

**MINUTES OF MEETING
(Revised)**

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, May 26, 2005 at 6:30 p.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
Patricia Dwyer	Board Supervisor, Assistant Secretary
John Mazuchowski	Board Supervisor, Assistant Secretary
Don Peters	Board Supervisor, Assistant Secretary

Also present were:

Matthew Campbell	District Manager, Rizzetta & Company, Inc.
Tracy Robin	District Counsel, Straley Robin & Williams, P.A.
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
April 28, 2005**

Mr. Campbell asked if there were any additions, deletions, or corrections to the minutes. Mr. Peters stated that a correction needed to be made in the spelling of Mr. Millard's name. Mr. Peters stated that a correction needed to be made regarding the estimated cost of repairs for street lighting, to be changed from \$4,310 to \$2,680.

Mr. Peters stated that the correction regarding the statement on the irrigation repairs was quoted by Mr. Peters and not Mr. Hanzel. Mr. Campbell stated that he would correct the minutes as noted.

On a Motion by Ms. Dwyer, seconded by Mr. Murray, with all in favor, the Board of Supervisors approved the minutes of ' meeting on April 28, 2005 (as corrected) for the Lexington Oaks Community Development District.

FOURTH ORDER OF BUSINESS

**Presentation of Workshop Meeting on
April 26, 2005**

Mr. Campbell presented to the Board, notes from the workshop. Mr. Campbell explained that the items included in the agenda packet were notes taken at the meeting in efforts to provide a general orientation of the issues that were discussed at the workshop.

FIFTH ORDER OF BUSINESS

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

A question was raised regarding who was responsible for paying the irrigation repairs. Mr. Campbell stated that Luke Bros. provides standardized irrigation that is covered under the contract. Mr. Peters noted that the irrigation maintenance was not included in a previous Greenbriar Landscaping contract but was included in the Luke Bros. contract. Mr. Peters made a comment regarding obtaining two quotes from irrigation companies for analysis of the existing system. A question was also addressed regarding the irrigation repair invoice that totaled \$4,958. Mr. Campbell explained that this total was a compilation of a number of invoices. Mr. Hanzel made a suggestion to request a written interpretation of the Luke Bros. contract from District Counsel. Mr. Campbell recommended that District Counsel consult with the Board on how the contract was written and what would be the best remedy for this irrigation contract upon District Counsel's advice. Mr. Campbell made a motion to ratify the Operation and Maintenance Expenditures for the month of May with the understanding that this item will continue to be revisited with the Board, the contractor and his counsel.

On a Motion by Ms. Dwyer, seconded by Mr. Peters, with four in favor and one against (Mr. Hanzel), the Board of Supervisors ratified the Operation and Maintenance Expenditures for May with further review at the July 28, 2005 meeting for the Lexington Oaks Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Series 2002 Construction
Requisitions #105-#106**

Mr. Campbell stated that the next item on the agenda is the consideration of Series 2002 Construction Requisitions #105-#106. He asked if there were any questions or comments.

Mr. Murray made a comment regarding the improvements to the Matejka house by repairing the piping.

Mr. Hanzel clarified his understanding that the repairs are for the sodding and land repair of the community homes and the repairs are related to capital improvements. He stated that the Developer should be liable for these repairs. Mr. Murray clarified this as a District issue due to the District being responsible for the ponds. Mr. Murray stated that the problem of the piping was a result of the ponds and the issues that were occurring pertained to the flow between the two ponds. Mr. Murray explained that District Counsel and the District Engineer approved this repair utilizing District funds (bond proceeds) since there were funds available versus having this expense funded from the Operations and Maintenance budget. 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. Mazuchowski, with four in favor and one against (Mr. Hanzel), the Board of Supervisors approved the Series 2002 Construction Requisitions #105-#106 for the Lexington Oaks Community Development District.

SEVENTH ORDER OF BUSINESS

**Committee Update on Newsletter
Issues**

Mr. Campbell stated that the Committee update on the newsletter issue was a particular item that was discussed at previous meetings. Mr. Campbell opened the floor to allow Mr. Hanzel to update the Board and the community members present. Discussion ensued regarding recommendations for the newsletter. Mr. Campbell clarified that the production of the newsletter title should be referenced as the Homeowner's Association and not the Lexington Oaks Community Development District. Mr. Campbell stated the need to place a disclaimer at the bottom of the pages stating that the individual pages within the Lexington Oaks Homeowner's Association newsletter will be a separate fee. The Board agreed that the District would purchase two pages at \$50 per page totaling \$100 per month. Mr. Campbell asked for a motion to approve. The discussion continued regarding allowing the newsletter to remain in its original format. Mr. Campbell recommended to the Board to amend the motion to include allowing the Homeowners Association to continue producing an HOA newsletter in its current format until the completion of the July newsletter, and start the production of the newsletter with the Lexington Oaks CDD effective August, 2005.

On a Motion by Mr. Murray, seconded by Mr. Peters with four in favor and one against (Mr. Mazuchowski) the Board of Supervisors approved the production of a newsletter for the District effective August 2005 for the Lexington Oaks Community Development District.

EIGHTH ORDER OF BUSINESS

**Status on Revision of Clubhouse Rules and
Regulations and Fitness Center**

Mr. Campbell presented a copy of a revised Clubhouse Rules and Regulations policy that was recommended by Ms. Dwyer. Mr. Campbell stated that the Board approved the previous policy at the last meeting with the understanding that there were existing policies that needed to be revised by the Staff which include the Community Center Rules and Regulations, the Community Center Reservation Rules and Regulation. Mr. Campbell explained that the revised Parking policy was still pending the receipt of a signed agreement from Atlas Towing Services. Mr. Campbell asked if there were any questions. A question was addressed by Ms. Dwyer pertaining to an item on the Rules and Regulations policy that referenced soliciting information on the bulletin board at the clubhouse. Mr. Campbell explained that this item on the policy was implemented to prohibit outside solicitors from posting advertisements on the bulletin board. Mr. Campbell made motion to approve.

On a Motion by Mr. Peters, seconded by Mr. Murray, with all in favor the Board of Supervisors approved the revised Clubhouse Rules and Regulations Policy for the Lexington Oaks Community Development District.

NINTH ORDER OF BUSINESS

**Status on Revision of Playground Use
Policy**

Mr. Campbell presented the Playground Use Policy that was prepared by Mr. Millard that included the Board's recommendation to any changes or inclusion of this policy. Mr. Campbell asked if there were any questions regarding this policy. A question was addressed as to the clarification of referring to the term "adult" in the playground use policy. A discussion ensued and it was agreed that the term "adult" should be referenced as any persons over the age of 18. Mr. Campbell made motion to approve.

On a Motion by Ms. Dwyer, seconded by Mr. Murray, with all in favor the Board of Supervisors approved the Playground Use Policy (as amended) for the Lexington Oaks Community Development District.

TENTH ORDER OF BUSINESS

**Status on Revision of Clubhouse Rules
Regulations for the Fitness Center**

Mr. Campbell presented the Clubhouse Rules and Regulations for the Fitness Center and stated that this existing policy was approved by the Board at last month's meeting. Ms. Dwyer raised a question regarding the hours of operation of the Fitness Center. Mr. Hanzel recommended the Fitness Center remain open on a 24-hour period versus the current hours of operation from 5 a.m. to 10 p.m. A discussion ensued regarding the use of an access key, an alarm system and a security camera.

Mr. Campbell made a recommendation for the Board to amend the hours of operation for the fitness center or consider alternative provisions. Mr. Campbell made a motion to amend the fitness center policy to include a modification of Item #7 on the Fitness Center policy. Mr. Campbell made suggestion to add approval dates as footnotes to existing and all policies in the future. Mr. Campbell asked for motion to approve.

On a Motion by Mr. Murray, seconded by Mr. Hanzel, with four in favor and one against (Ms. Dwyer) the Board of Supervisors approved (as amended) the Fitness Center Policy for Lexington Oaks Community Development District.

ELEVENTH ORDER OF BUSINESS

**Presentation of Fiscal Year 2005/2006
Proposed Budget and Consideration of
Resolution 2005-25, Adopting Proposed
Budget**

Mr. Campbell presented the proposed budget to the Board briefly explaining the process. Mr. Campbell stated that the purpose of the proposed budget is for the County Tax Collector's utilization to determine the assessment for the properties within the District. Mr. Campbell presented the proposed budget explaining that the line items consisted of the District Staff office comprising a budget that accurately reflects the true needs of the District versus an anticipated budget. Mr. Campbell continued explaining that the budget presented is based on adequate projections through the existing period specified. Mr. Campbell explained that the proposed budget consisted of no separate expenses other than the estimates Mr. Millard provided. Mr. Campbell continued discussion stating that the other purpose of this proposed budget is to start the process during this meeting with a 60-day window from this date, at which a public hearing will be held to adopt a final form for this budget. Mr. Campbell continued to present Budget in its different forms of what it contained. Mr. Campbell presented standard financial documentation, following the proposed budget analysis, which highlighted key areas of additions or reductions in the budget for the proposed year, followed by a total budget increase line item, which totaled \$38,915.00. Mr. Campbell stated a glossary was included describing the definition of the each line item of the budget. Mr. Campbell gave an explanation of the line items that displayed a significant increase or reduction. Mr. Campbell began by explaining the increased amount of \$38,915.00, by advising the Board to take into consideration the recommendations made by Mr. Millard as well as any other line items or capital expenditures that the District has perceived may be needed for the upcoming fiscal year. Mr. Campbell continued the presentation by explaining that the Administrative line item for Supervisor fees relates to the District having three Supervisors that were paid for the meeting attendance in December, 2004. The Supervisor fees consist of an adequate projection of one meeting per month for the upcoming fiscal year. Mr. Campbell explained that the figure does not include any additional meetings. At a Board member's request, a discussion of the proposed budget was recommended for the next meeting allowing time for the Board to review the proposed budget packet. Mr. Campbell explained that the discussion of the proposed budget could be reviewed at the upcoming budget workshop, explaining that the Board will not be allowed to make motions for approval, but will allow the Board to make recommendations.

Mr. Campbell assured the Board that he would make efforts to schedule a budget workshop before the June meeting. Mr. Campbell suggested the Board email the District Staff suggestions to compile in preparation of the budget workshop. Mr. Campbell continued explaining that the Board adopts the proposed budget with the ability to make changes throughout the 60-day period, followed by the final budget being approved by the Board after the 60-day period has occurred in which the public hearing will be held. Discussion ensued. Mr. Campbell explained to the Board that Mr. Millard would make recommendations for capital expenditures to avoid duplicating items. Mr. Campbell asked if there were any questions. A comment was made regarding the outstanding expenditures by suggesting that these expenditures be approved by the Board. Mr. Campbell clarified a question that was addressed by stating that the District account is in good standing with the exception of an estimated overage of \$8,000. Mr. Campbell stated that if the Board continued to use funds in areas where money was not previously budgeted, it may result in penalties. Mr. Campbell suggested the Board have District Staff review the current budget to see if there is room for any additional spending. Mr. Murray stated that the Bond proceeds were still available and could be used as consideration for capital improvement spending. A statement was made that if Bond proceeds were to be used as expenditures, they would have to be in accordance with the specifications set forth in the Bond issuance. Mr. Peters asked if Mr. Campbell could have the District Staff office review the financials. Mr. Campbell explained to the Board that it was necessary for the Board to vote on the proposed budget to start the process. Mr. Campbell made a motion to approve the Fiscal Year 2005/2006 Proposed Budget.

On a Motion by Ms. Dwyer, seconded by Mr. Hanzel, with all in favor the Board of Supervisors approved Resolution 2005-05, Adopting the Proposed Budget and setting Public Hearing on July 28, 2005 at the Lexington Oaks Clubhouse located at 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida 33544 for the Lexington Oaks Community Development District.

A motion was made to recess for a five minutes by Mr. Mazuchowski, Second by Mr. Murray at 7:50 p.m. to reconvene at 7:55 p.m.

On a Motion by Mr. Mazuchowski, seconded by Mr. Murray, with all in favor the Board of Supervisors recessed for five minutes at 7:50 p.m. and with same Board members reconvened at 7:55 p.m. for the Lexington Oaks Community Development District.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Robin presented item regarding the Request for Qualification (RFQ), for solicitation of District Management Services. Mr. Robin explained the schedule stating that all proposals are due by Friday, June 17, 2005. Mr. Robin stated that

once he receives the proposals, he will forward proposals to District Manager to copy and distribute to each Board members in advance of the next meeting.

B. District Engineer

Not present.

Mr. Campbell submitted a summary from the District Engineer's office regarding the drainage water control structure inventory dated June 26, 2005. Mr. Campbell explained that the report was an inventory of the drainage structure deficiencies that were previously identified by the Board in a report on April 8, 2005. The Board has authorized corrective measures to specific structures. Mr. Campbell stated the specific areas of concern. They are as follows: the Belmont Village Joint repair, which consist of a connecting pipe between ponds 6a and 6b, (repairs are underway with an anticipated completion date of June 1, 2005). The next item pertains to the breech between Ponds 17a and 17b in the Hawthorne Village. Mr. Campbell explained that these repairs were underway as well, however, this repair may require more time. Mr. Murray expressed concerns that the easement would not hold the equipment needed to repair the ponds, and made suggestion to revisit the process of repairing the ponds. Discussion ensued. Mr. Campbell stated that in regards to the bridge between Ponds 1b and 5a near the 13th hole of the golf course as well as the design for the construction on 5a, is awaiting anticipation of the solicitation of bids for construction. Mr. Campbell stated that the bids will be presented at the June Board meeting for the Board's consideration. A discussion proceeded regarding the amount of the proposed bid submittals. Mr. Murray stated that the approval would have to be made by the Board with a not-to-exceed amount of \$90,000. Mr. Campbell stated that the Board will need to review the bid before the completion of the projects. Mr. Campbell stated that he would follow-up with the District Engineer to ensure that the bids submitted are not greater than the other amount that was approved by the Board.

C. Field Supervisor/Clubhouse Manager

Mr. Millard presented the issue regarding Traffic Circle signage issue. It was stated that recommendations were made for 30 mph signs as well as a golf cart crossing sign. It was agreed to place signage for these items in the District.

There was a discussion regarding the irrigation system analysis. A discussion ensued to approve Ballanger & Co., Inc. to perform a irrigation system analysis within the community. Mr. Campbell asked for a motion to approve.

<p>On a Motion by Mr. Hanzel, seconded by Mr. Peters, with all in favor, the Board of Supervisors approved Ballanger & Co., Inc. to perform a irrigation system analysis for Lexington Oaks Community Development District.</p>

D. District Manager

Mr. Campbell asked the Board's consideration of a pay raise for Mr. Millard's salary to a status that would be more logical with his existing duties as well as the additional duties he is performing. Mr. Campbell stated after a brief follow-up of similar salaries for similar positions, it was recommended that Mr. Millard receive an increase in salary. Mr. Campbell asked if the Board had any questions or comments. A discussion ensued with the Board providing numerous comments regarding the pay increase of Mr. Millard's salary. Mr. Campbell asked for a motion to approve Mr. Millard's pay increase to \$42,000 without benefits.

On a Motion by Mr. Peters, seconded by Ms. Dwyer, with three in favor, and two against (Mr. Mazuchowski and Mr. Hanzel) the Board of Supervisors approved the salary increase of Shawn Millard to a annual salary increase to \$42,000.00 without benefits for the Lexington Oaks Community Development District.

THIRTEENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Campbell asked if there were any further Supervisor requests or audience comments. There were a number of audience present to provide comments and questions. The Board entertained the comments and questions. However, there were no decisions made.

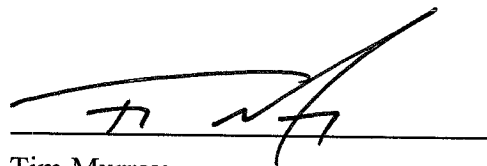
FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Murray, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors adjourned the meeting for the Lexington Oaks Community Development District at 9:45 p.m.



Matthew Campbell
Secretary



Tim Murray
Chairman