

SF
3-11-13

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, STATE OF FLORIDA

STATE OF FLORIDA

CASE #: 53-2012-CF-007990-01XX-XX

vs.

DAVID MANN MEADOWS, WM, 07/13/1944
_____ /

**AMENDED
INFORMATION FOR:**

- 1) SCHEME TO DEFRAUD (>\$50,000)
- 2) GRAND THEFT (\$100,000 or more)
- 3) MONEY LAUNDERING(\$100,000 OR MORE)
- 4) WHITE COLLAR CRIME VIOLATION
- 5) MONEY LAUNDERING(\$100,000 OR MORE)(DIRECT)
- 6) MONEY LAUNDERING(\$100,000 OR MORE)(DIRECT)
- 7) MONEY LAUNDERING(\$100,000 OR MORE)(DIRECT)
- 8) GRAND THEFT (\$100,000 or more)(DIRECT)

In the Name and by Authority of the State of Florida:

JERRY HILL, State Attorney for the Tenth Judicial Circuit, by and through his undersigned Assistant State Attorney, charges that DAVID MANN MEADOWS on or between April 17, 2008 and November 28, 2012, in the County of Polk and State of Florida, did engage in a scheme constituting a systematic, ongoing course of conduct with intent to defraud one or more persons, or to obtain property from one or more persons by false or fraudulent representations or promises, or willful misrepresentation of a future act, and did obtain property from ISLAND CLUB RESORT HOMEOWNERS ASSOCIATION and/or POLK COUNTY BOCC UTILITIES DIVISION in an aggregate value of \$50,000 or more, contrary to Florida Statute 817.034. (1 DEG FEL) (LEVEL 6)

COUNT 2: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between April 17, 2008 and November 28, 2012, in the County of Polk and State of Florida, did knowingly obtain or use, or endeavor to obtain or use money of a value of \$100,000.00 or more, which was the property of the ISLAND CLUB RESORT HOMEOWNERS ASSOCIATION, with the intent to permanently or temporarily deprive the ISLAND CLUB RESORT HOMEOWNERS ASSOCIATION of the property or benefit therefrom or to appropriate the property to the use of DAVID MANN MEADOWS or to the use of any person not entitled thereto, contrary to Florida Statute 812.014. (1 DEG FEL) (LEVEL 7)

COUNT 3: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between January 28, 2009 and January 27, 2010, in the County of Polk and State of Florida, knowing that the property involved in one or more financial transactions represented the proceeds of Grand Theft, a form of unlawful activity, did conduct or attempt to conduct one or more financial transactions which in fact involved the proceeds of said unlawful activity, knowing that the transactions were designed in whole or in part to conceal or disguise

the nature, the location, the source, the ownership, or the control of the proceeds of said unlawful activity or avoid transaction reporting requirements or money transmitters' registration requirements under state or federal law, and said financial transactions totaled or exceeded \$100,000 in a 12-month period, contrary to Florida Statute 896.101.(1 DEG FEL) (LEVEL 9)

COUNT 4: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between April 17, 2008 and April 25, 2012, in the County of Polk and State of Florida, did commit or conspire to commit a white collar crime in that DAVID MANN MEADOWS did knowingly obtain or use, or endeavor to obtain or use money of a value of \$300.00 or more, which was the property of the members of the ISLAND CLUB RESORT HOMEOWNERS ASSOCIATION, with the intent to permanently or temporarily deprive of the property or benefit therefrom or to appropriate the property to the use of DAVID MANN MEADOWS or to the use of any person not entitled thereto, and DAVID MANN MEADOWS did victimize 20 or more persons, to-wit, the members of the ISLAND CLUB RESORT HOMEOWNERS ASSOCIATION, and as a result obtained or attempted to obtain property of the value of \$50,000.00 or more, contrary to Florida Statutes 775.0844 and 812.014. (1 DEG FEL) (LEVEL 9)

COUNT 5: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between January 29, 2010 and January 28, 2011, in the County of Polk and State of Florida, knowing that the property involved in one or more financial transactions represented the proceeds of Grand Theft, a form of unlawful activity, did conduct or attempt to conduct one or more financial transactions which in fact involved the proceeds of said unlawful activity, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of said unlawful activity or avoid transaction reporting requirements or money transmitters' registration requirements under state or federal law, and said financial transactions totaled or exceeded \$100,000 in a 12-month period, contrary to Florida Statute 896.101.(1 DEG FEL) (LEVEL 9)

COUNT 6: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between January 31, 2011 and January 30, 2012, in the County of Polk and State of Florida, knowing that the property involved in one or more financial transactions represented the proceeds of Grand Theft, a form of unlawful activity, did conduct or attempt to conduct one or more financial transactions which in fact involved the proceeds of said unlawful activity, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of said unlawful activity or avoid transaction reporting requirements or money transmitters' registration requirements under state or federal law, and said financial transactions totaled or exceeded \$100,000 in a 12-month period, contrary to Florida Statute 896.101.(1 DEG FEL) (LEVEL 9)

COUNT 7: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between February 1, 2012 and November 28, 2012, in the County of Polk and State of Florida, knowing that the property involved in one or more financial transactions represented the proceeds of Grand Theft, a form of unlawful activity, did conduct or attempt to conduct one or more financial transactions which in fact involved the proceeds of said unlawful activity, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of said unlawful activity or avoid transaction reporting requirements or money transmitters' registration

requirements under state or federal law, and said financial transactions totaled or exceeded \$100,000 in a 12-month period, contrary to Florida Statute 896.101.(1 DEG FEL) (LEVEL 9)

COUNT 8: Informant aforesaid, under oath, further information makes that DAVID MANN MEADOWS on or between April 17, 2008 and April 25, 2012, in the County of Polk and State of Florida, did knowingly obtain or use, or endeavor to obtain or use of a value of \$100,000.00 or more, which was the property of the POLK COUNTY BOCC UTILITIES DIVISION, with the intent to permanently or temporarily deprive the POLK COUNTY BOCC UTILITIES DIVISION of the property or benefit therefrom or to appropriate the property to the use of DAVID MANN MEADOWS or to the use of any person not entitled thereto, contrary to Florida Statute 812.014. (1 DEG FEL) (LEVEL 7)



TIMOTHY R COLEMAN

FL. BAR NO.: 0830291

Assistant State Attorney

Polk County, Florida

STATE OF FLORIDA
COUNTY OF POLK

Appeared before me, TIMOTHY R. COLEMAN, Assistant State Attorney for Polk County, Florida, personally known to me, who, being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged, that this prosecution is instituted in good faith, and certifies that testimony under oath has been received from the material witness or witnesses for the offense.


Assistant State Attorney

Sworn to and subscribed to before me this 12 day of March, 2013.


NOTARY PUBLIC, State of Florida



MICHELLE L. MARTIN
MY COMMISSION # EE 220434
EXPIRES: July 29, 2016
Bonded Third Budget Notary Services

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

STATE OF FLORIDA

CASE #: 53-2012-CF-007990-01XX-XX

VS.

DAVID MANN MEADOWS, WM, 07/13/1944

The Office of the State Attorney has dealt with the charges listed on the complaint affidavit as follows:

CHARGES OF AFFIDAVIT

1. SAME
2. SAME
3. SAME
4. SAME
5. DIRECT
6. DIRECT
7. DIRECT
8. DIRECT
- 9.

CHARGES FILED

- 1) SCHEME TO DEFRAUD (>\$50,000)
- 2) GRAND THEFT (\$100,000 or more)
- 3) MONEY LAUNDERING(\$100,000 OR MORE)
- 4) WHITE COLLAR CRIME VIOLATION
- 5) MONEY LAUNDERING(\$100,000 OR MORE)
- 6) MONEY LAUNDERING(\$100,000 OR MORE)
- 7) MONEY LAUNDERING(\$100,000 OR MORE)
- 8) GRAND THEFT (\$100,000 or more)

CO-DEFENDANT(S): LINDA C. MEADOWS

Issue: Capias _____

Summons _____

Dated this _____ day of _____, 2013.

JERRY HILL
STATE ATTORNEY

Assistant State Attorney
Fl. Bar #: 0830291

Original Clerk
cc: Polk County Jail, Classification Officer

**IN THE CIRCUIT /COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA**

ARRESTING AGENCY/REPORT # SAO 2012-029

DATE/TIME OF ARREST: 3/11/13

ARRESTING OFFICER: Investigator Stephen R. Menge, MBA, CFE

PLACE OF ARREST:

PROSECUTION APPROVED: _____

___NOTICE TO APPEAR__X___COMPLAINT AFFIDAVIT___ARREST REPORT

The undersigned affiant swears that he has just and reasonable grounds to believe that between December 2011 and April 2012 at the location of 101 Golden Malay Palm Way, Davenport, POLK County, Florida

Name (Last,First, MI): Meadows, David Mann

Address: 400 Saddleworth PL, Lake Mary, FL 32746 **Telephone:** 407-948-3315

R/S: W/M **Ht.** 6'01 **Wt.** **Hair:** Bro **Eyes:** Bro **DOB:** 07/13/1944 **POB:** Florida

Soc. Sec#: [REDACTED] **Driver's License #:** [REDACTED] **Marital Status:** Married

Scars: **Complexion:** Fair

Occupation: Developer

Employer: Self

Committed the Offenses of:

- | | | |
|----------------------------|---------------------------|-------------------------|
| 1. Scheme to Defraud | FSS: 817.034(4)a1 | Level/Degree: F1 |
| 2. Grand Theft Over \$100K | FSS: 812.014(1)b2a | Level/Degree: F1 |
| 3. FL Money Laundering Act | FSS: 896.101(5)c | Level/Degree: F1 |

Probable Cause:

David Meadows did engage in an ongoing systematic course of conduct with the intent to defraud a number of Polk County residents, two utility companies, and the Polk County Board of County Commissioners Utilities Division of monies generated from the sales of water and waste water services. Over the course of four months, Meadows diverted monies from three separate accounts tied to various businesses he owned and transferred the funds to his Island Club Resort Development account. The monies collected and transferred were proceeds generated from water sales which were in excess of \$100,000.

Background of Island Club Resort Development and businesses of David Meadows

David Meadows is the developer of the Island Club Resort which began construction in early 2000. Approximately 200 homes were built before construction ceased due to the market collapse. Meadows' Development Company transitioned to a management company which managed the affairs of five of his businesses. These businesses consisted of Bimini Vacations, Inc. (rentals), Bimini Bay Utilities Corp (water company), Four Points Utility Corp (water company for another community), and Island Club Resort HOA.

Island Club Resort Development, Inc. is registered and owned by David Meadows. The company provides management services to the HOA by leasing and directing employees to work or provide services at the mentioned five businesses. The Development Company has on site staff consisting of maintenance personnel as well as office staff that provide book keeping services such as billing, sending correspondence, and record keeping duties. Financially, this is the company where all monies flow into.

Bimini Vacations, Inc. is registered and owned by David Meadows. Bimini Vacations began as a rental and property management company within the Resort that rented and managed homes for short term rentals. In 2008, this company switched to long term rentals and leasing. Office staff is on site to collect rents produced by units that are rented or leased. Lease contracts reveal that monthly rent includes *water*, electric, as well as cable and phone services if desired.

Bimini Bay Utilities Corporation is a water and waste water company registered and owned by David Meadows. The company manages and maintains the infrastructure that supplies water to all homeowners of Island Club Resort. It purchases water from Polk County Utilities and sells that water to the units of the Resort. In 2010, the company was audited by the Public Service Commission based on a volume of customer complaints ranging from billing to non-compliance issues. Instead of correcting issues and coming into compliance with Florida Administrative laws and recommendations made by the PSC, Meadows abandoned the company which subsequently went into receivership on March 23, 2012. Company records and a portion of assets were eventually turned over to the receiver on April 16th, 2012. However, assets in the form of deposits and revenues remain in possession of Meadows.

Four Points Utility Corporation is a water and wastewater company registered and owned by David Meadows. The company manages and maintains the infrastructure that supplies water to all homeowners of the Island Club West Community located at 3100 Sand Mine Rd in Davenport, FL. It purchases water from Polk County Utilities and sells that water to the units located in Island Club West. In 2010, the company was audited by the Public Service Commission based on a volume of customer complaints ranging from billing to non-compliance issues. Instead of correcting issues and coming into compliance with Florida Administrative laws and recommendations made by the PSC, Meadows abandoned the company which subsequently went into receivership on March 23, 2012. Company records and a portion of assets were eventually turned over to the receiver on April 16th, 2012. However, assets in the form of deposits and revenues remain in possession of Meadows.

Island Club Resort Home Owners Association is an HOA consisting of homeowners located within Island Club Resort. The community consists of approximately 200 homes and produces monthly revenues generated from dues. These dues have increased over the past four years and are currently assessed at \$150.00 a month. The funds are used to pay the management fee of the Development Company and to maintain the common areas of the Resort. Current vendors for the HOA consist of Meadows' Development Company and several attorney firms.

Florida Public Service Commission (PSC) Audit

Over the course of 18 months (January 1, 2009 to June 30, 2010) the Florida Public Service Commission (PSC) conducted a comprehensive audit of Bimini Bay Utility and Four Points Utility. The scope of the audit included the billing, meter reading, accounting and reporting practices, as well as management and compliance issues. These areas were examined based on the multitude of complaints received by the PSC.

In a certified response, audit reports identify Meadows' companies were replete with administrative violations and accounting discrepancies which Meadows failed to address even after the results and recommendations of the PSC were published.

In the 54 page Management Audit (#PA-10-10-002) submitted by Government Analyst Jerry Hallenstein and Kevin Carpenter, Hallenstein and Carpenter evidenced throughout their report sufficient cause that Meadows' companies lacked effective managerial controls. Meadows showed frequent disregard of Commission rules and regulatory compliance and failed to cooperate with audit requests. Meadows failed to establish safeguards to protect customers from inappropriate charges and failed to maintain good customer relations. The report cited Meadows violated more than a dozen Florida Administrative Codes and was found to be in routine non-compliance.

In a 19 page Audit report (#10-196-2-2) submitted by Audit Manager Jocelyn Stephens and Chief Clarence Prestwood, the auditors examined multiple areas to include the accounting and reporting of funds. Audit findings in that report were directly related to the accounting practices identified by the affiant and cited in this affidavit.

Auditors identified occasions where bank deposits were made for dollars collected from a particular customer, but was not posted to customer's payment record. Payments from customers were identified as having been made by credit card payments. These payments were not processed into the Utility account, rather they were processed through Meadows' other affiliated companies (Assured Storage Utility and Island Club Resort). Payments processed by Island Club Resort **were not** transferred to the Utilities bank account as of the end of the auditor's field work which ended on August 19, 2010. Despite requests for supporting data from the utilities company to reconcile those accounts, Meadows has failed to provide the requested materials.

Upon investigating complaints from the Polk County Board of County Commissioners, the Receiver Mike Smallridge, and a private citizen; the findings of Meadows activities were continuous and consistent with the findings of the PSC Auditors. Meadows activities remained the same over a year after the PSC's findings and recommendations for change were published.

Complaint from Polk County Board of County Commissioners Utilities Division

On 1/30/13, the affiant received a complaint from the BOCC Utilities Division in reference to misallocation of funds collected for the purpose of paying water and wastewater utility bills. This misallocation resulted in outstanding balances owed to Polk County for the companies of Bimini Bay Utilities and Island Club West (serviced by Four Points Utilities). The time period involved December 2011 to April 2012. The last payment received by these companies was received on 12/19/11.

According to Polk County Utilities Finance Manager (Charles Richards, CPA), Meadows filed an intention to abandon Bimini Bay Utilities and Four Points Utilities on 1/23/12. However, Meadows continued to operate both companies well into April 2012. Polk County continued to supply water to both communities while Meadows continued operations involving collection and service. Over that time period, Polk County received no payments for water from either company.

Billing cycles from December 2011 to April 2012 for Bimini Bay Utilities indicate Polk County supplied water valued at \$121,624.81 to Bimini Bay. No payments were turned over to Polk County during this time period.

Billing cycles from December 2011 to April 2012 for Four Points Utility indicate Polk County supplied water valued at \$54,668.61 to Island Club West (serviced by Four Points). No payments were turned over to Polk County during this time period.

Complaint from Receiver for Bimini Bay and Four Points (Michael Smallridge)

On 2/28/13, the affiant received a complaint from the Receiver for both Bimini Bay Utilities and Four Points Utilities in reference to the theft of utility and revenue funds.

Court records indicate that on 3/19/12, Judge Michael Raiden entered an order appointing Michael Smallridge the Receiver for both companies. Pursuant to the order, David Meadows was to immediately give full access to the Receiver and surrender all property, assets, documents and facilities to Smallridge. Despite the order, the PSC became aware that David Meadows was continuing to bill customers and was using customer deposits and revenues to reduce outstanding bills. Meadows' actions were in direct conflict with Judge Raiden's order issued on 3/19/12.

Between 4/16/12 and 4/20/12, Meadows turned over records and assets to the Receiver. The assets (cash) on hand at the time of turnover, was not equivalent with the amount reflected in the company records. Smallridge concluded at the end of his audit that company records identified Meadows possessed and failed to turn over funds.

- Customer deposits for Four Points Utility Corp that remain in possession of David Meadows and have not been turned over to the Receiver is \$18,086.00.
- Customer deposits for Bimini Bay Utility Corp that remain in possession of David Meadows and have not been turned over to the Receiver is \$16,301.00.

Total deposit assets that are being deprived of the Receiver are valued at **\$34,387.00**.

In addition to the lack of deposit money, Smallridge discovered that money had been withdrawn from the 5/3 Bank account after receivership had been ordered by the Court. On 3/27/12, bank statements revealed that a cashiers check was withdrawn in the amount of \$7,500.00. This money had not been turned over to the Receiver.

A forensic examination of Meadows' financial accounts revealed that the \$7,500.00 money order had been deposited into Meadows Development account on the same day. To date, Meadows has failed to deliver this money to the Receiver.

Complaint from customer Jeannie Balmat customer at Bimini Bay

In a sworn taped statement, Jeannie Balmat confirmed that she had rented a unit managed by David Meadows' company for the years 2011 to 2012. Balmat provided a rental agreement where she occupied 207 Australian Way located in Island Club Resort (Bimini Bay) during that time. The rental agreement for the unit identified her rent payment included water and electric for the unit. Although Balmat's rent included water, she was regularly billed for being "over" on her water usage. Unable to understand how she continued to be "over" on her water usage, she learned that the water meter placed on her unit was reading water usage for two units. She obtained no explanation or credit from management as to the systematic billing for being "over" on her water bill. The bill she received was a plain invoice with no metered amounts or explanation or justification. The bill simply stated she was over on water usage and to pay the amount.

Balmat identified checks she had issued to both Bimini Bay Vacations (rent payments) and checks issued to Bimini Bay Utilities (water bill) which were issued to address the "over" usage. In January 2012 she received an invoice indicating she was "over" on her water usage and was billed \$275.81. Balmat's check #139 dated January 2nd was made payable to Bimini Bay Utilities. The check had been altered and deposited into Meadows' Bimini Vacations Inc. account unrelated to water or utilities. The altering consisted of the word "utilities" crossed out and "Vacations" was written in. Balmat advised this check was altered without her consent or knowledge. Balmat further identified 3 additional checks all payable to BBU for water usage. All checks were diverted to Meadows' Bimini Vacations Inc account diverting monies in excess of \$300.00.

Interview with Melissa Zahi (daughter of Balmat) who worked for Meadows in 2011

Melissa Zahi worked for David Meadows as an accounts receivables clerk from March 2011 to April 2011. Zahi was responsible for the collection of HOA, utility, cable, and phone payments that were turned in at Meadows' office. Zahi explained that when a rent payment such as her mom's came in, she was responsible to separate that rent payment and credit the various account the rent payment covered. For example Balmat's \$1025.00 rent payment was credited on company books the following way: \$775.00 for rent, \$200.00 electric, and \$50.00 for water.

Zahi stated customers were routinely invoiced for "over usage" on water. Generally all tenants were typically billed for "over usage", however, no explanation was provided on why these accounts were "over". Customers who owned units that remained empty for most of the year, she learned were also billed "over usage" on water bills. Zahi stated there was one Meter attached to two separate units. She did not know how they were able to differentiate which unit may have consumed more water than the other.

Zahi stated she processed many customer payments by credit card. She was tasked with crediting those customer payments to the appropriate account, however, did not know what business account was receiving those payments. Zahi stated Meadows dictated to her and other employees on how to process these payments and would berate or belittle employees to do it "his way." Over the month she worked there, three other employees quit due to Meadows management style.

Forensic examination of financial records

Certified financial records were obtained for Four Points Utility, Bimini Bay Utilities, Bimini Vacations Inc, and Island Club Resort Development Inc. and examined.

Four Points Utility 5/3 Acct# [REDACTED]

Financial Records for Four Points Utility consisted of a 5/3 Account # [REDACTED]. Between the dates of 12/6/11 to 3/27/12 customer water payments in the form of check and money orders were identified as having been deposited into the account. Although the PSC report identified credit card payments being processed by another company for water payments as well as Melissa Zahi advising many people paid their water by credit card; I found no transfers of funds to this utility account in the form of credit card payments.

Between those same dates 12/6/11 and 3/27/12, money orders withdrawing those deposits from the account were made by David Meadows and Tracy Duval (Meadows employee). Money orders totaling \$38,400.00 were identified as having been deposited into Meadows Development account where it was used as general revenue and paid various bills both business and personal. According to Tracy Duval, those transfers took place to pay the water bill because Four Points Utility account had no checks.

The affiant found no payments made to or forwarded to Polk County Utilities during this time period.

Bimini Bay Utilities CenterState Acct# [REDACTED]

Bimini Bay Utilities was licensed for the purpose of managing the purchase and sale of water and waste water. Unbeknownst to the PSC, Meadows expanded the Utilities Company into cable, internet, and phone services. All industries Meadows engaged in are regulated industries. By comingling these services, the tracing and crediting of payments for customers became confusing to employees (Zahi, Duvall, and others).

Financial records for Bimini Bay Utilities consisted of a Center State Bank account # [REDACTED]. Between the dates of 12/1/11 to 4/12/12 customer payments were identified as having been deposited into the account. Over that same time period, transfers to and from the Development account were found. Payments to companies unrelated to water and waste water were identified as having been spent from this account. These companies include cable and internet service providers.

Over the time period of December 1st 2011 to April 12th 2012, deposits in excess of \$20,000.00 had been made to this account. No credit card payments were identified as having been deposited into this account. With the exception of the December 19th payment, no monies collected for water were turned over to Polk County Utilities nor to the Court appoint Receiver.

Bimini Vacations Inc CenterState Acct# [REDACTED]

According to Melissa Zahi who worked for David Meadows, lived in one of his units, and collected rent payments from customers; stated rent payments included *water*, electric, as well as cable, internet, and phone services. Zahi further stated it was routine for customers to be "over" on water usage and she would regularly receive those additional water payments and credited the tenants account.

Certified financial records for Bimini Vacations Inc were obtained and reviewed by the affiant. Multiple deposits were identified as having been deposited which came from various units. The payments were in the form of checks and money orders which were in excess of \$41,000.00 for the time period of December 30th, 2011 through April 2012. Although credit card payments were being made according to Zahi and the PSC Auditor, no credit card deposits were identified as having been made to this account.

Based on the lease agreement obtained from Ms. Balmat and statements made by Ms. Zahi, a portion of the rents collected from December 2011 to April 2012, should have been turned over to Bimini Bay Utilities to pay for the water consumed by those tenants.

Financial records confirmed that Ms. Balmat's checks that were made payable to Bimini Bay Utilities, were deposited into Bimini Vacations Inc. These funds were diverted to this Vacations account without Ms. Balmat's consent or knowledge. Further, these funds were not forwarded to Polk County Utilities for payment on the water provided.

Island Club Resort Development Inc. CenterState Acct# [REDACTED]

Certified financial records for Island Club Resort Development Inc were obtained and examined by the affiant. This was the primary receiving account of all monies collected from the various entities controlled by David Meadows.

Between the dates of December 1st 2011 and April 16th, 2012, deposits and transfers of money from Bimini Bay Utility, Four Points Utility, and Bimini Vacations Inc. were in excess of \$108,000.00. These monies consisted of payments which originated from customers who were the consumers of water provided by Polk County BOCC Utilities Division. With the exception of the payment made on 12/19/11 which were revenues generated from the previous month, no other monies were passed onto the BOCC.

Payments generated from credit card processing were only deposited into this account. No other account related to this investigation had credit card payments. For the time period of December 2011 to April 2012, deposits of just under \$42,000.00 were credited to the Island Club Resort Development account. According to Ms. Zahi, customers would routinely pay their rent payments, water payments, electric, cable, internet, HOA dues, fines, and fees with their credit card. PSC Auditors cited the credit card process as a problem area which needed to be reconciled and they were unable to reconcile the account without supporting documentation. Meadows never responded to the PSC with those requested materials.

In 4 months of activity, the Island Club Resort Development received deposits of approximately \$150,000.00 which originated from water companies and companies receiving water payments. December 19th 2011 was the last payment made to Polk County Utilities, which the payment was made using revenues generated from the November 2011 billing cycle.

Personal Spending

Evidence of personal spending was identified during those four months of activities examined. Payments in excess of \$3,459 were sent to Jaguar Credit. Certified records from Jaguar Credit identify those payments were credited to the personal vehicle of David Meadows (2005 4 door Jaguar vin#SAJWA82C45SG44467).

Payments made to the American Express (AMEX) Credit Cards of Linda Meadows (co-defendant) were also identified during this time period. Payments in excess of \$27,561 were issued to AMEX. Certified records from AMEX revealed the cards which were credited were an AMEX Gold Card issued to Assured Record Storage/Linda C. Meadows Account # [REDACTED]. Statements for the account reflected personal purchases. State records failed to identify Linda Meadows owning a company by the name of Assured Record Storage.

Scheme to Defraud

David Meadows did engage in an ongoing course of conduct with the intent to defraud a number of Polk County residents, two utility companies, and the Polk County Board of County Commissioners Utilities Division of monies generated from the sales of water and waste water services. The value of funds obtained in this ongoing scheme is in excess of \$100,000.00.

Grand Theft

During a time period that David Meadows indicated his intent to abandon his water companies, David Meadows continued to bill, collect, and operate two utility companies engaged in the selling of Polk County water. Through three separate companies, David Meadows collected water revenues and then diverted the funds to his Island Club Resort Development Account where it was used as general funds and applied to personal spending.

Upon Receivership being appointed, David Meadows failed to deliver assets he possessed in direct conflict with a Circuit Court Judge's order. Meadows has temporarily or permanently deprived the Polk County Board of County Commissioners Utility Division use of funds generated from the sales of Polk County Water. These funds are valued in excess of \$100,000.00.

In direct conflict with a court order, Meadows has failed to deliver assets obtained through the operation of two Utility companies. Meadows has temporarily or permanently deprived Bimini Bay Utilities and Four Points Utilities Receiver use of funds that were collected for deposits valued at \$34,387.00.

Between the dates of January 2012 and March 2012, Jeanne Balmat delivered four personal checks to Bimini Bay Utilities for the purpose of paying her water bill. All four checks were deposited into David Meadows Bimini Vacations Inc account which was not associated with Ms. Balmat's water bill. As a result of this diversion of funds, neither Polk County nor the Receiver for Bimini Bay Utilities received Ms. Balmat's funds. These funds were later transferred to Mr. Meadows' Island Club Resort Development account for uses unrelated to Ms. Balmat's water bill. David Meadows did temporarily or permanently deprive Bimini Bay Utilities use of monies valued in excess of \$300.00.

Violation of the Florida Money Laundering Act

Through the use of an orchestrated scheme to defraud, David Meadows did make multiple financial transactions involving money generated from the sale of water and wastewater supplied by Polk County Board of County Commissioners Utility Division and managed by Bimini Bay Utilities and Four Points Utilities. Meadows diverted operating and customer deposit funds to his Island Club Resort Development account by converting those revenues to money orders as well as through the use of electronic transfers.

Between the dates of December 1st 2011 to April 16th 2012, David Meadows did conduct multiple financial transactions involving money that he knew were the revenues of two Utility Companies. Over this time period, David Meadows diverted monies valued in excess of \$108,000.00 to his Island Club Resort Development Account. Meadows did so with the intent to conceal or disguise the location, the ownership, and control of the proceeds that were derived from a specified unlawful activity (scheme to defraud). The funds were then used as general revenue for the Development Company as well as used to pay personal expenses of both David and Linda Meadows.

Victim/Witness	Address	Phone
1. Polk County Utilities	1011 Jim Keene Blvd Winter Haven, FL	863-298-4100
2. Charles Richards, CPA	1011 Jim Keene Blvd Winter Haven, FL	863-298-4135
3. Michael Smallridge	9539 E Southgate Dr Inverness, FL 34450	352-302-7406
4. Bimini Bay Utilities	1902 Barton Park Rd #201 Auburndale, FL	863-904-5574
5. Four Points Utilities	1902 Barton Park Rd #201 Auburndale, FL	863-904-5574
6. Jeannie Balmat	554 E. 4 th Street New Port, TN 37821	863-427-5831
7. Melissa Zahi	554 E. 4 th Street New Port, TN 37821	863-427-5831
8. Tracy Duvall	238 Harbor Ct Winter Garden, FL	407-905-9525
9. Jerry Hallenstein	2540 Shumard Oak Blvd Tallahassee, FL 323850	413-6818
10. Kevin Carpenter	2540 Shumard Oak Blvd Tallahassee, FL 323850	413-6818
11. Jocelyn Stephens	2540 Shumard Oak Blvd Tallahassee, FL 323813	637-8679
12. Clarence Prestwood	2540 Shumard Oak Blvd Tallahassee, FL 323813	637-8679

Investigating Agcy/Officer: Office of the State Attorney, Investigator Stephen R. Menge

Sworn to and Subscribed before me,
The undersigned authority, this
1 day of March, 2013


Law Enforcement Officer


AFFIANT