

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, June 23, 2005 at 8:30 a.m.** at the Lexington Oaks Clubhouse, located at 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida 33544.

Present and constituting a quorum:

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

Also present were:

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| 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 May 26, 2005

Mr. Campbell asked if there were any additions, deletions, or corrections to the minutes that were distributed via e-mail. Ms. Dwyer made mention of several corrections. Mr. Peters made a comment regarding corrections on the Minutes as well. Mr. Campbell motioned for approval with the revisions as discussed by the Board.

On a Motion by Ms. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors approved the Minutes of Meeting on May 26, 2005 for the Lexington Oaks Community Development District.

FOURTH ORDER OF BUSINESS

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

Mr. Campbell presented Operations and Maintenance Expenditures for June, 2005. Mr. Campbell explained that these were expenditures that occurred within the District from May 1 through May 31, 2005, totaling \$102,952.37. Mr. Peters addressed a question regarding the irrigation service repair. Mr. Murray clarified that the invoices related to an irrigation repair and are not part of the monthly charges on the existing contract. A discussion ensued. The Board requested more invoice details and to requested that the contract for Luke Bros. be reviewed further. Continuing after a brief discussion, Mr. Campbell stated that a letter would have to be submitted to Luke Bros. presenting documentation requesting a re-negotiation of the contract.

On a Motion by Ms. Dwyer, seconded by Mr. Hanzel, with all in favor, the Board of Supervisors ratified Operations and Maintenance Expenditures for June (subject to the analysis and review of the past and existing invoices for Luke Bros. based upon the existing contract and subject to review by District Counsel) for the Lexington Oaks Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Series 2002 Construction
Requisitions #107**

Mr. Campbell presented Construction Requisition #107, stating that the item is in the amount of \$4,517.57 payable to King Engineering. A clarification was addressed regarding the requisition being processed for Tom Bennett of King Engineering for the assessment of ponds 17 A&B and performing testing. A discussion ensued and Mr. Campbell explained that the requisition was utilized based upon the services of both the District Engineer and work performed by the construction engineer as well, with the proceeds allocated from the 2002 bonds.

On a Motion by Mr. Murray, seconded by Ms. Dwyer, with all in favor, the Board of Supervisors approved the Series 2002 Construction Requisition #107 for the Lexington Oaks Community Development District.

SIXTH ORDER OF BUSINESS

Status on Atlas Towing Agreement

Mr. Campbell stated that this form was awaiting finalization to change the agreement to reflect a business relationship with the District and not the Development entity. Mr. Campbell stated that the letter was executed with the towing policy attached, and will be submitted to the website accordingly.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Robin stated that the Board received four proposals as a response from the Request for Qualifications for District Management Services. Mr. Robin stated that included in the packet, was a score sheet to assist the Board in determining how adequately the various candidates responded to the request for qualifications and to assist the Board in evaluating the qualifications of each candidate. Mr. Robin requested that the Board provide him with the completed score sheet upon review of each packet. Once received, he will tally each score sheet and select the top three based on the qualifications and responses. Mr. Robin will provide the top three candidates with an invitation to attend the workshop scheduled for July 18, 2005 and make a presentation of their proposals to the Board.

B. District Engineer

Not present.

Mr. Campbell stated that Mr. Piercefield provided a copy of his report to the Board dated June 27, 2005 consisting of an update of issues occurring within the community. Mr. Campbell explained that the report stated that Item 1 consisted of the Belmont Village joint repair of the connecting pipe between Ponds 6A and 6C and that this repair is underway in accordance with the agreement with an anticipated completion date of June 1, 2005. Mr. Campbell stated that the contractor has invoiced a Requisition, #110 & #111 in the amount of \$29,815.00 that was issued for payment of the repair; Mr. Campbell presented the next item regarding new construction at the breach between ponds 17BA and 17BB within the Hawthorne Saratoga Villages. Mr. Campbell explained that the repair is being made with the agreement of RW Contracting dated May 30, 2005, with the construction in accordance to plans provided by District Engineer. Mr. Campbell continued explaining that the pipe structure is underway with a six-week fabrication period. Mr. Campbell explained that the initial construction activity would be to pump the ponds and should commence by the second week in June with a construction period between 12 to 15 days after the pond water stabilizes at the construction level, with a completion date within two weeks. Mr. Campbell asked if there were any questions.

Next, Mr. Campbell explained that the plans designed by GeoSurv3 Inc. for the correction of the breach between ponds 1B and 5A, included in this design is the construction of the cut-off for structure 5A located at the discharge end of pond 5A. The plans and specifications should be completed during the week of June 16, 2005, for the solicitation of bids for construction, with bids being presented at the June Board meeting. Mr. Campbell stated that currently the plans are being drafted and the Board has previously allocated funds for the repair of the breach between ponds 1B and 5A. The project has been expanded to include the structure 5A repair, subject to obtaining additional costs for additional work

Mr. Campbell presented the repair of the water control structures identified in the master report that were not included pending feedback from the Developer regarding the possibility of warranty coverage. Mr. Campbell also stated that the SWFWMD report for Phase I construction is being prepared for review.

C. Field Supervisor/Clubhouse Manager

Mr. Millard addressed issues regarding the additional mowing to the entrance at Hawthorne Village. It was discussed that the landscape repair estimated cost would total \$1,665, to re-grade the median. This would not be included in the Operations and Maintenance expenses. Mr. Peters requested that Mr. Millard provide a drawing of the landscape to the residents. A discussion ensued. The Board made a motion to accept additional costs at \$350 per month for the added areas of the landscape not originally included in the landscape contract.

On a Motion by Mr. Hanzel, seconded by Ms. Dwyer, with all in favor, the Board of Supervisors approved the additional cost of \$350 per month for the additional areas of the landscape to Hawthorne Village entrance not originally included in the landscape contract for the Lexington Oaks Community Development District.

A Board member addressed a question regarding the capital items in need of repair as to whether a formal motion needed to be made. Mr. Campbell clarified that this capital expense would be allocated from the Fiscal Year 2004/2005 budget.

On a Motion by Mr. Peters, seconded by Ms. Dwyer, with all in favor, the Board of Supervisors approved the capital items for (repairing the awnings, the A.C. room door and the fitness center door) and to allocate expense funds from the Fiscal Year 2004/2005 budget for the Lexington Oaks Community Development District.

D. District Manager

Mr. Campbell explained that the Form 1 Financial Disclosure statement is required on an annual basis for submittal to the Supervisor of Elections in Pasco County, prior to the specified deadline. Clarification was mentioned that failure to submit in a timely fashion is subject to significant penalties including monetary fines.

Mr. Campbell also reminded the Board that the next meeting is scheduled for the evening on July 28, 2005 at 6:30 pm. Mr. Campbell briefly explained that the proposed budget will be submitted to the website along with the revised budget based upon the comments and feedback received at the previous meeting.

EIGHTH 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 asked if there were any audience comments. Mr. Campbell stated that there were a number of audience members present. Mr. Campbell requested that the audience complete the speaker sign in cards before addressing their questions or concerns. The issues that the residents requested be addressed were: two trees that were damaged from motorist accidents; the asphalt surface repairs on Lexington Oaks Boulevard; the sidewalk repairs; the Hawthorne Village entrance repairs and the pond #33 repairs.

Mr. Murray clarified these issues by explaining that the Lexington Oaks Boulevard issue, the Board is working with the County to assess what of level of repairs are needed. Mr. Murray explained that Pulte Homes is assessing all the sidewalks that are cracked and in need of repairs. Mr. Murray explained that the contractor is setting up a pump that could take a couple of days to pump down the water in the ponds with the repair of the water control structure of the ponds to take about three to four days.

Other issues addressed by the residents were the monuments in Fairmont; the broken weir; inlets that are clogged and the pedestrian gate repairs. Mr. Murray briefly explained that these repairs were in the process of being assessed or completed.

Mr. Campbell asked if there were any Supervisor requests. The Board provided several comments in regards to the landscaping near the tennis courts; additional signage for Lexington Oaks Boulevard and whether the clubhouse and pool were deeded to the District.


NINTH ORDER OF BUSINESS

Adjournment

On a Motion by Ms. Dwyer, seconded by Mr. Peters, with all in favor, the Board of Supervisors adjourned the meeting at 10:45 a.m. for the Lexington Oaks Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman