

**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, June 17, 2008 at 2:30 p.m. at the Oakstead Clubhouse; 3038 Oakstead Boulevard; Land O' Lakes, Florida.

Present and constituting a quorum were:

John Witmer	Chairman
Barbara Feldman	Vice Chairperson
Diane Davis	Assistant Secretary
Joseph Cascio	Assistant Secretary
Lawrence Cymment	Assistant Secretary

Also present were:

Andrew Mendenhall	District Manager
Tracy Robin	District Attorney
Nancy Intini	Park Director
Mario Grasso	Field Manager
Ross Fischler	Resident
Joe S.	Resident
Bob Thurston	Resident

The following is a summary of the discussions and actions taken at the June 17, 2008 Oakstead Community Development District's 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

Audience Comments

- Mr. Thurston commented on the conservation lots.
- Mr. Joe S. discussed the necessary repair to the Ashmont Pedestrian Gate.
 - There are insufficient funds in the budget for this repair.

- The gate must be slammed in order for it to be securely shut.
- It was constructed incorrectly.
- The gate has been this way for two years.
- A resident indicated vehicles were parked in handicapped spots without displaying the appropriate placard.

THIRD ORDER OF BUSINESS

Consent Agenda

- A. Approval of the Minutes of the March 18, 2008 Meeting**
- B. Approval of the Minutes of the May 20, 2008 Meeting**
- Mr. Mendenhall emphasized the fact future minutes will be summarized to include action items, points of interest and motions.
- Mr. Cyment distributed an article entitled, *Minutes Bring Order to Conduct of Board*; a copy of which is attached hereto and made part of the public record.
 - There was discussion among the Board and staff.
 - Mr. Mendenhall believes any comments from staff which are handwritten will be helpful to have for the public record.
 - There is no legal requirement for verbatim minutes.

Mr. Cascio MOVED to approve the revised minutes of the March 18, 2008 meeting with Ms. Feldman's attachment and Mr. Cyment SECONDED the motion.

- The Board continued a lengthy discussion with regards to this issue.
- Mr. Mendenhall reminded the Board verbiage on the recording cannot be changed.
- A Board member disagreed with the accuracy of some issues in the minutes.

There being no further discussion,

On VOICE vote with all in favor, the prior motion was approved.

Mr. Mendenhall stated each Board member received a copy of the minutes of the May 20, 2008 meeting and requested any additions, corrections or deletions.

Mr. Cascio MOVED to approve the minutes of the May 20, 2008 meeting and Ms. Feldman SECONDED the motion.

- Mr. Witmer raised the discussion on Page 4 with regards to the pressure washing proposals.
 - There is no detail of the other proposals.
 - Mr. Mendenhall recommends discussing this under Agenda Item #4.
 - Mr. Mendenhall will ask the Recording Secretary to check the recording and determine whether it was definitely stated the Board would look at the other proposals.

There being no further discussion,

On VOICE vote with all in favor, the prior motion was approved as amended based on the above discussion.

C. Approval of the Financial Statements Through May 31, 2008

Mr. Mendenhall presented the Financial Statements through May 31, 2008; a copy of which is attached hereto and made part of the public record.

There being no comments or questions,

On MOTION by Mr. Cymment seconded by Ms. Feldman with all in favor, the Financial Statements through May 31, 2008 were approved.

FOURTH ORDER OF BUSINESS

Consideration of Pressure Washing Proposal – Motts Contracting

- The Board suggested Mr. Grasso get additional information, including proposal details from the other contractors.
- This item was deferred to the next meeting.
- There are maintenance issues with the walls which need to be resolved.
- This is a necessary project.

FIFTH ORDER OF BUSINESS

Attorney’s Report

Mr. Robin discussed the Lease Agreement between the District and the Pasco County School Board to lease land as a passive park and for use for major educational events.

- Two changes were made from the prior agreement.
 - On Page 1 under Item #3 in the last sentence, the District will not be under any obligation to install or construct improvements on the leased premises.
 - On Page 2 under Item #5B, the School Board added language to make the District responsible for attorney's fees relating to any potential lawsuits brought against them, as it relates to the District's use and occupation of the property.
- This is a five-year lease with a termination clause of 30 days notice by the School Board.
- Ms. Davis does not believe the District can afford this.
- The community should vote on this agreement.

Mr. Cyment MOVED to accept the Lease Agreement between the District and the Pasco County School Board to lease District land for use as a passive park for educational purposes.

- Several audience members commented on this.
- If the Board decides to put in picnic tables or playground equipment, the insurance will have to be revised.

Mr. Witmer SECONDED the prior motion.

There being no further discussion,

On VOICE vote with Mr. Witmer, Ms. Feldman, Mr. Cascio and Mr. Cyment voting aye; and Ms. Davis voting nay, the Lease Agreement between the District and the Pasco County School Board to lease District land for use as a passive park for educational purposes was accepted.

A. Wildlife Corridor Civil Contempt Notice

- This notice represents enforcement for the property owner to maintain this wildlife corridor.

- The District is the current property owner, which was not the case in 1999, when this notice was enforced.
- Mr. Robin wants all Board members to be aware of this and that it is on the record.
- No action will be taken at this time, as the District will wait for any further action from the courts on this issue.

B. Discussion of Sunshine Law

- The Board is concerned whether or not Mr. Cyment's *Internet Blogs* violate the Sunshine Law.
 - They were all factual statements.
 - Sunshine Law prohibits two or more Board members to discuss issues which may come before the Board in the foreseeable future.
 - The matters Mr. Cyment discussed were already resolved at past Board meetings.
 - Mr. Robin encouraged Mr. Cyment to give copies of his comments to Mr. Mendenhall, as they are considered public records.
 - The Board believes many of these blogs represent a one-sided view from Mr. Cyment.

Mr. Robin discussed Tract 5.

- This is a commercial parcel across from Weymouth Drive.
- Mr. Ken Jones, who is a realtor and former Board member, does not believe this is part of the District.
 - Mr. Robin researched this and determined it is in the District.
- This site has never had any O&M assessments.
 - This does not prevent the Board from levying O&M assessments on the parcel.
 - Mr. Robin contacted Rizzetta to determine the reason for this, but never received an answer.
 - Mr. Robin believes the assessment methodology may not have been updated to reflect this.

- The District Attorney's office was not involved in these contract negotiations.
- Mr. Robin gave the Board an overview of the situation.
 - The individual is under contract to purchase 2.5 acres in the southern section of Tract 5.
 - They are in a 90-day due diligence period, which expires at the end of July.
 - The broker wants a commitment from the Board that this tract will not be assessed for O&M in the near future.
 - Mr. Robin told them the Board is not necessarily ready to accept this.
 - The Board must decide whether or not the assessment methodology should be reviewed.
 - Mr. Mendenhall recommended the assessment methodology be reviewed by Ms. Karen Ellis of Severn Trent Services.
 - Debt service should be included.
 - The county will have to construct a sidewalk if necessary.
- Mr. Robin recommended the Board concur with the following process.
 - Mr. Robin will ask Ms. Ellis to develop an assessment methodology.
 - Mr. Robin will outline the history.
 - Ms. Ellis can go through the relevant District documents.
 - Ms. Ellis can develop an analysis consistent with the assessment methodology.
 - This information should be available for the next meeting.

SIXTH ORDER OF BUSINESS

Engineer's Report

- Mr. Mendenhall will obtain Mr. Witmer's signature on the Right-of-Way Use Permit for the Oakstead pedestrian path Improvements; a copy of which is attached hereto and made part of the public record.

SEVENTH ORDER OF BUSINESS

Manager's Report – Questions and Comments on Proposed Revised Budget

- Mr. Mendenhall presented a proposal from Cell Protective Services for security; a copy of which is attached hereto and made part of the public record.
 - The Board needs to determine whether or not to include this in the proposed budget.
- The Board discussed the possibility of having a Reserve Study done.
 - The Board needs to understand their obligations in order to be able to prioritize issues which need to be taken care of.
 - Mr. Mendenhall will speak to Ms. Stewart with regards to having this done.
- The Board discussed the proposed and revised Fiscal Year 2009 Budget.
 - There will be a Budget Workshop on June 26th, in which the main discussion will relate to capital improvements.
 - There will be another Budget Workshop on July 8th to finalize everything to be presented at the Public Hearing on July 22nd.
- Mr. Mendenhall recommends the Board set funds aside for maintenance of the ponds.

Mr. Mendenhall discussed miscellaneous issues.

- Mr. Mendenhall distributed a copy of a letter from Mr. Mark Cooper of Cooper & Company of Tampa Bay, Inc.; a copy of which is attached hereto and made part of the public record.
 - They did a walk-through of the landscape installation in December.
- Mr. Mendenhall discussed a contract with GreenBriar.
 - This is a contract for landscaping.
 - It must be reviewed by Mr. Robin before finalizing.
 - Copies of the contract were distributed to the Board.
 - The Board has two options.
 - The Board can look the item over and make a decision.
 - If the Board is already comfortable with it, the contract can be approved today subject to review by Mr. Robin.

Mr. Cyment MOVED to approve the contract with Greenbrier for the District's landscaping services subject to review by the District Attorney and Ms. Feldman SECONDED the motion.

- The Board proceeded to discuss other landscaping issues.
 - The landscapers are responsible for picking up trash.

There being no further discussion,

On VOICE vote with all in favor, the prior motion was approved.

- Mr. Mendenhall discussed employee evaluations for Ms. Nancy Intini and Mr. Mario Grasso; the documents are on file at the District office.
 - The Board held a lengthy discussion.
 - Copies of the evaluations will be given to all Board members for review.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

Mr. Grasso presented the Field Reports for the weeks of May 16th and May 23rd; copies of which are attached hereto and made part of the public record.

- Mr. Grasso received an estimate for a magnum lock on the gate.

B. Park Director

Ms. Intini presented the Park Director's reports for the weeks of May 18th, May 25th, June 1st and June 8th; copies of which are attached hereto and made part of the public record.

- Ms. Intini and staff discussed a plumbing proposal for re-piping in the Mens' Room.
 - The proposal was from the Pampering Plumber in the amount of \$3,900; a copy of which is attached hereto and made part of the public record.

C. Clubhouse Committee

Ms. Intini discussed future clubhouse events.

- The Board discussed implications of using CDD funds for events.
 - Residents should not be charged.

- The District is authorized to have a community clubhouse, which involves a certain amount of expenses.
- Mr. Mendenhall will check with Mr. Robin to confirm these cost issues.
- The Board discussed clubhouse symmetries.
 - This issue may not be resolved until after the budget is adopted.
 - Anything which needs to be done with the clubhouse needs to be logged in.
 - The Fee Schedule needs to be revised.
- Mr. Jeffrey Herbek sent an e-mail to Ms. Davis recommending a log book be kept at the clubhouse for anyone to indicate issues or problems which need to be resolved; a copy of which is attached hereto and made part of the public record.
 - The website is not a sufficient place to voice these issues.
 - There needs to be a better follow-up system for issues.
 - The Board agreed to work together and bring back a list of outstanding issues to the next meeting and continue to keep track of them.
 - This may be in a spreadsheet format.

D. Landscape Committee

- Cooper & Company did their final walk-through, but has not yet been paid since the report was just received.
- GreenBriar was paid through the remainder of their contract.
- Landscaping of the Marchmont Entrance was discussed.
 - It was approved by the Board, but has been delayed.
- The magnolias are not looking good.
 - The oaks are preferred.
- GreenBriar's new contract was discussed.
 - Significant details in terms of weeding and maintenance are required.
 - Entrances, sidewalks and areas in which grass is growing out to the street need to be cared for.
 - OLM will continue their inspections.
 - The Field Manager will oversee everything.
- Other landscaping issues can be addressed at the workshop.

E. Newsletter Committee

There being no report, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors' Reports, Requests and Comments

- Ms. Davis presented a letter to all CDD Supervisors concerning Mr. Cyment's behavior as a Supervisor; a copy of which is attached hereto and made part of the public record.
 - She read her letter verbatim to the Board and staff.
 - Mr. Cyment commented to the Board.

TENTH ORDER OF BUSINESS

Audience Comments

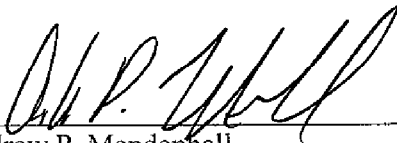
- A Resident commented on the arguments which go on during the meetings.
 - He is concerned people claim they care about what is going on in the community, but do not want to become involved.

ELEVENTH 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 at 6:45 p.m.



Andrew P. Mendenhall
Secretary


John Witmer
Chairman