

**MINUTES OF MEETING  
LEXINGTON OAKS  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lexington Oaks Community Development District was held Thursday, May 25, 2006 at 6:30 p.m. at the Lexington Oaks Clubhouse, 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida.

Present and constituting a quorum were:

Peter Hanzel	Chairman
Don Peters	Vice Chairman
Patricia Dwyer	Assistant Secretary
Maxine Carlson	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Bob Valentine	Engineer
Shawn Millard	Site/Community Center Manager
Numerous Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Hanzel called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the April 27, 2006 Meeting**

Mr. Hanzel stated each Board member received a copy of the minutes of the April 27, 2006 meeting and requested any additions, corrections or deletions.

Ms. Dwyer stated the spelling of Ms. Marina should be corrected on pages two and three. On page 11, the spelling of Mr. Sheil and Mrs. Larkins should be corrected and in the fifth paragraph, HQA should be corrected to HOA.

The attachments referenced in the minutes are not included in the package.

Mr. Mendenhall stated the attachments are included in the official documents.

Mr. Peters stated on page 13, the first sentence under Staff Reports should be, "...two day CP Pool Training..."

Ms. Carlson stated on page 11, the paragraph above the motion should be, "...their signs up four days prior..."

On MOTION by Ms. Dwyer seconded by Ms. Carlson with all in favor the minutes of the April 27, 2006 meeting were approved as amended.

**FOURTH ORDR OF BUSINESS**

**Manager's Report**

Mr. Mendenhall stated I want to introduce Mr. Bob Valentine the District's new Engineer.

Mr. Valentine stated good evening. Thank you for selecting American Consulting Engineers of Florida as your District Engineer. I met with Mr. Millard last week and sent a follow up email to Mr. Mendenhall to begin acquiring knowledge about the District's needs and to accomplish the direction the Board wants to take. I look forward to working with you.

**A. Consideration of Resolution 2006-6 Designating Andy Mendenhall as Assistant Secretary**

Mr. Mendenhall stated Resolution 2006-6 designates me as Assistant Secretary allowing me to be covered under your insurance and authorizing me to sign documents for the District when necessary.

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor Resolution 2006-6 Designating Andy Mendenhall as Assistant Secretary was adopted.

**B. Distribution of Proposed Budget and Consideration of Resolution 2006-7 Approving the Budget and Setting the Public Hearing**

Mr. Mendenhall stated the proposed budget for fiscal year 2007 was distributed to the Board. A workshop was held to discuss budget items and answer questions. I took the Board's input to the Accounting team and they updated and prepared this proposal. We will review the budget and see if there are any additional changes or questions. The adoption of Resolution 2006-7 will start the timeline of 60 days before the public hearing is held to discuss the budget. During the 60 day period the budget can be changed and the official budget will be adopted after

the public hearing is held. There will be two months to receive updated actuals and reach a decision of what the District requires for fiscal year 2007. I recommend we go through the different areas of the proposed budget and discuss any concerns. By accepting this budget the Board is only accepting a proposed budget and it can be modified. When the proposed budget is adopted Pasco County requires the District to submit a number for Trim by mid July. This number is what the District anticipates the fiscal year 2007 budget will be. The County sends out notices to all homeowners in the District with a preliminary tax bill. The uniqueness of Pasco County is the District needs to set the Trim level at a point which cannot be increased. Typically, a Board in Pasco County will gross up their figures by a slight percentage to make sure if between now and the official adoption something happens there is a cushion. A couple of different formats were provided at the workshop and there were some problems. Severn Trent took over from Rizzetta so there were differences in terminology and services the Board was charged for. There were items budgeted which actually change to zero dollars because we do not charge for those services. Funds were included in Administrative Services but we do not charge for this. I changed it to reflect zero dollars budgeted for this line item. Are there any questions or concerns regarding the proposed budget?

Ms. Dwyer asked what was the original Administrative Services amount?

Mr. Mendenhall responded \$7,550.

Mr. Hanzel stated we need a motion to adopt the budget. Will this be posted on the website for viewing by the residents of the community?

Mr. Mendenhall responded we can do this. To give you an idea of the process, when I return to the office I will forward the adoption of this resolution as well as a copy of any changes made to the accountant. They will rework the numbers and I will pass it along to the webmaster who can post the preliminary proposed budget.

Mr. Peters asked how does this affect the 60 day timeline?

Mr. Mendenhall responded you are voting to approve a proposed budget and set a timeline. The Board is not adopting the official budget at this time. It is not final until after the public hearing closes. The Board then votes on the final adopted budget for fiscal year 2007. This is really a formality of starting the official budget process and the timeline so residents have 60 days to review the budget figures, research and ask questions. The Board has an opportunity during the 60 days to contact me with questions for the accountants. This is setting a timeline for us to receive the final numbers and answers.

Mr. Hanzel stated what if we made a motion to adopt a working budget presented to us in Resolution 2006-7 with the ability to make corrections for a 60 day period of time? There are some projects such as waste management which are not included.

Mr. Mendenhall stated once the District sets the public hearing, there is 60 days to go out to waste management companies and find the best opportunity or to see whether or not this is even feasible. The budget you choose today cannot increase but can be lowered as much as needed.

Mr. Peters stated I do not like the word approved.

Mr. Mendenhall stated I understand. It is at the Boards discretion, we can motion to approve at this time to handle the formality and then discuss the items or discuss the items and then make a motion.

Mr. Hanzel asked does the Board wish to discuss it without the adoption process of a motion or to make the motion and make changes prior to the final adoption in July?

Ms. Dwyer responded make the motion and make changes prior to the final adoption.

Mr. Hanzel stated the wording is to approve Resolution 2006-7 adopting the budget for the purpose of setting a public hearing in July with the Board's ability to make corrections during this period of time. Would this satisfy the members of the Board?

Mr. Peters responded yes.

<p>Mr. Hanzel moved to adopt Resolution 2006-7 approving the budget for the purpose of setting a public hearing in July with the Board's ability to make corrections during this period of time and Ms. Carlson seconded the motion.</p>
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Mr. Peters stated I am concerned about the 39.5% budget increase over the last year. What is \$73,498 for in Collection Fees & Discounts?

Mr. Mendenhall responded those are directly related to Special Assessments. It is a factor which increases when assessments increase. It is based on the 1.2 million dollar proposed Special Assessment. There are certain fees associated with residents taking the early payment discount and this is an estimated amount based on all residents taking this discount.

Mr. Peters stated I prefer to see it in the revenues section. It does not look correct as an expense.

Mr. Mendenhall stated I can find out from the accountant why it is listed this way. I understand your point, we can have the net because it is the real number. There may be a specific reason why it is listed as an expense.

Mr. Peters stated the other major item is \$145,000 for trash pick up. These two line items together are more than half of the total increase.

Mr. Mendenhall stated the trash collection was an item brought up as something which could potentially be looked into. There are benefits to a community wide trash collection. I researched other communities using community wide trash collection and they bill it through the CDD. The waste management companies like doing it this way because they do not have to bill residents individually. They will generally give a decent discount to a community on a per resident basis. This was based on a monthly fee of \$8 per home using an average of a few communities who use different waste management companies. This can be slightly lower or higher. If the Board wishes, I can obtain proposals from some of the waste management companies, bring them back to the Board before the 60 day time period and if it is something financially beneficial to the District the Board can move forward. The benefits are a lower price and only one company removing garbage on a time and day specified by the District.

Mr. Peter stated I see the benefits but this will have to be explained carefully to the residents so they understand they no longer will pay an individual waste bill.

Mr. Mendenhall stated I am preparing an article for your July newsletter explaining how this waste management arrangement will work and its benefits. The item can be budgeted and taken out if the community decides it does not want it.

Mr. Peters stated a 15% increase is within my working range.

Mr. Mendenhall asked are there any other clarification points or concerns?

Mr. Peters asked are the Financial Advisory Services and Administrative Services included in the District Management Fees?

Mr. Mendenhall responded yes. They are previous line items Rizzetta charged which we incorporate into our regular management fee.

Mr. Peters stated this was not one of those listed when you responded to me. Is it included in the \$3,750?

Mr. Mendenhall responded we do not have a specific Financial Advisory Service. We have a financial analyst on staff assisting our accountants. This fee is included in the overall Severn Trent District Management fee instead of being itemized because we do not have a

specific department. The \$7,500 for Financial Advisory Services and \$7,550 for Administrative Services were deleted from the proposed budget.

Mr. Peters asked can you supply a list of items which are included in Severn Trent's fee?

Mr. Mendenhall responded the contract lists some of the higher level categories but I can supply additional detail.

Mr. Peters stated I want to know what is included in the \$3,750.

Ms. Dwyer stated I am concerned about the trash collection item.

Mr. Hanzel stated residents are already paying for trash services but we may get a better rate as a community and save the residents money.

Mr. Mendenhall stated prior to releasing information to the public, we can obtain preliminary estimates giving more concrete numbers as far as savings.

Mr. Peters stated we can do this relatively quickly looking at it for 1,300 homes and 1,509 homes.

Mr. Hanzel stated we can always delete the trash collection fee which will decrease the budget to a lower increase percentage.

Ms. Dwyer asked does the Landscape Replacement Plants line item include trees?

Mr. Millard responded this is the line item I would include it in.

Ms. Dwyer stated in 2006 there was \$20,000; we spent \$5,473 and have \$13,806 remaining. Residents are complaining about the plants on the boulevard and trees which were never replaced after the hurricane. I have photographs which I will show you later.

Mr. Hanzel stated for the order of business we need to remain on the topic.

Ms. Dwyer stated if this line item includes trees, \$10,000 is not enough.

Mr. Mendenhall stated with a new landscape company and if the Board decides to proceed with oversight from OLM the replacement costs may decrease slightly.

Mr. Peters stated in 2005 we spent \$47,800 out of the hurricane fund. We did not replace all the trees but the money was there.

Mr. Hanzel stated we replaced all the trees requested.

Mr. Millard stated we did not replace any of the cypress trees in Cypress.

Mr. Hanzel stated I will review the minutes and see if it was ever brought before the Board.

Mr. Millard stated I believe it was.

Mr. Hanzel stated I cannot recall the Board denying any replacement of trees. I know of at least two instances where we replaced trees on District property not maintained by this District. If any proposal was brought before us we approved it.

Mr. Peters stated we still have \$30,000 remaining in the Uninsurable Asset Reserve.

Mr. Mendenhall stated the District spent none of the \$60,000 allocated in the Uninsurable Asset Reserve. With \$30,000 allocated in 2007 there will be \$90,000 available.

Mr. Peters stated the \$60,000 not spent offsets other items over spent.

Mr. Mendenhall stated if the Board wants to keep assessments level, then you can choose to use some of the \$60,000 to offset whatever does not carry over. It depends on the direction the Board chooses.

Mr. Hanzel called for a vote. Let the record show with all in favor.

The prior motion with all in favor approving the budget for the purpose of setting a public hearing in July with the Board's ability to make corrections during this period of time was approved.

**C. Consideration of Resolution 2006-8 Designating Shawn Millard as the District's Registered Agent and Further Designating the District's Registered Office for Service of Process**

Mr. Mendenhall stated there is concern from a legal standpoint this may not be the direction the Board wants to take. I spoke with the Secretary and the intention of this resolution was regarding a motion in December to designate this office as the official repository. This resolution does not state this fact directly. The concerns are by accepting this resolution the Board will be designating Mr. Millard as more of a legal representative if a lawsuit was served on the District. I would like to get further clarification on this item and what exactly the motion was back in December.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor Resolution 2006-8 was tabled for further clarification.

Mr. Hanzel stated my research indicates the Registered Agent must be someone who has some knowledge of the legal system. For most organizations it is an attorney because he or she must be able to receive critical and/or legal documents for an organization such as the Lexington

Oaks CDD. If we are sued, the summons would come to the Registered Agent. Therefore, there needs to be coordination between the Registered Agent and a legal firm.

Mr. Peters stated we approved Mr. Millard keeping the records here but it does not make him the Registered Agent.

Mr. Hanzel stated we voted on this issue and I do not know why it is coming up again. It allowed legal documents such as invoices and minutes to be stored here. It is Severn Trent's job to be the main records keeper of documents.

Mr. Mendenhall stated the designated keeper of the records should be in the same county where the District is located from a legal perspective.

Mr. Hanzel stated our attorney, Mr. Robin, should be designated our Registered Agent.

Ms. Carlson asked if Mr. Robin is designated, does it mean our records will be kept in his office?

Mr. Hanzel responded no. It is a place to be served.

Mr. Mendenhall stated OLM completed the revised package and posted it on their website. It appeared in the newspaper on May 22, 2006 and we already received four requests for bid packages. There is a timeline for this process including when to advertise and the pre-bid meeting dates. At the last meeting there was a desire for one Board member to be present at the bid opening. Only one Board member can attend unless we advertise because of the Sunshine Laws.

Ms. Dwyer asked what is the date?

Mr. Mendenhall responded June 5, 2006 is the pre-bid meeting and the official opening of the bids is June 15, 2006 at Severn Trent offices.

Ms. Dwyer stated I am available.

Mr. Peters stated I am not available.

Ms. Carlson stated I cannot attend because of a conflict of interest.

Mr. Hanzel stated there is no conflict of interest because you will not have to vote.

Mr. Mendenhall stated the Board can get back to me if a member will attend.

Mr. Peters asked did the Board agree to have the basic package as proposed and also an addendum including the entire sprinkler system?

Mr. Mendenhall responded I will review the bid package and get back to the Board. There was involvement from District Counsel on this particular item pertaining to the wording.

Ms. Carlson stated I also was under the impression we requested two bids, one with irrigation and one without.

Mr. Peters stated the first package submitted was a generic package excluding pumps and underground equipment.

Mr. Mendenhall stated I will review the official records to see what was decided by the Board and will contact Mr. Rohrer the OLM representative.

Ms. Carlson asked where on the timeline does it state the present landscaping company will receive notice?

Mr. Mendenhall responded the timeline is generated by OLM but they are not the party who will terminate the current landscaper. This is notice we would give.

Ms. Carlson asked when will the notice take place?

Mr. Mendenhall responded 60 days for the current company and a ramp up time for the newly selected company. I will check with District Counsel on what we are officially required to do.

Mr. Peters stated Luke Brothers are not excluded from bidding.

Mr. Mendenhall stated correct.

Let me know what Supervisors attended the District workshops which we did not attend. Ms. Morano was not able to attend tonight but she has been in contact with me and is working on a number of issues for the Board.

Mr. Hanzel stated I suggest Ms. Morano attend the pre-bid meeting. If she cannot, Ms. Dwyer can attend.

Ms. Dwyer stated we had two workshops and no minutes were taken. Is this going to continue?

Mr. Mendenhall responded as a management company, we do not typically attend workshops. I attended the budget workshop because it was the first year preparing a budget without Rizzetta and I felt it was important for us to be involved. I did take some minutes of the meeting. At the workshops we do not attend, some of our Districts have a Board member take notes and if they want, they can record the meeting. For a workshop the regimented minutes similar to a regular meeting are not needed. I am looking for guidance from the Board. If someone wants to forward the notes or tapes to me after the meeting, I will send it to the Recording Secretary and make sure it comes before you for approval. We can do this if it is what the Board would like to do.

Mr. Peters stated the Board cannot approve items at a workshop. They must be put on a list and approved at the regular meeting.

Mr. Mendenhall stated correct. The Board cannot take any action at a workshop.

Mr. Peters stated after the first meeting with Severn Trent a project list was completed but we have not had one since. This should be done after every meeting before the minutes.

Mr. Hanzel stated I will prepare the project list from now on. You are right it is something which must be done. I will send it via email to be distributed.

Mr. Mendenhall stated I apologize, I can take part in it and institute it. One of the reasons you have not seen a project list since I have been District Manager is I created a database where I track all the items I am working on and follow up. The way the project list was being used at Severn Trent is a District Manager would return from a meeting, put down the items and email them to the responsible parties. I found things were being missed because generally the people you emailed it to were not following up. I wanted to take a more pro-active approach. When I return from the meeting I have my own personal list and make myself responsible for as much as I can. Then I call people directly and stay on top of them until they give me answers. I hope you are finding my responsiveness good compared to some of the service you received in the past. Everyone has different ways they approach tasks and if a project list is the Boards preference I can comply.

Mr. Peters stated your response time is very good and quick. My problem is asking the correct questions.

Mr. Hanzel stated according to our contract with Severn Trent and with the RFQ which went out to the public seeking a District Management Company, staff is to attend workshops “and” meetings not “or”. I wrote to Severn Trent indicating we expect you to attend our workshops.

Mr. Mendenhall asked can I address this?

Mr. Hanzel responded no, let’s move on.

**FIFTH ORDER OF BUSINESS**

**Attorney’s Report**

There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS**

**Engineer’s Report**

Mr. Valentine stated this is my first meeting and I have no report.

Mr. Hanzel stated there are many projects the District wants to complete. We have everything in place. We have done 99% of the work and we just need to get it going. Let's meet in the very near future.

Mr. Peters asked do you get involved with the architect when we construct the building or does someone else do this?

Mr. Valentine responded it will depend on how the Board wishes to proceed. It can be a totally separate item or I can be involved.

Mr. Peters asked has anything been done about looking for an architect?

Mr. Mendenhall responded no. WilsonMiller dealt with architects who specifically would have handled this.

Mr. Peters asked do you have any relationships with architects?

Mr. Valentine responded with some. I believe the project will need to be advertised.

Mr. Hanzel stated the project has to be advertised because it is over the threshold dollar amount. We can recommend architects who will be willing to work with you. The contract we signed with you states all work performed for this District becomes the property of our District. I assume this is a standard format in any contract with any engineering firm. We requested WilsonMiller and Mr. Piercefield forward all the documents to you. If after a six day period you do not receive anything, let us know and we will contact his Registered Agent.

Ms. Carlson stated the term in the near future is very vague. I hate to pin you down, but do you have any idea when the near future will be?

Mr. Valentine responded I met with Mr. Millard and am in attendance tonight to get more information regarding the projects. We can schedule a meeting next week to obtain more detail and then I will put together a schedule.

Mr. Peters stated there are many projects and we need to give him a priority list.

Mr. Hanzel stated we will arrange to meet next week. Do you want to address the issue regarding the pond in Maywood?

Mr. Valentine responded it does not need immediate attention but it will need to be placed on the priority list.

Mr. Peters asked are you proposing a Board meeting?

Mr. Hanzel responded I will meet with him one on one and go down the list, or we can advertise a workshop for all to attend.

Mr. Peters stated I do not have a problem with Mr. Hanzel meeting with Mr. Valentine first. The capital project list is prioritized and we can begin with the repair of Ponds 5A and 1B. Is it possible to use bond funds for the wooden fence in Saratoga?

Mr. Hanzel responded yes, because it is a security issue.

Ms. Carlson asked have we received bids for this?

Mr. Millard responded no.

Mr. Mendenhall stated the Board may want to advertise for proposals from waste management companies.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor staff was authorized to advertise for proposals from waste management companies.

**SEVENTH ORDER OF BUSINESS                      Bridge Club**

Mr. Hanzel stated the next item is the Bridge Club and I requested a resident attend this meeting to address the Board regarding this issue.

Mr. Vognsen stated I moved here six years ago and after one year started a Bridge Club which meets in the clubhouse every Thursday at 7:00 p.m. During the past six or eight months we have been bumped from this time. There are over 20 members and we are trying to recruit new members. This becomes difficult if a meeting schedule is not maintained.

I came back from World War II and attended college receiving a degree in business. For ten years I was Sales Manager for a National Company in the United States after which I went into business for myself in the Midwest. I was Chairman of the Downtown Business District, President and Board member of the Lions Club, a member of the Board of Directors of the Chamber of Commerce, a member of the Board of the Country Club and a member of the Bridge Club. After 30 years I came to Florida and worked in Sarasota. Over the years I attended thousands of meetings and managed hundreds of them. In the 50 years I was in business never once did anyone ever bump a meeting. Last month we were scheduled to have four nights for bridge and were bumped two nights. This month we are scheduled to have four bridge nights and we were bumped three nights. Next month we are scheduled to have four bridge nights and you bumped one night. I asked Ms. Erhardt if we can have our meetings on Friday evenings so we do not have to get bumped all the time and she responded the facility is rented out on Fridays. I attended the last meeting of the Fines Committee, who you bumped us for, and they met for 15

minutes and adjourned. We can easily meet and they can still have their meeting. I suggest the Fines Committee meet at 6:00 p.m. and the Bridge Club meet at 7:30 p.m. It should be in cement the Bridge Club meets every Thursday at 7:30 p.m. I would like to make a motion if I can; the Bridge Club meets every Thursday at 7:00 p.m. or 7:30 p.m. and never is bumped. In all the committees and meetings I attended I have never been bumped. In all the committees I have been involved with the Board does not make this decision, the Secretary makes the decision. She knows if the room is available. If you want to hold a meeting you contact the Secretary to find out if a room is available so committees do not get bumped. If they cannot change their time to 6:00 p.m., I would like to bump them for a change and let them choose another evening.

Mr. Peters asked who is the "she" you are referring to?

Mr. Vognsen responded Pat

Ms. Carlson asked who told you on Friday nights the space is needed for renters?

Mr. Vognsen responded Pat. In my experience meetings are scheduled by the Secretary because she knows if the date is locked in. You owe this to us, we pay our bills. We are trying to grow a Bridge Club. We deserve to have this and should be given consideration.

Mr. Hanzel stated someone said if you apologize it shows a sign of weakness. I want to say I am sorry and hope I can say it on behalf of this Board, I am sorry this occurred. You are absolutely right. You have been bumped and we have done a disservice. One of the items you did not mention which I feel is important is it is a CDD Bridge Club program which you run. It is not just any Bridge Club using the facility, it is for residents of the community. I had discussions with residents on the Fines Committee and I think we, as a Board, agree in the future your program will meet when you want it to meet. I do not think we should bump you in the future. I suggest if the Board must meet on a night we try to switch to a different night rather than a Thursday evening. We want to make every effort to accommodate you and not bump you in the future.

Mr. Peters asked will you accept 7:30 p.m.

Mr. Vognsen responded yes.

Mr. Hanzel stated we have CDD programs and HOA programs and in essence they are two separate organizations. There are some groups within our community who feel this is their facility and not the CDDs and we must develop a policy which will allow us to give priority to CDD types of activities.

Ms. Dwyer stated beginning in July the Bridge Club will meet on Thursdays at 7:30 p.m.

Mr. Hanzel stated I am trying to work with the Fines Committees to meet on a Wednesday.

Mr. Peters stated with all due respect this is a CDD building. On the other hand, the HOA does good things for this community and the one instance where they bumped Mr. Vognsen was under very extraordinary circumstances. There was a potential legal action pending and this was the one meeting the HOA caused the problem with the Bridge Club. You have to be reasonable and flexible in those cases.

Mr. Hanzel stated it was an emergency issue and he can understand.

Mr. Vognsen stated it happened on several occasions.

Mr. Hanzel stated the Fines Committee has bumped you on numerous occasions and other issues have come up on Thursdays. We will work on it.

Mr. Peters stated the third Thursday in June begins the Bridge Club meeting at 7:30 p.m. and the July schedule can also be changed to 7:30 p.m.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Report**

- **Site and Community Center Manager**

Mr. Millard stated correspondence from Flying Dragon Karate, an organization interested in using the Clubhouse on Wednesday mornings from 10:00 a.m. to 10:45 a.m. was distributed. If they get enough students they will request another 45 minutes, 11:00 a.m. to 11:45 a.m. Their rates are listed on page two.

Mr. Hanzel asked what will we charge them to meet here? What about insurance?

Mr. Millard responded they have insurance. I will make sure before they begin the classes they have liability waivers and insurance for all participants.

Mr. Hanzel asked where are the participants from?

Mr. Millard responded from the daycare and Lexington Oaks.

Ms. Carlson asked how will it be advertised?

Mr. Millard responded in our newsletter.

Ms. Dwyer asked do they hold classes at other locations?

Mr. Millard responded yes, in Meadow Pointe.

Ms. Carlson asked how many students are in a class?

Mr. Millard responded ten students per class. If more than ten students register, they will need an additional 45 minutes for another class.

Ms. Carlson asked how long are the classes?

Mr. Millard responded 45 minutes. There are no sessions, it is a continuous program.

Ms. Carlson asked if I register my child for \$33 and pay \$23 tuition totaling \$55 and it is an ongoing program, will I ever again have to pay any additional money?

Mr. Millard responded no. The registration fee is a one time fee and then there is a monthly tuition.

Ms. Carlson stated it is a month long class.

Mr. Peters stated it is a great exercise and we are looking for things for children to do but we need more information.

Ms. Carlson stated I want to know exactly what the cost is.

Mr. Hanzel stated get additional information. I think a fee of \$500 per month is reasonable.

Mr. Peters stated we need to find out if the monthly fee is \$55 or \$27?

Mr. Millard stated regarding the fence, I contacted four companies and none of them could come out this week. I set up two for next week and two the week after. I met with someone from Grand Oaks. They are going to put up a wooden fence where it is open. I explained we hope to install a PVC fence and she said she would hold off installing the wooden fence until we decide what we are going to do. If we install PVC then she will.

Ms. Carlson asked are you speaking about Northampton as well as Saratoga?

Mr. Millard responded yes.

Ms. Carlson asked will it come down behind the pond in Northampton?

Mr. Millard responded I will obtain two different proposals. One proposal stopping where it was and another going further down.

I do not have a specific proposal for the security system. The estimated cost has tripled to \$170,000. This will include all cameras and installation of cables.

Ms. Carlson asked who is the company?

Mr. Millard responded it is a company referred by Brandon Lock and Safes. I will obtain two other proposals with the exact same specifications.

Mr. Peters asked does this include the key card system?

Mr. Millard responded they do not know if they are going to get approval.

April was the last month the Church group will use this facility.

I distributed two Luke Brothers' invoices indicating they increased their fee. In July, 2005 they billed us \$22,000 and in May, 2006 the invoice was for \$22,660. They began this increase in October, 2005.

Mr. Peters asked is it because we added extra items to mow?

Mr. Millard responded they increased irrigation services, seasonal color installation and tree trimming. The extra mowing areas did not include any of these.

Ms. Carlson asked why is there an increase if the ground maintenance is a main part of the contract?

Mr. Millard stated typically the contracts increase every year, but Luke Brothers remained \$276,000 for all three years.

Mr. Peters stated the increase is exactly 3%.

Mr. Millard stated I remember Mr. Murray stating contracts typically increase 3% per year and there should be enough money allocated in the budget for this increase.

Ms. Carlson stated they require a contract to do this.

Mr. Millard stated correct.

Mr. Hanzel stated they owe us money. I suggest we go back through the documents and determine the amount of money we overpaid for this current year and under legal guidance reduce a future bill or bills to recoup these funds and prepare a letter to them. Who will draft the letter?

Ms. Dwyer responded I will write the letter.

Mr. Hanzel stated you asked about this financial service and I recommend to the Board we deny this request. If she wants to use our facility, she can pay the \$150.

## **NINTH ORDER OF BUSINESS**

### **Supervisor Requests**

Mr. Hanzel stated I distributed the project list and I have no problems in continuing to prepare the list.

I responded to a letter received from Sterling Management Services indicating one of the Villas wanted \$836 which they felt they paid inappropriately on their taxes. The property in question was transferred to them on December 15, 2004. Attachment two indicates it is a right-

of-way street and the appropriate mailing address for tax purposes is the correct villa and it is no longer CDD property.

Mr. Peters asked did you receive a response?

Mr. Hanzel responded no. I am still waiting for a response from a letter we sent responding to the allegation we owe them \$1,400.

Ms. Dwyer stated I am distributing a letter from Mr. Davis, a resident, regarding the replacement of trees. I went back in the records and inspected the area referred to in the letter. There are 16 trees which were never replaced between Remington and Northampton. The photographs indicate the area is bare. I think this is the last sheet Mr. Fox consented to in January, 2005 for tree replacement. It indicates the remainder of storm damaged trees for \$27,000 are awaiting the budget for 2005-2006. This got lost and was never followed through. Mr. Davis indicates he spoke to staff on five occasions, one of who was Mr. Fox. I would like to see some of these trees replaced.

Mr. Hanzel stated Mr. Millard can get some bids.

Mr. Millard stated there are additional trees down in other villages.

Ms. Carlson asked are you going to look at all the trees within the community as well as the main boulevard where they removed trees and did not replace them?

Mr. Millard responded I can look at everything if it is what the Board wants.

Mr. Peters stated I commend you on the project list.

Mr. Hanzel stated I will up date the project list and email it to Mr. Mendenhall for distribution.

## **TENTH ORDER OF BUSINESS**

### **Audience Comments**

Mr. Hanzel stated next is audience requests and the Board will take them one at a time.

Ms. Federico asked will Miss Brenda's Swim School be open to the public? She has left the gate open because students do not have a key.

Ms. Carlson responded her mother sits in the corner and opens the gate.

Ms. Federico asked will she be here after 7:00 p.m. every day of the week.

Mr. Millard responded she will be here on Tuesdays, Thursdays and Fridays.

Mr. Hanzel stated we are charging her \$500 per month payable upfront.

Mr. Peters stated the Board discussed this in great detail and it is a good thing. The children need to learn how to swim.

Ms. Federico asked can the Board find out what type of business is coming to the front area and when it will open?

Mr. Peters asked are you referring to the area on the left when you exit?

Ms. Federico stated we were told in the past it was going to be daycare, offices, restaurants and we want to know what is going on.

Mr. Hanzel responded I will try to find out by the next meeting.

Ms. Reilly stated the area behind Dark Star Loop is not being mowed.

Mr. Hanzel responded Mr. Millard will check on this.

Ms. Reilly stated there is graffiti on the flowerpot in the Saratoga entrance.

Mr. Hanzel stated we will take care of it.

Ms. Larkin asked would the CDD be interested in installing a bocce ball court?

Mr. Hanzel responded you can look into it but we never considered it.

Ms. Larkin asked when will something be done about the Churchill Villa landscaping?

Mr. Dwyer stated other residents in Churchill Villa sent emails regarding this problem. Can we do anything about this?

Mr. Millard responded the Board decided to wait for the new landscape company.

Ms. Kirschner asked is the skate park a go?

Mr. Hanzel responded yes.

Ms. Kirschner stated I am not too keen on this because of the insurance issue and it seems to be more geared to guys than girls. Are we going to do something special for girls?

Mr. Hanzel responded you can email us some suggestions for the girls. Regarding insurance, the State of Florida created a special statute limiting liability. The only way this District can be sued is if we grossly do not maintain the skateboard park.

Ms. Kirschner asked is the pool going to be heated?

Mr. Hanzel responded yes.

Ms. Kirschner asked are you aware of the pond issue behind my house?

Mr. Hanzel responded yes, it has been taken care of.

Ms. Kirschner asked can something be included in the July newsletter regarding the raking of the pond.

Mr. Hanzel responded there will be an article in the July issue. We had a meeting with SWFWMD who advised us if you as a citizen are in a pond creating a problem, SWFWMD will fine the District. Our attorney sent a letter to an individual who was creating a problem.

Mr. Munro stated I am Chairman of the Landscaping and Irrigation Committee for Pimlico. We use One Source and Pimlico is fine, but residents are concerned about the boulevard. Trees and bushes are dying. We checked the references for One Source thoroughly and they maintain Bush Gardens and Innsbrooke. We contacted Innsbrooke and they used One Source since 1980. They renewed their contract every five years and will renew again this year because of the quality of their work. One Source should be considered and we can vouch for them. We want to see the boulevard look as nice as what Pimlico will look like when they finish.

Ms. Lindsay stated this is an issue the Board probably covered at a previous meeting which I did not attend. My house is for sale and I had seven signs stolen. I use the word "stolen" very strongly because I am nine months pregnant and I put the signs out Saturday morning and they were gone by 5:30 p.m. Saturday night. Gone, stands were left in the ground and the signs were gone. I do not know who took them but if you are here, please come forward. I would love to shake your hand, great job. I would like the signs back. I bought them and this is my real estate agent who also paid for those signs. I would like an answer on what is happening regarding these signs. I do abide by the rules and was told it was Friday night to Sunday night when they were able to be out. I always put them out Saturday morning and take them down Sunday. All of a sudden they are gone. We spoke to Mr. Hanzel and he does not think anyone on the Board took them. I thought there were perhaps new rules we did not know about and someone brought them to the clubhouse, but they did not. Seven signs are gone and at \$10 a sign it is a lot for a resident to spend. I am just trying to sell my house.

Ms. Kirsten stated whoever is taking the signs return them to the clubhouse.

Ms. Dwyer stated put something on Mrs. Larkins' website requesting the people return them. We will be enforcing the Pasco County ordinance soon.

Ms. Lindsay stated yes, for the property owned by the County but some of this is also CDD owned.

Mr. Mendenhall stated the Pasco County ordinance supersedes CDD property because it is considered county property which the CDD is authorized to maintain from a technical perspective.

Mr. Millard stated no one from this office removed the signs. We have not enforced the ordinance.

Mr. Mendenhall stated be aware after July 1, 2006 it will be according to the Pasco County ordinance.

Ms. Lindsay stated I abide by the rules. On Tuesdays Pasco County does a sweep and removes the signs from the main road. Is there someone here who is authorized from Pasco County to take the signs down?

Mr. Dixon stated as previously discussed Pimlico uses One Source for landscape maintenance and there has been a positive change. We recommend using this company for the boulevard landscaping. They are very responsive and are located in the area. The equipment they use has been less destructive to our lawns. This is the first time in five years our weed situation is addressed.

Mr. Hanzel stated thank you and we appreciate you taking care of the boulevard.

Ms. Smith stated I want to address the fence behind Northampton and also what you intend to install in Saratoga. My concern in reference to using PVC is much of the PVC is being destroyed by children especially behind Northampton. They are climbing our fences and are why the woodlands are badly destroyed. The cost of a concrete structure will be more but the longevity will be greater than a PVC fence. Perhaps the wall behind Saratoga can use PVC. I am not as concerned with that location as I am with the one behind the community in which I live.

Secondly, I would like to ask when are you accepting bids from contractors to do the landscaping? When we accepted Luke Brothers it was because we were told by our attorney we had to accept the low bid. If we accept the low bid we will get the same service we received from Luke Brothers. You get what you pay for. Do we have to accept the low bid?

Mr. Hanzel responded the Pulte Board accepted that bid, and it was not the attorney who advised them. State statute does lend to the fact you are suppose to take the lowest qualified and responsible bidder.

Ms. Smith asked who makes the determination of what is responsible and qualified?

Mr. Hanzel responded the Board.

Ms. Smith asked is this done by looking at all their qualifications?

Mr. Hanzel responded yes, and checking references.

Mr. Peters stated we also hired a consulting company specializing in evaluating landscaping companies to run the bid process.

Ms. Smith asked does the project list get published on the website for homeowners to see the kind of projects you are working on?

Mr. Hanzel responded it could be.

Ms. Smith stated I was not in the community and did not participate in meetings during the last six months because our home was on the market. It is no longer on the market because of family issues. I was not involved in the skateboard park decision. I heard tonight it was approved and I am against it. Many homeowners within the community are against it and I thought since we had a skateboard park in our beautiful park area why would we want to do this here. We can use these funds for some other facility or something else within our community that more homeowners with children might be able to take advantage of.

Lastly, as far as the signage is concerned I also lost money. There were children who actually went around and removed the signs. I am concerned as a homeowner about our rights to be able to sell our homes. We need signage whether by owner or a realtor representing us. We need the ability to direct people into our community as well as into our street to access our homes. I hope the Board takes this into consideration and reconsiders being so strict in reference to the signage.

Mr. Hanzel stated thank you.

Ms. Boudreau stated I gave my list of club activities for children to Mr. Millard. I would like the Board to consider having an Activities Director in Lexington Oaks. Committee meetings are using much of the evening times making it difficult to schedule events for teens. Perhaps this room can have an accordion divider which can be opened when needed. This way the room can be used half for a meeting and half for a small group of children to do some form of activity.

My other issue is emergency exits in the villages. If there was a fire at the entrance another exit is needed in our villages. How would we exit our villages if there was an emergency?

Mr. Hanzel responded I will follow up on this. To the best of my knowledge there is some exit out near the tennis court area.

Ms. Boudreau asked how would the residents of Remington exit their community if the entrance was blocked.?

Mr. Hanzel responded if their entrance was blocked they could walk the road. We can look into an exit out of the south end and north end. Cost for road structure and how the community was designed is a factor.

**ELEVENTH ORDER OF BUSINESS**

**Approval of the Financial Statements and Check Registers**

Mr. Hanzel asked are there any concerns regarding the enclosed financials?

Ms. Dwyer stated the description should not be insurance/security vehicle for check #1213 in the amount of \$1,500 for the Lexington Oaks Crime Watch. \$1,000 was used for deputies.

Mr. Mendenhall stated we can change this for clarification.

Mr. Hanzel stated on 4/12/06 checks #1198 and #1199 were written to New Life Total Floor Care Company. They have not been with us for a long time.

Mr. Mendenhall stated the check amounts are for zero dollars. I will check on this and get back to the Board.

Mr. Peters asked did you receive my note on Wesley Chapel Storage?

Mr. Mendenhall responded yes. I spoke with our Accounts Payable area as well as our accountant regarding the monthly fee. You are correct in stating the monthly fee is less than the \$180 indicated.

Mr. Peters stated the monthly fee is \$50.

Mr. Mendenhall stated the agreement is for a monthly fee and not a \$600 lump sum. We need to go back to Wesley Chapel Storage and find out why they invoiced us for this amount.

Mr. Millard stated I did and the \$50 per month is for a year period. They were invoicing us because they did not receive the check. I did a check request in October and never received it. I did it again and finally received it and sent it to them. In the meantime, Severn Trent received the \$180 invoice and paid it and they also received the \$600 invoice. We paid the \$600 for the year and then paid the extra \$180. Wesley Chapel Storage took all the late fees off and put the \$180 towards rental of the storage unit. We are paid up until mid April, 2007. We will owe \$20 in April, 2007.

Ms. Carlson stated there is an invoice from Luke Brothers for replacement of a Hunter ICC timer approved by Mr. Millard for \$1,217.95. Why are we paying for this, is it part of the irrigation?

Mr. Millard responded it was for a clock repaired. I asked the Board if we were going to pay for it.

Ms. Carlson asked who is responsible for the clock, is it not part of our irrigation?

Mr. Millard responded clocks are part of our irrigation.

Ms. Carlson stated their contract states they will take care of all irrigation. They just received \$1,217.95 above their contract if I am reading this correctly. Does everyone agree this is part of their irrigation? I am not sure where it divides.

Mr. Peters stated this is what has been so difficult. I believe Mr. Millard did bring this item to the Board not long ago.

Mr. Millard stated it is for the clock in Preakness.

Mr. Peters stated if we paid and should not have, I will take the blame. Let's focus on getting the bids from the new companies.

Ms. Carlson stated Ms. Dwyer is writing a letter to Luke Brothers regarding other overages and this can be included. If we think we approved this then do not include it.

Mr. Peters stated the clearer item was last month when we paid \$675 for the removal of a tree. This clearly was in their contract. Did we do anything about this charge?

Mr. Hanzel responded no.

Mr. Mendenhall asked are we going to let this charge ride?

Ms. Dwyer responded I think we should.

On MOTION by Ms. Dwyer seconded by Mr. Peters with all in favor the financial statements and check register dated April 30, 2006 in the amount of \$53,956.80 were approved.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Ms. Dwyer seconded by Mr. Hanzel with all in favor the meeting was adjourned.

\_\_\_\_\_  
Andy Mendenhall  
Assistant Secretary

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Peter Hanzel  
Chairman



NOTES:

- DM to post proposed budget on website
- DM to check on putting Collection Fees & Discount in Revenue vs. Expense
- DM to prepare article for newsletter regarding waste management
- DM to supply list of items included in Severn Trent fee
- Put revised Res. 2006-8 on next agenda
- DM to check with OLM regarding addendum to bid package for irrigation
- DM to check with attorney regarding giving notice to present landscape company
- Dm to advertise for proposals from waste management companies
- Site Manager to obtain bids for tree replacement
- Chairman to prepare project list and email to DM for distribution
- DM change description of check #1213 to used for deputies
- DM to check on New Life Total Floor Care Company checks #1198 and #1199