance monuments were discussed.

On MOTION by Mr. Paradiso seconded by Ms Davis with all in favor the installation of the annual plantings at the front monuments at a cost of \$2,120.50 was approved.

Pruning the trees was discussed. A proposal previously submitted for doing all the trees in Oakstead was approximately \$17,000 to \$18,000. This could be broken up and Tuckerman, Manassas and 54 could be done now and as more revenue comes in from the assessments, the second half could be done.

On MOTION by Mr. Paradiso seconded by Ms. Davis with all in favor page 2 of the Greenbriar estimate/proposal to trim 61 oak trees from Tuckerman to Manassas at a cost of \$4,575 and 91 oak trees from State Road 54 up Oakstead Boulevard to Tuckerman, including the clubhouse for \$6,825 was approved.

Mr. Casio noted he would like to ask Greenbriar what the appropriate clearance is for trees with branches over sidewalks or roadways.

It was noted the funds for this tree trimming project would come from Capital Outlay or Miscellaneous Services, but this will be discussed with the District Accountant and reported back to the Board.

Mr. Paradiso asked Mr. Mendenhall to revisit this tree trimming issue at a later meeting sometime after February.

B. Park Director

Ms. Intini asked the Board if they are considering the proposal from Solar Security Films, Inc. as opposed to considering hurricane shutters.

Consensus of the Board was that they are still interested in considering both options.

It was also reported that Ms. Intini will be purchasing the chairs and tables already approved. She has also inquired about selling the old furniture but has not had any success.

Mr. Mendenhall will inquire about donating the old furniture and Ms. Intini will research the possibility of selling the furniture to residents.

C. Clubhouse Committee

There not being any report, the next item followed.

D. Landscape Committee

Mr. Paradiso reported Mr. Adam Heath has resigned from the committee due to his moving out of the community.

It was suggested that a gift certificate and letter of gratitude be given to Mr. Heath for his service to the community. Mr. Mendenhall will purchase a gift certificate and will confer with Mr. Paradiso regarding the verbiage for the letter. Mr. Heath will be invited to attend the next CDD meeting to receive the award.

Ms. Frohnhoefer reported a landscape forum is scheduled for next Tuesday night at 7:00 P.M.

Items discussed at the last landscape committee meeting were noted by Ms. Frohnhoefer.

Mr. Cascio recommended that in an effort to save time, the landscape committee should submit minutes of their future meetings to Mr. Mendenhall who will forward them to the Board.

E. Newsletter Committee

Mr. Paradiso reported November 1st is the deadline.

Ms. Intini reported the newsletters were left at the post office last month as a trial.

EIGHTH ORDER OF BUSINESS

Supervisors' Reports, Requests and Comments

Ms. Davis requested that the issue of "pavers" be removed from the workshop agendas.

Ms. Feldman cautioned the Board members on their use, both receiving and sending emails on the Oakstead.org website. We must comply with the Sunshine Law.

Mr. Cascio reported there are still people using motorized vehicles on the trail. We should adopt a policy that if the action is observed, the CDD will impose a fine. Also, the trail is not for the school track team's use. This issue will be discussed at a future workshop meeting.

Mr. Paradiso introduced the subject of overnight parking of moving trucks. He noted the rules prohibit parking trucks overnight.

Mr. Paradiso MOVED to prohibit overnight parking of trucks or vans at the clubhouse and Mr. Cascio seconded the motion.

It was suggested that the HOA Attorney and the CDD Attorney attend a future meeting to discuss the parking issue and the issue would be discussed at a future workshop.

Mr. Paradiso withdrew the previous motion.

NINTH ORDER OF BUSINESS

Audience Comments

Mr. Isaiah R. a resident of Hillington reported a trespassing issue at his residence; kids are cutting through his yard.

Mr. Grasso will take photos of the trespass area for presentation to the Board for their further discussion at a workshop meeting.

Mr. Paradiso will include an article in the Newsletter regarding trespassing.

TENTH ORDER OF BUSINESS

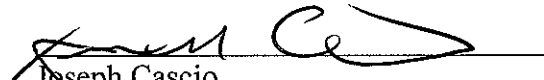
Adjournment

There being no further business,

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



Andrew P. Mendenhall
Secretary


Joseph Cascio
Chairman