

**MINUTES OF MEETING**

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based

**LEXINGTON OAKS  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lexington Oaks Community Development District was held on **Thursday, February 24, 2005 at 5:35 p.m.** at the Lexington Oaks Clubhouse, located at 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida 33544.

Present and constituting a quorum:

Tim Murray	<b>Board Supervisor, Chairman</b>
Peter Hanzel	<b>Board Supervisor, Vice Chairman</b>
Don Peters	<b>Board Supervisor, Assistant Secretary</b>
Patricia Dwyer	<b>Board Supervisor, Assistant Secretary</b>
John Mazuchowski	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Matthew Campbell	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Tracy Robin	<b>District Counsel, Straley Robin &amp; Williams, P.A.</b>
Dayne Piercefield	<b>District Engineer, GeoSurv3, Inc.</b>
Mark Baesch	<b>Representative, SBA Network Services</b>
Amy Cochran	<b>Representative, SBA Network Services</b>
Mark Bond	<b>Representative, SBA Network Services</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Campbell called the meeting to order and read the roll call.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board of Supervisors' Meeting on  
January 27, 2005**

Mr. Campbell asked if there were any additions, deletions, or corrections to the minutes.

Mr. Peters stated that there was an error in the motion box on page 4 which should state approved instead of tabled. Mr. Campbell asked if there were any other corrections. There were none, so he asked for a motion to approve as corrected.

On a Motion by Ms. Dwyer, seconded by Mr. Murray, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on January 27, 2005 (as corrected) for Lexington Oaks Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for February**

On a Motion by Ms. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for February for Lexington Oaks Community Development District.

**FIFTH ORDER OF BUSINESS**

**Discussion on Termination of Devco  
Contract**

On a Motion by Mr. Murray, seconded by Mr. Mazuchowski, with two in favor and three opposed, the motion to terminate the contract with Devco was not carried for Lexington Oaks Community Development District.

Ms. Dwyer nominated Mr. Peters to meet with Mr. Sifford to discuss the existing contract with Devco and return to the Board with more information.

On a Motion by Ms. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors authorized Mr. Peters to meet with Mr. Sifford of Devco to discuss the existing contract for Lexington Oaks Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Series 2002 Construction  
Requisitions #94-#99 and #101**

On a Motion by Mr. Murray, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors approved the Series 2002 Construction Requisitions #94-#99 and #101 for Lexington Oaks Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing on Wireless Tower  
Proposal**

Mr. Campbell announced that the public hearing is open, as noticed. He stated that Mark Baesch, Amy Cochran, and Mark Bond will provide a brief discussion on the proposal.

Mr. Baesch explained that SBA Network Services is a wireless service provider and a radio/telephone engineering firm, which is responsible for performing research analysis for locations of radio and telephone communication towers (cell phone towers). Mr. Baesch presented the Wireless Tower proposal to the Board. After listening to the concerns of the residents, the Board denied the proposal.

On a Motion by Mr. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors denied the Wireless Tower Proposal for Lexington Oaks Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Public Hearing on Fees for Recreational  
Facilities Usage**

Mr. Campbell announced that the public hearing is open, as noticed. Mr. Robin reviewed his recommended changes to the fees. He made the following changes: a charge of .10 per photocopy; Clubhouse hours are from 9:00 am to 4:00 pm; \$25.00 charge per recreational key, maximum use of the clubhouse is 6 hours and if in excess of 6 hours a charge of \$25.00 per hour; rental times are from 8:00 am to 10:00 pm; deposits range from \$150.00 to \$250.00 plus rental fee of \$150.00. Mr. Robin stated that if alcoholic beverages are being served then an additional fee of \$25.00 per hour charge would be added to the rental fee for a minimum of 3 hours supervision fee and proof of insurance is required. The Board agreed on rental requests of more than two events by the same party must be presented to the Board for approval. Mr. Campbell recommended that Bond Counsel complete an analysis of non-resident user fees in the area and present it to the Board at a later meeting.

On a Motion by Mr. Mazuchowski, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors authorized District Staff to work with Bond Counsel to provide an analysis for non-resident user fees for Lexington Oaks Community Development District.

Mr. Campbell asked for a motion to adopt the fees and time limits as discussed and revised by the Board based upon the feedback received from the community. He stated that he would provide the revised policies to the Board at the next meeting.

On a Motion by Ms. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors adopted the revised fees and time limits for recreational facilities usage for Lexington Oaks Community Development District.

Mr. Campbell recommended that the Board recess the meeting and re-convene at 8:25 p.m. The meeting recessed at 8:20 p.m.

On a Motion by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor, the Board of Supervisors recessed the meeting for Lexington Oaks Community Development District.

**NINTH ORDER OF BUSINESS**

**Reconvene**

Mr. Campbell reconvened the meeting at 8:30 p.m., he stated that the Board members present prior to the recess were in attendance upon the reconvening of the meeting.

**TENTH ORDER OF BUSINESS**

**Consideration of Bid Acceptance for  
Stormwater Improvements**

Mr. Campbell stated that the next item of business is the consideration of the bid acceptance for stormwater improvements. He stated that the District Engineer previously discussed the failures on drainage infrastructure which affected the ponds due to the inclement summer weather. Mr. Campbell stated that the District Engineer provided proposals for review by the Board at the Board Workshop. He asked for a motion to accept the proposal provided by BRW Contracting authorizing the Chairman to sign the contract based on the proposal.

On a Motion by Mr. Hanzel, seconded by Ms. Dwyer, with all in favor, the Board of Supervisors approved the stormwater improvements proposal from BRW Contracting and authorized the Chairman to execute the contract for Lexington Oaks Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Board Recommended  
Expenditures**

Mr. Campbell stated that the next item of business is the consideration of Board recommended expenditures. Mr. Murray discussed the tree replacement quotes and the Northern boundary wall repair. Mr. Campbell asked for a motion to table the wall repair discussion.

On a Motion by Ms. Dwyer, seconded by Mr. Mazuchowski, with three in favor and one opposed (Peter Hanzel), the Board of Supervisors tabled the discussion on the wall repair until the March Board meeting for Lexington Oaks Community Development District.

Mr. Campbell stated that the cost for tree replacement along Lexington Oaks Boulevard and War Admiral Drive with 5" caliper trees is \$7,300.00 for 18 trees. He asked for a motion to approve the tree replacement expenditures.

On a Motion by Mr. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors approved the tree replacement expenditures for Lexington Oaks Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Compensation of Board  
Members**

Mr. Campbell stated that the next item of business is the consideration of compensation of Board members for meeting attendance. Mr. Murray and Mr. Mazuchowski declined compensation. Mr. Campbell asked for a motion to approve.

On a Motion by Mr. Murray, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors approved compensation for Board attendance (to include Ms. Dwyer, Mr. Hanzel and Mr. Peters) for Lexington Oaks Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
No report.
  
- B. District Engineer  
Mr. Piercefield provided an update on the status of the traffic light installation on SR 54.
  
- C. District Manager  
Mr. Campbell discussed the Landscape and Recreation Agreement status. He stated that Mr. Fox is no longer in the Field Manager position. He stated that Mr. Sifford is the contact person for Devco.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

Mr. Campbell stated that the next item on the agenda was Supervisor requests and audience comments. He stated that there were members of the public present. Mr. Campbell asked if there were any audience comments. The Board entertained audience comments; however, no actions were taken by the Board. Mr. Campbell asked if there were any Supervisor requests. There were none.

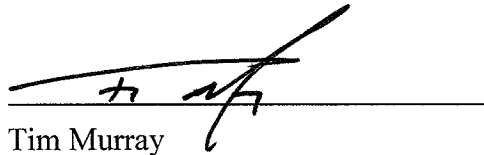
**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Dwyer, seconded by Mr. Mazuchowski, with all in favor, the Board adjourned the meeting for Lexington Oaks Community Development District.



Matthew Campbell  
Secretary



Tim Murray  
Chairman