

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, April 28, 2005 at 8:35 a.m.** at the Lexington Oaks Clubhouse, located at 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida 33544.

Present and constituting a quorum:

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

Also present were:

Matthew Campbell	District Manager, Rizzetta & Company, Inc.
Tracy Robin	District Counsel, Straley Robin & Williams, P.A.
Shawn Millard	Field Supervisor/Clubhouse Manager
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
March 31, 2005**

Mr. Campbell asked if there were any additions, deletions, or corrections to the minutes. A Board member stated that in the eleventh order of business, it stated "Mr. Campbell stated that Mr. Millard provided an invoice of services totaling \$14,500 for the repair of the wall" when actually the invoice was only an estimate. Mr. Campbell stated that he would correct the minutes as noted.

On a Motion by Ms. Dwyer, seconded by Mr. Peters, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on March 31, 2005 (as corrected) for Lexington Oaks Community Development District.

FOURTH ORDER OF BUSINESS

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

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

FIFTH ORDER OF BUSINESS

**Consideration of Series 2002 Construction
Requisition #104**

Mr. Campbell stated that the next item on the agenda is the consideration of Series 2002 Construction Requisition #104. He asked if there were any questions or comments. Mr. Murray stated that it was his understanding that they could use bond proceeds for pond repairs and stated that a couple more invoices would probably come through for the pond repair. Mr. Hanzel inquired what assurance the Board has that the expenditures currently being paid through construction requisitions will not show up on the Operation and Maintenance side. He requested that Mr. Murray send him PDF files of the District Engineer invoices so he may review them. Mr. Campbell asked if there were any further questions. Seeing or hearing none, he 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 the Series 2002 Construction Requisition #104 for Lexington Oaks Community Development District.

SIXTH ORDER OF BUSINESS

Ratification of Revised District Policies

Mr. Campbell stated that the Board had revised some of the District policies at the Board workshop held on April 26, 2005. He stated that he had submitted the revised policy via email and brought them to the Board to be ratified. Mr. Campbell stated that two of the policies discussed at the workshop were not in the packet due to revisions still being made. He asked if the Board had any comments regarding the policies. Several changes were made to the Pool and Key policy. Mr. Campbell asked if there were any further questions.

SEVENTH ORDER OF BUSINESS

District Insurance Discussion

Mr. Campbell stated that the Board had requested a discussion on the District Insurance. Mr. Hanzel requested that Mr. Campbell have the policy revised to remove the lift station requirement. He also stated that the street lights are not the property of the District and there is a \$1,000 deductible for any repairs. Mr. Hanzel stated that the likelihood of any damage occurring to the street lights was minimal, therefore he did not think they should be included on the insurance policy. Mr. Campbell stated that he could bring these points to the insurance underwriter's attention and have addendums added if necessary. He also stated that he could set up a meeting between Mr. Hanzel and Steve Ayers, the insurance underwriter, if he so wishes.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Robin provided an update on the feasibility of utilizing bond proceeds for additional storm water repairs. He stated that before the Board decides to move forward with using bond proceeds to perform stormwater repairs, they need to determine if it is a maintenance problem or design failure. Mr. Robbins stated that Mr. Piercefield had inspected the ponds and determined that skimmers were never installed, therefore it was a design error.

B. District Engineer
Not Present.

Mr. Campbell discussed the status of the SWFWMD permits for the repairs. He stated that there were several issues in the way of proceeding with the repairs, including determining the path for the trucks to have access to work on the repairs. Mr. Campbell stated that there was an easement between the two homes that would provide good access, but the residents of the two homes were against it due to potential damages that could occur to their foundation and sod.

A Board member presented the Chairman with a formal request to review the final inspection report for the District water control structures (specifically for ponds 1B, 5A, 17BA, and 17BD). Mr. Robins stated that he would provide a copy of the report.

C. Field Supervisor/Clubhouse Manager

Mr. Millard stated that there was poor lighting within the round-about that could potentially be a safety issue. He stated that the estimated cost of the repairs was \$2,680. Currently, the budget has allocated a line item for Street Light/Decorative Lights in the amount of \$4,000. Discussion ensued regarding the existing lights. Mr. Campbell asked for a motion to approve the estimate provided by Mr. Millard for the installation of additional lighting at the round-about.

On a Motion by Mr. Murray, seconded by Mr. Peters, with all in favor, the Board of Supervisors approved the estimate for the installation of additional lighting within the round-about for Lexington Oaks Community Development District.

D. District Manager

Mr. Campbell stated that within the agenda packet for the Board's review, there is a letter that was submitted to the Florida Highway Patrol requesting backup documentation on an accident that occurred within the District, so that it can be sent to the insurance underwriter. General discussion ensued.

Mr. Campbell stated that he had a resolution that was drafted by District Counsel authorizing the rental of the Community Center to the Riverside Fellowship Church to perform church services on Sunday mornings. Mr. Hanzel stated that the Board authorized the Riverside Fellowship Church to rent the Community Center contingent upon several conditions. He reviewed the conditions for the Board. A resident asked what the rental fee would cost for the Community Center on Sunday. It was stated that the rental fee would be \$150 per meeting. Mr. Campbell asked if there was any further discussion regarding the resolution. There were none so he asked for a motion to approve.

On a Motion by Ms. Dwyer, seconded by Mr. Peters, with all in favor, the Board of Supervisors approved the Resolution 2005-06, authorizing the rental of the Community Center to the Riverside Fellowship Church to perform services on Sundays mornings for Lexington Oaks Community Development District.

Mr. Campbell stated that currently, the Devco contract within the community is scheduled to expire in mid to early part of May 2005. He stated that the Board has made a motion to allow Mr. Millard (who is currently acting as the Field Supervisor and Clubhouse Manager for the community), to work within the community for a specified time and to work with Mr. Sifford to gain a full understanding of the community. Mr. Campbell stated that with the contract expiring May 12, 2005, he would like to make a recommendation that a motion be made to appoint Mr. Millard as a full-time employee of the District.

Mr. Hanzel stated that he would like to discuss the issue of the irrigation repairs. He stated that they are still awaiting the plan specifications. Mr. Peters stated that he reviewed the contract with Luke Bros., and the irrigation, plant materials, and mulch are included in the \$264,000. He stated that he also reviewed the minutes of the meeting held on July 22, 2004, in which Mr. Lamb stated that these items were included in the bid specifications to procure better pricing and quality. Mr. Hanzel stated that this issue needs to be addressed with Luke Bros. as they are not providing the services specified in their contract. General discussion ensued regarding the terms of the contract.

Mr. Campbell recommended that the Board consider Mr. Millard's salary be consistent with the former field manager's salary for the District. He stated that the former field manager's salary was \$35,000 and Mr. Millard's is currently \$32,900. A Board member asked Mr. Campbell to obtain a market survey of salaries for similar positions and bring it to the next regularly scheduled meeting for the Board to review and make a final decision. Ms. Dwyer made a motion to allow Mr. Millard to continue in his current position as Field Supervisor and Clubhouse Manager.

<p>On a Motion by Ms. Dwyer, seconded by Mr. Peters, with all in favor, the Board of Supervisors allowed Mr. Millard to continue in his current position as Field Manager and Clubhouse Manager for Lexington Oaks Community Development District.</p>
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NINTH 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. An audience member stated that at a previous meeting, there was a discussion about the consideration of dissolving the relationship with the current management company, which was tabled. Mr. Campbell stated that typically the process of dissolving the current contract and having a new company begin providing services is approximately 60 days. He stated that they could have proposals submitted by the June meeting.

Mr. Campbell stated that the Board is required to place an advertisement requesting bids for new District Management Services. The Board discussed whether to place a bid for Request for Qualification (RFQ) or Request for Proposal (RFP) based on the manner of how the winning bidder is selected. A Board member stated that they were not interested in terminating the current management at this time. It was stated that the Board was interested in finding better cost effective qualified entities, by posting the advertisement. Mr. Peters made a motion to place an advertisement to solicit Request For Qualification for District Management Services.

On a Motion by Mr. Peters, seconded by Mr. Hanzel, with three in favor and two against (Mr. Murray and Mr. Mazuchowski), the Board of Supervisors approved submitting RFQ for District Management services for Lexington Oaks Community Development District.

Mr. Campbell asked if there were any further audience comments. There were none. He asked for any Supervisor requests. A Board member stated that at the April 26th Board workshop, a recommendation was made to approve the swim program agreement with Miss Brenda's Swim School. The Board discussed the terms of the agreement. Ms. Dwyer made a motion to approve the agreement.


On a Motion by Ms. Dwyer, seconded by Mr. Peters, with all in favor, the Board of Supervisors approved the swim program agreement from Miss Brenda's Swim School for Lexington Oaks Community Development District.

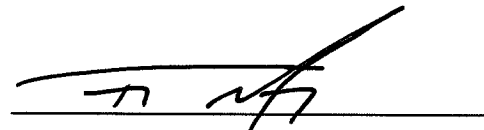
Mr. Campbell asked if there were any further Supervisor requests. There were none.

TENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Mazuchowski, seconded by Ms. Dwyer, with all in favor, the Board of Supervisors adjourned the meeting for Lexington Oaks Community Development District at 11:15 a.m.


Matthew Campbell
Secretary


Tim Murray
Chairman