

**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 on Thursday, April 26, 2007 at 8:30 a.m. at the Lexington Oaks Clubhouse, 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida.

Present and constituting a quorum were:

Don Peters	Chairman
Maxine Carlson	Vice Chairperson
Peter Hanzel	Assistant Secretary
Ray Dolente	Assistant Secretary
Terry Bechtel	Assistant Secretary

Also present were:

Andy Mendenhall	Severn Trent Services
John Vericker	Attorney
Bob Hendricks	Lexington Oaks Clubhouse Staff
Several Residents	

*The following is a summary of the minutes and actions taken at the April 26, 2007 Lexington Oaks Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Peters 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 March 22, 2007 Meeting**

Mr. Peters stated each Board member received a copy of the minutes of the March 22, 2007 meeting and requested any additions, corrections or deletions.

Mr. Hanzel presented the following correction:

Page 5 – Bottom of the page, the word “advised” should be “stated”.

Mr. Peters presented the following corrections:

Page 2 – Middle of the page, the public hearing is at 6:30 p.m.; not 7:00 p.m.

Page 5 – Middle of the page, should say “Preakness and Hawthorne roads are owned by the CDD who is responsible for the maintenance of Lexington Oaks Boulevard beyond the circle”.

Ms. Carlson presented the following corrections:

Page 7 – Middle of the page, “\$3,800 to \$4,500” should be “\$4,500 to \$3,800”.

Page 11, Middle of the page, “motion sensors” should be “moisture sensors”.

On MOTION by Mr. Dolente seconded by Ms. Carlson with all in favor the minutes of the March 22, 2007 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**Acceptance of Audit for Fiscal Year 2006**

Mr. Hanzel moved to accept the audit prepared by Keefe, McCullough & Co. for fiscal year 2006 and Ms. Carlson seconded the motion.

- Mr. Hanzel reported the following:
  - On page six, the auditor indicated the 2007 budget for the General Fund increased by 12% but felt it only increased by 5% to 8%. Mr. Peters confirmed the 12% included the 4% early payment discount as an expense. Mr. Mendenhall will obtain further clarification.
  - Page three discusses various revenue sources. Mr. Hanzel inquired where the difference between District expenses and income of \$1.6 million goes. Mr. Mendenhall confirmed the difference carries forward as a surplus but offered to obtain further clarification.
- Mr. Mendenhall felt this was a positive audit.

On VOICE VOTE with all in favor the prior motion to accept the audit prepared by Keefe, McCullough & Co. for fiscal year 2006 was approved.

**FIFTH ORDER OF BUSINESS**

**Discussion items**

**A. Discussion of 2008 Fiscal Year Budget**

**i. Reserves**

- This item covers the budget for the reserve for the gated communities as well as the general reserve. The proposed budget will be distributed at the May meeting.

- Mr. Peters questioned why the budget had accounts for Preakness, Hawthorne and the CDD in interest bearing accounts for operation of the gates.
- The Board discussed the following budget changes:
  - Ms. Carlson and Mr. Hanzel suggested increasing the assessment for Preakness from \$4,600 to \$5,000 to replace pavers.
  - Mr. Peters requested an increase of \$55 to the assessment for Preakness for operation and maintenance of the gates.
  - Mr. Peters requested telephone charges of \$100 per month for Preakness and \$50 per month for Hawthorne be added to the O&M gate line item.
  - Ms. Carlson requested \$3,000 per village be added for signs. Mr. Mendenhall suggested this expenditure be paid through the general reserve.
  - Mr. Hanzel requested nine months of expenses be added to the electric line item to cover the additional homes coming into the District from the Street Lighting District.
  - Mr. Peters requested expenses for the roof of \$25,000 and \$50,000 for the pool resurfacing be added. Mr. Mendenhall offered to contact the contractors to see if there were any price increases.
- Mr. Hanzel requested Mr. Valentine update the number of homes in the Reserve Study from 1,407 to 1,509. Mr. Mendenhall offered to speak to Mr. Valentine about updating the Reserve Study and whether there was a cost involved.
- Mr. Bechtel recommended the gate expense be separate and the operating costs be mainly for operations and maintenance.

**ii. September 30, 2006 Financials**

This item was discussed at the workshop meeting.

**B. Ratification of Items Discussed at April 12, 2007 Workshop**

- Mr. Mendenhall reported there was a great deal of discussion but no items for ratification.

**C. CDD Fees**

- The Board planned to hold a public hearing on the CDD fees; however, after further discussion at the workshop, the attorney recommended looking at comparable fitness

clubs in the area. Mr. Mendenhall offered to compile a list of what other districts charge for their facilities.

- Mr. Mendenhall inquired whether the information from the YMCA and other District rates could be used legally to create the rate schedule. Mr. Vericker recommended Mr. Mendenhall retain any documentation in case an audit is performed in the event the rates are set too high.
- Mr. Bechtel will work with Mr. Mendenhall on the fees.
- Mr. Vericker suggested having public comment on the fees at the May meeting.

**SIXTH ORDER OF BUSINESS**  
**Street Lighting District**

**Manager’s Report**

- Mr. Hanzel inquired whether a letter was sent to Mr. Joe Marina with the Withlacoochee River Electric Cooperative regarding dissolution of the Street Lighting District.
- Mr. Mendenhall provided to the Board a copy of the letter to Mr. Joe Marina and reported he spoke to an individual at the Pasco Lighting District to discuss the specifics and the costs involved.

On MOTION by Mr. Peters seconded by Mr. Bechtel with all in favor Mr. Mendenhall was authorized to send the letter to Mr. Joe Marina with the Withlacoochee River Electric Cooperative requesting dissolution of the Street Lighting District.
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- Mr. Peters asked Mr. Tim Murray why the Street Lighting District was created in the first place but had not received a response.

**“No Swimming & Boating/Fishing At Own Risk” Signs**

- Mr. Mendenhall requested an estimate from a sign vendor he was familiar with. The vendor based the estimate on five to ten signs. The price for five signs was \$114 and \$206 for ten signs. The vendor requested the following:
  - Number of signs needed and how many ponds the signs were to be placed on.
  - Whether the quality of the sign was acceptable or if the Board wanted a different quality.
  - Exact verbiage for the signs

- Mr. Hanzel requested a sign with a symbol similar to ones placed at the Oakstead ponds.
- Mr. Bechtel suggested differentiating between swimming and fishing/boating.
- Mr. Hanzel requested the policy for no swimming and fishing/boating at own risk be placed on the website and clarification on the type of boating permitted such as outboards and catch and release fishing. Mr. Mendenhall will draft the policy and provide to the Board at the next meeting.
- Ms. Carlson addressed the following:
  - Questioned the legality of posting a sign at the gate instead of on each pond. Mr. Vericker reported this was sufficient as long as it was visible. Mr. Hanzel felt a sign on each pond was better.
  - Questioned how the signs at the pond will remain in place. Mr. Hanzel suggested installing the signs 4.3 feet from the shore on galvanized poles.
- Mr. Bechtel questioned whether there will be an additional cost for installing the signs. Mr. Mendenhall confirmed the sign company will charge for the sign installation.
- Mr. Peters requested the signs be installed on the ponds facing Lexington Oaks Boulevard.
- Mr. Bechtel felt 10 signs were sufficient.
- Mr. Peters requested a revised quote for the installation of 10 “No Swimming” and “Fishing/Boating at Own Risk” signs.
- Ms. Carlson questioned the effectiveness of having “No Soliciting” signs at each village rather than at the front gate. Mr. Mendenhall reported he had “No Soliciting” signs in his neighborhood and they were effective.
- Ms. Carlson requested pictures of the signs. Mr. Mendenhall will email the pictures to the Board.
- Mr. Millard was in the process of obtaining quotes for signs in Hawthorne and Preakness when he resigned.

#### **Assessment Allocation Report**

- Mr. Mendenhall provided a copy of the original Assessment Allocation Report prepared by Mr. Rizzetta in 1988 to the Board in regards to discussion at the

workshop on the rationale behind determining the assessment for the golf course and day care center. Ms. Karen Ellis in the Assessment Department reviewed the report and felt some items did not mesh. It turned out the last page was not in the documents forwarded to the management company. Mr. John McKay from Rizzetta & Company provided a copy of the missing page, which documents the rationale behind each of the lot sizes for the day care and golf course. The assessments were the same after the community was built out based on the acreage analysis.

- Ms. Carlson inquired whether the 2.75 acreage was where the clubhouse was built. Mr. Mendenhall offered to verify with Rizzetta. Mr. Vericker verified according to page one of the Allocation Report, the 2.75 acres included the golf course, clubhouse and day care facility.
- Mr. Hanzel feels the assessments were based on the physical property and not the land.
- Mr. Peters feels the golf course gets a free ride because the CDD maintains the sidewalks their golf carts use. Mr. Mendenhall suggested revising the Assessment Methodology Report in order for the golf course to pay more assessments and offered to ask Ms. Karen Ellis what the District's options are and what costs were involved.
- Mr. Hanzel addressed the following:
  - Questioned whether a District can assess a single residence. Mr. Vericker verified it can be done but on a proportionate basis.
  - Questioned whether a District can levy a specific fee for a specific service. Mr. Vericker concurred so long as it was to their benefit.
  - Questioned whether the CDD has the eminent domain right to acquire property. Mr. Vericker verified there was a provision in the statute but he was not familiar with it.
  - Suggested the CDD Board acquire the golf course as a revenue source for the community.

### **Personnel Manual**

- Mr. Mendenhall reviewed the Personnel Manual as well as Mr. Bob Fernandez, who used to be a County Manager. Mr. Fernandez made some changes and it is now

ready to be published. Mr. Mendenhall will provide the final Personnel Manual to the Board for review and approval at the next meeting.

- Ms. Carlson inquired about the RFP for the security system. Mr. Mendenhall called Mr. Robin the other day to discuss but Mr. Robin has not responded. Mr. Peters reported Mr. Robin will be on vacation for the next two weeks and directed Mr. Vericker to review the RFP and provide feedback.

## **SEVENTH ORDER OF BUSINESS**

### **Attorney's Report – Update on Ownership of Pumps and Ponds**

#### **Pocono Water & Sewer**

- Mr. Vericker left a message for Mr. Ken Murray but had not received a response. This matter ties into the acceptance of the roads by Pasco County.

#### **Hose Bibs**

- Mr. Robin suggested the Board contact the Trustee to obtain a Letter of Credit as he felt negotiating with Pasco County will probably cost more than the Letter of Credit.

#### **Water Use Permit**

- Mr. Vericker directed Mr. Valentine to verify the fines on the outstanding bills were paid. Mr. Mendenhall thought the fines were paid. Mr. Robin recommended this matter be resolved before the transfer commences for the pumps and wells. Mr. Bechtel questioned who currently owns these pumps and wells. Mr. Vericker verified the permit was never transferred into the District's name.

#### **Street Lighting District**

- Mr. Vericker did preliminary research on refunds to the residents within the Street Lighting District. Usually a refund is not given if a challenge was made. However, as there is a statute of limitations beyond five years, the full amount will not be refunded, just a proportionate amount based on the following:
  - When the house was built
  - If the owners were the original owners
  - How long the owners lived there
- Ms. Carlson inquired whether each homeowner individually has to petition the District for reimbursement or if the homeowners have to do so as a group. Mr. Vericker verified each individual homeowner will have to petition the District.

- Mr. Hanzel recommended each homeowner hire their own attorney, present their documentation to the District and plead their case.
- Mr. Peters felt if a homeowner was successful, they could receive a couple of hundred thousand dollars and questioned who pays if they win. Mr. Vericker confirmed the District will have to assess themselves to issue the refund.

**SIXTH ORDER OF BUSINESS**

**Manager's Report**

**Site Manager Search**

- Mr. Mendenhall placed the advertisement for the Site Manager in the newspaper and 50 resumes were submitted. Over the past few weeks, he has been reviewing the responses and narrowed down the list to eight candidates based on the salary range the Board specified. The next step is to interview the candidates. Mr. Mendenhall offered to email the list of candidates to the Board.
- Mr. Peters questioned how many candidates dropped out due to the salary requirement. Mr. Mendenhall confirmed 40% of the candidates dropped out but felt the list of eight candidates were good and there were other candidates should anyone drop out.

*After further discussion by the Board, there was Board consensus for Mr. Mendenhall to conduct the initial interviews of the eight candidates at his office and schedule follow-up interviews with the most qualified candidates to meet with Mr. Hanzel and Ms. Carlson at an advertised committee meeting. Mr. Mendenhall offered to provide the short and long list of candidates and their resumes to the Board by email.*

**EIGHTH ORDER OF BUSINESS**

**Engineer's Report**

**A. Reserve Study**

This item was discussed earlier in the meeting.

**Pool Heating Submittals**

- Mr. Valentine recommends awarding the contract to Solar Solutions in the amount of \$61,900.
- Mr. Bechtel questioned the maintenance cost. Mr. Peters confirmed the cost for pool maintenance was between \$7,000 and \$14,000 per year or less than \$1,000 per month.

On MOTION by Mr. Hanzel seconded by Ms. Carlson with all in favor the pool heating contract was awarded to Solar Solutions in the amount of \$61,900 as recommended by Mr. Valentine.

- Mr. Hanzel directed Mr. Mendenhall to work with Mr. Valentine on the coordination of this project.

**B. Update on Capital Projects**

- Mr. Valentine provided a spreadsheet on the capital projects, which will be made a part of the record. Changes were made to the estimated and actual costs. Mr. Mendenhall will verify the requisitions match the actual costs.
- The actual cost for the playground was \$135,000 and the solar pool heating item will be changed to \$62,000 from \$100,000 to reflect award of the contract to Solar Solutions.
- Mr. Peters requested the project list include the estimated cost and the current (actual) cost. Mr. Hanzel suggested waiting until the final bills were paid. Mr. Mendenhall offered to add another column between the estimated and actual cost for the updated estimate.
- The Board came in under the estimated amounts, which was positive.

**Hose Bids**

- Mr. Peters suggested contracting out the pressure washing for the sidewalks instead of staff doing the pressure washing themselves.
- Mr. Dolente recommended leaving the maintenance of the monuments to clubhouse staff.
- Mr. Hanzel feels the cleaning of the monuments are a priority and pressure cleaning equipment could be purchased. The sidewalks will only need to be pressure cleaned once every 18 months to two years and could be contracted out.
- Mr. Hanzel questioned whether the performance guarantee for the hose bids goes away if the District does not proceed with the ROW permit.
- The performance guarantee will disappear if the District pays the \$74,000 or the Trustee writes a letter to the county explaining Lexington Oaks is a government entity and provide a copy of the bond.

- Mr. Hanzel feels the District should install the hose bibs, forget about the performance bond, and purchase the equipment and a cart for the hoses.

On MOTION by Mr. Peters seconded by Mr. Bechtel with all in favor the hose bib line item on the capital improvement project list will be changed from \$85,000 to \$30,000; \$5,000 for pressure washing equipment and \$15,000 for the purchase of a cart for transporting the hoses.

**Fitness Center**

- Mr. Peters questioned whether the furniture for the clubhouse meeting room was billed to the fitness center and in the fitness center.

**C. ARC Bids**

- Mr. Hanzel sent an email to Mr. Valentine with the name of an architect; Flores & Hernandez but had not received a response.
- Mr. Mendenhall had not received any responses to the RFP and offered to contact other engineers for recommendations and provide to Mr. Valentine.

**B. Update on Capital Projects**

**SWFWMD**

- Mr. Peters disagreed with engineer's statement regarding ponds 1B and 5A being owned by the golf course and with the estimate from the engineer of \$50,000 per pond for bank repairs or \$300,000. He feels \$150,000 per pond is accurate.
- Mr. Valentine is working on the design for the control structure.

**Pond Fountain**

- Ms. Carlson questioned the total amount for the pond fountain. Mr. Mendenhall offered to obtain the exact amount. Mr. Hanzel directed Mr. Mendenhall to expedite the fountain installation.

**Physical Security System**

- Mr. Peters received an estimate of \$280,000 for the security system. A new PVC fence was included for \$50,000; however this amount is incorrect and should be \$75,000.

### **Lighting at Bus Stops**

- The purpose of this item is to get Withlacoochee to place lighting at the end of each village, which is dark when kids were getting onto the bus in the morning.
- Ms. Carlson requested this item be placed on hold.

### **Front Entrance Enhancements**

- This work will be placed on hold until the SR 54 work is complete.

### **Pond Plants**

- These are the littoral shelf type plants to control runoff into the ponds and erosion control. They are aesthetically pleasing when the water recedes.
- Mr. Bechtel requested this item be placed on hold.

### **Broken Fences**

- There are broken fences in North Hampton behind Rising Star and behind Grand Oaks and Saratoga.

### **Drinking Fountain**

- Both drinking fountains were installed and functioning.

### **Roundabout Lighting**

- \$7,300 was paid to Withlacoochee but the project is not complete.

### **Sports Court Lighting**

- A street light was installed at the tennis court. The intent is now to install lighting by the basketball and tennis courts. The lights for the tennis courts will be installed in small steps due to the residents in Saratoga. The lighting for the basketball courts will provide needed lighting at night but cause people to play past midnight.
- Mr. Dolente suggested lighting be added at the fitness center. Ms. Carlson suggested timers for the lights.

### **Skate Park**

- This item is now complete.
- The total amount of the capital improvement projects was \$1,440,000 and there was \$1,800,000 in the capital projects account.

### **Supervisor Questions on Capital Projects**

- A number of hose bibs were originally going to be installed for \$85,000 but this amount has now been decreased to \$30,000. Ms. Carlson questioned whether One

Source will stop the installation of the annuals. Mr. Peters felt One Source was waiting for the hose bibs to be installed.

- Mr. Peters directed Hanzel to deliver the paperwork to the county.
- Mr. Hanzel will work with Mr. Mendenhall on the pool heating contract and the pond plants.
- Mr. Dolente will work with One Source on the installation of the hose bibs and front entrance enhancements. Mr. Hanzel suggested the new Board members go on walk throughs with OLM.
- Mr. Bechtel will handle the fitness center project and the sports court lighting.
- Mr. Peters will work with Mr. Valentine on the SWFWMD matter, broken fences, drinking fountain and roundabout lighting.
- Ms. Carlson will work on the physical security system.
- Mr. Peters directed Mr. Valentine to complete the following:
  - Evaluate the irrigation pump operation control
  - Provide cost estimate for fencing around the pump
  - Work with Mr. Dolente on reclaimed water problems
  - Repair pond banks
  - Prepare the Irrigation Agreement and establish cost savings

**NINTH ORDER OF BUSINESS**                      **Staff Report**  
**Site/Clubhouse Manager – Update on Projects**

- Mr. Hendricks addressed the following:
  - Provided estimates from All First Marketing for the electronic message board. The estimates range from \$6,000 to \$19,500, depending on the size and style of the board.
  - Mailboxes have been set up at the clubhouse for the Supervisors
  - Provided a notice from Aquatic Systems reflecting change in monthly charge from \$1,700 to \$1,770 to be effective on October 1<sup>st</sup>.
  - Provided a contract renewal from Air Care for preventative maintenance of all heating and cooling systems for \$82 per quarter.

On MOTION by Ms. Carlson seconded by Mr. Bechtel with all in favor the contract with Air Care for preventative maintenance of all heating and cooling systems in the amount of \$82 per quarter was renewed for the period May 1, 2007 to April 30, 2009.

- The inventory update is complete. Three chaise lounges were damaged over the past year; however they do not need to be replaced. One table was badly damaged and could not be repaired. There are 14 tables with small cracks; however they do not need to be replaced this year. The pool umbrellas need to be replaced as they are in various stages of disrepair. Each of the 14 tables should have an umbrella. The price for new umbrellas with bases is \$129 each.
- Mr. Hanzel questioned what line item will be used to pay for the umbrellas. The umbrellas will be paid for out of the pool repairs line item. Mr. Hanzel recommended the funds be paid out of the clubhouse facility maintenance line item.

On MOTION by Ms. Carlson seconded by Mr. Bechtel with all in favor the purchase of 14 umbrellas for the pool in the amount of \$129 each for a total amount of \$2,000 was approved.

- Mr. Hanzel requested a copy of the inventory list.
- Mr. Hendricks discussed schedule changes in the clubhouse due to various events being held. Mr. Hanzel requested the clubhouse be staffed from 10 a.m. until 6 p.m. for public convenience. Mr. Hendricks reported this matter will be impacted by the existence of a full-time Site Manager.

*After further discussion, The Board directed Mr. Hendricks to discuss this matter further with his staff.*

- Mr. Peters requested the Board increase Mr. Hendricks hourly salary due to an increase in his workload and responsibilities. His current salary is \$15 per hour. Mr. Hanzel felt Mr. Hendricks made some valuable suggestions such as removing the barbeque from the pool deck and hiring Atlas Electrical to look at the light fixtures. Mr. Dolente recommended an hourly increase to \$18 per hour.

On MOTION by Mr. Hanzel seconded by Ms. Carlson with all in favor Mr. Hendricks salary will be increased from \$15 to \$18 per hour effectively immediately until a permanent full-time Site Manager is hired.

- Mr. Peters discussed Mr. Hendricks duties and provided the following recommendations:
  - Mr. Dolente will handle landscaping concerns, ADT and follow up on capital projects.
  - Mr. Hanzel will hire lifeguards and remain inside the clubhouse from 7 to 9 a.m. to handle any resident concerns.
  - Ms. Carlson will handle payroll and timekeeping matters.
- Mr. Hendricks suggested reducing the Saturday hours from 11 to 5 in order to keep staff at the clubhouse from 9 to 6.
- Mr. Hendricks provides Ms. Carlson with his payroll on an excel spreadsheet and will continue to do so.

**ELEVENTH ORDER OF BUSINESS                      Audience Comments**

- Ms. Eleanor Stalnaker requested landscaping in the islands rather than mulching in Pimlico. Mr. Peters feels the Board can do anything they want inside of the gate but the residents can do whatever they wish to the exterior but they have to pay for it.
- Mr. Bechtel wants everything to be uniform. Ms. Carlson agreed the Board wanted continuity through all the islands and requested the Board revisit the proposal for \$4,000 as it included both the interior and exterior of the islands. Mr. Peters feels the proposal only includes the exterior. Ms. Carlson indicated there is \$4,000 remaining for mulching the islands.
- Mr. Peters does not have a problem fulfilling the landscaping contract but wanted to know if the rest of the Board was in agreement.
- Mr. Hanzel feels Ms. Stalnaker and the rest of Pimlico want to design their own facility outside of the gate. He agreed with having continuity on the outside portion, however, was concerned about a new Board refusing to pay and putting the expense onto the CDD.

- Ms. Stalnaker questioned what the Pimlico committee can do. Mr. Peters feels they can do whatever they want to inside of the gate. Mr. Bechtel agreed with revisiting the mulching of the islands.

Mr. Hanzel moved to maintain the five village islands as they are currently being maintained and the CDD islands remain as-is pending approval of the budget for 2008. There being no second to the motion, the motion died.

#### **TENTH ORDER OF BUSINESS**

#### **Supervisor Requests**

- Mr. Dolente addressed the following:
  - Requested the website be updated to reflect the new supervisors.
  - Requested a line item in the budget for OLM expenses. Mr. Mendenhall recommends these expenses be paid under the Landscaping Consultant line item.
- Mr. Bechtel addressed the following:
  - Investigated the pump controls and how they work.
  - Feels the way Pasco County is billing reclaimed water is incorrect as the meter readings do not match what was billed. Pasco County is researching the matter further.
  - Provided a series of reclaimed water bills from last July with the name “Oaks Golf Course of Lexington” totaling \$35,000, which have not been paid. Mr. Mendenhall confirmed these bills were forwarded from Pulte. The Board tabled this item at a prior meeting until the percentages for water usage were determined between the CDD and the golf course and an agreement could be worked out. Pasco County and Pulte are aware of the situation. Mr. Bechtel recommends the CDD pay the entire bill and assess the golf course for their portion. Mr. Peters disagreed with the CDD paying the entire bill.
  - Mr. Hanzel feels the CDD does not have the credence to collect money from the golf course and suggested talking to the attorney about past practice. In the past Pulte paid the bills for the golf course since they owned the golf course. Mr. Mendenhall will find out from the county if they received payment prior to July of 2006 and who they received those payments from.
  - Mr. Bechtel suggested the CDD send an address change to the county to send the bills directly to the golf course.

- Mr. Mendenhall offered to check with the accountant to see whether bills for this meter came to the CDD office prior to July of 2006.
- Ms. Carlson addressed the following:
  - School buses are parked overnight at the day care center even though there is a “NO OVERNIGHT” parking sign. Mr. Peters feels there was no problem with the day care center parking their buses overnight so long as there was no illegal activity taking place.
  - Received a phone call from Mr. Tim Murray regarding the pond permits.
  - The vandalism letters were mailed to the parents of the violators yesterday by certified mail. Copies of the letter will be provided to the Board at the workshop meeting. The letter invites the parents to the next evening meeting if they wish to address the Board. The May newsletter stated chairs, tape and a long handled axe were found at the crime scene and the parents wanted those items returned to them. The police have these items.
  - An email was sent to Mr. Mendenhall requesting OLM attend the next workshop. Mr. Mendenhall made this request to Mr. Tom Rohrer at OLM who will send someone from his office to attend.
- Mr. Hanzel addressed the following:
  - Questioned whether the barbecue was removed from the deck. Mr. Hendricks confirmed this item was removed.
  - Requested a Home Depot Credit Card for the Site Manager.
  - The inspection he attended with OLM was a good one and encouraged other Board members to attend.
  - The workshops end in May and requested the Board and staff schedule additional workshops. Ms. Carlson indicated the workshops were scheduled until August.
  - Mr. Hanzel contacted Pulte and performed a walk through with them on after the workshop last Thursday. Pulte agreed to come back and go through the punchlist with their asphalt company and Kearney on the underdrains. Mr. Bob Costa from OneSource pointed out a number of items to Pulte such as the replacement of grass or sod and any irrigation repairs. However, the county interrupted their plans to make the repairs by closing Old Pasco Road and rerouting the traffic

coming in and out of Lexington Oaks. Mr. Hanzel suggested cutting ties with Pulte, doing the work ourselves and billing Pulte.

- The Red Cross provided the name of an individual who teaches Lifeguard classes and recommended three people. He offered to interview these Lifeguards with Ms. Carlson. The concern is these individuals are 17 years old but they are mature and trained in Red Cross procedures. The cost for hiring Lifeguards from the Red Cross is \$10 per hour per Lifeguard. Mr. Hanzel requested guidance from the Board on the cost of hiring the Lifeguards and the hours needed. He recommended two Lifeguards be on staff from 1 p.m. until 9 p.m. on the weekends starting when school lets out at the end of May.
- The county plans to re-build the monument at the entrance. Mr. Hanzel plans to schedule a meeting with Mr. Shepherd, the Project Manager at the county to discuss the Board's ideas on the type of monument to build. The CDD will not have to pay for it but it will have a commercial look to it. Mr. Hanzel will provide further details at the next workshop. Ms. Carlson likes the design but did not want anything commercial. Mr. Peters disagreed on the positioning of the monument and felt it should be placed further into the median.
- In the budget for 2007, the Board requested \$400 from three villas. Pimlico and Remington paid \$400 for the electrical to run their gates but Churchill did not. Mr. Hanzel suggested the electrical company bill them directly. Mr. Peters reported as of October 1<sup>st</sup>, the Board chose to have the three villas pay for their own electricity.

On MOTION by Mr. Bechtel seconded by Ms. Carlson with all in favor the District Manager was authorized to send a letter to Withlacoochee informing them to start billing Sterling Management for Churchill Villa \$400 for electricity effective immediately.
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- Mr. Hanzel questioned whether action was taken on the 962 ornamental plants. Mr. Peters confirmed OneSource provided a new quote for a three foot strip in front of the monument and one row of Viburnums instead of two in the amount of \$12,000. However, when Mr. Peters questioned why the amount was not \$6,253,

he was told there was an error in the first quote. Mr. Hanzel provided photographs to the Board and proposed the following:

- \$1,625 for removal and disposal of dead material and bed preparation
  - \$1,040 for topsoil
  - \$9,684 was spent for plant replacement
  - \$10,000 budgeted for plant replacement
- According to the photographs, Maywood has one row of plantings and Pocono has some plantings in front of the monument. The 962 (3) gallon plants calculate to 34 plants per entry for 13 monuments. This did not include Maywood, which was already completed and Pocono, which is questionable.
  - Mr. Hanzel felt the budget was too high as his first responsibility was to the District and its residents.
  - Mr. Peters has several proposals for fixing the entrances and taking the sod and placing it within three feet of the bank to reduce the amount of topsoil and increase the amount of sod. The original proposal was for two rows of ornamentals but when one row was deleted, the amount of the proposal was still \$12,000 due to an error in the original proposal. He felt putting in sod made sense. However, the question is whether the Board wants to pay \$12,000 for one row of ornamentals.
  - Mr. Dolente feels the sod and topsoil should be placed and to do the ornamentals at a later time. Mr. Peters feels the Board should subtract the ornamental amount of \$12,506 from the \$23,220 proposal to change the total amount to \$10,915, which includes the removal and disposal of dead material, adding 22 cubic yards of topsoil three feet from the wall and adding 11,680 feet of St. Augustine sod.

On MOTION by Mr. Peters seconded by Mr. Bechtel with Mr. Hanzel, Mr. Dolente, Mr. Bechtel and Mr. Peters voting aye and Ms. Carlson abstaining, the proposal dated February 28, 2007 in the amount of \$10,915 for the removal and disposal of dead material, adding 22 cubic yards of topsoil three feet from the monuments and adding 11,680 feet of St. Augustine sod in front of the monuments was approved.

- Mr. Peters addressed the following:

- At the workshop meeting, a resident provided two quotes for her Ford Explorer, which was hit by the Preakness gate. As she pulled past the gate, a bicyclist cut in front of her and when she stopped, the gate hit the back of her car. Mr. Peters met with the resident and her husband to see the car because when he went to check the gate, he stopped his car in the middle and the gate did not move. Accurate Electronics came out to test the gate and discovered two feet of the exit side of the pavers does not register and will close on a car. Accurate Electronics will provide a quote to extend the settings from medium sensitivity to high. The question before the Board was whether or not to pay for the car repairs. The quotes were in the amount of \$299 and \$356.
- Mr. Bechtel questioned whether this expense was covered under the District's insurance. Mr. Mendenhall felt it was probably not worth going through the insurance company as the deductible was \$500.
- Mr. Hanzel felt the expense should be paid out of the Preakness gate line item.
- Mr. Peters questioned whether the District would be inundated with requests for car repairs if this bill was paid by the District. Mr. Mendenhall felt there was a fair chance of this occurring. Mr. Peters will provide the quote from Accurate Electronics to Mr. Mendenhall and authorize them to repair the gate. If no one else comes forward for car repairs, the resident will be reimbursed.
- Mr. Peters received a call from a resident in Belmont on Saturday night in regards to a buried pipe sinking into the ground. This pipe was first repaired in March of 2005. Bay Area Environmental Services came out the next morning and said it was sinking again. There is enough money in the bond funds to pay for the work, if necessary. Environmental Services provided a letter saying:

“On April 24<sup>th</sup>, Bay Area Environmental Services inspected the stormwater system. Bay Area Environmental Services performed dip repairs in 2005 with a one year warranty. Therefore, Bay Area Environmental Services proposes to flood the storm system using nomadic caps to pump the system down and televise to locate the problem. If this is a defect from Bay Area Environmental Services workmanship, we will repair at no cost to the District. If the problem is related to something else, we will charge to pump and re-fill the system.”
- There is a golf course crossing at Rising Star, which is CDD property. There was a request from a resident for some Viburnum on each side. Mr. Hanzel confirmed this

was a \$3,000 expenditure the Board did not approve. Pulte installed sprinklers on the property and were supposed to move them. Mr. Peters stated the sprinklers were not moved and part of the resident's complaint was she was watering this property and paying for the water on her water bill even though it was CDD property. Ms. Carlson questioned who gave the golf course the right to install a stop sign if this was CDD property. Mr. Hanzel confirmed Pulte was responsible for moving the sprinklers while the CDD was responsible for installing shrubbery. He felt the CDD should install the shrubbery. Mr. Peters felt even though the money could be taken from contingency funds to plant Viburnum, he did not feel it was the CDD's responsibility to do so.

- Mr. Peters received a request from OneSource to install mulch for \$33,687.50 and requested approval from the Board to execute the contract. *There was consensus from the Board.*
- Mr. Peters received a contract for installing plantings at the Remington berm to replace broken trees. The contract was for the full amount but since the Board only approved half of the contract amount, Mr. Peters requested approval from the Board to execute the contract with this amendment. *There was consensus from the Board.*

## **TWELFTH ORDER OF BUSINESS**

### **Approval of the Financial Statements, Check Registers and Invoices**

- Mr. Peters questioned why this item was always after Audience Comments. Mr. Mendenhall confirmed since the Board typically had many questions on the financials, rather than having the audience wait until this after this item to address their comments, this item was moved.
- Mr. Bechtel noticed a credit under legal fees and inquired whether the District was getting money back. Mr. Peters confirmed they charged the O&M Fund for work relative to the capital projects. Mr. Mendenhall clarified the work was billed incorrectly.
- Mr. Peters was pleased the collection fees were posted as an expense, the early payment discount was posted as a reduction from income and there was no charge for electricity this month, even though the check register reflected \$7,639. On the check register, there were three payments for telephone adding up to \$316.99. After six

months, the financials reflect 50% of the year and only 37% of the expenditures were used.

- Mr. Hanzel addressed the following:
  - Was happy to see a line item for road and street facility repairs for Hawthorne and Preakness.
  - Requested documentation for the funding of the facility; showing how much money comes in and how much was collected through rental of the facility. Mr. Hendricks confirmed the March report was sent to Coral Springs. Mr. Peters indicated it will probably be on the next report. Mr. Mendenhall confirmed there was a line item for Other Miscellaneous Revenues of \$25 for the March 31<sup>st</sup> time period and \$2,800 for the year. Mr. Hanzel expressed concern over checks and balances.
  - Noticed \$3.86 was paid for a parcel of property and inquired why it was listed if there was no tax due. Mr. Mendenhall will ask the accountant. Mr. Peters indicated this was for the golf cart crossing. Mr. Hanzel questioned the company who wanted to purchase property in the District. Mr. Mendenhall confirmed they were supposed to present at the meeting but he had not heard back from them.

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with all in favor the financial statements, check registers and invoices in the amount of \$65,953.19 for the period ending March 31, 2007 were approved.
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- Ms. Carlson submitted her resignation effective today due to being exempt on voting on landscaping matters. However, she will continue attending the meetings and be active in the community. Mr. Hanzel felt Ms. Carlson should re-consider as she means so much to the Board and hates to see her go. Ms. Carlson felt she could contribute more as a member of the audience. Mr. Hanzel requested she think this decision over. Ms. Carlson felt the landscaping was a major item but as much as she enjoyed serving on the Board and contributing to the community, she made her decision to resign months ago. Mr. Peters felt there was more to her decision than not being able to vote on landscaping matters but was sorry she made this decision.

**THIRTEENTH ORDER OF BUSINESS      Adjournment**

On MOTION by Mr. Bechtel seconded by Mr. Peters with all in favor the meeting was adjourned.

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Andrew P. Mendenhall  
Assistant Secretary

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Don Peters  
Chairman