

**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, May 24, 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
Peter Hanzel	Assistant Secretary
Ray Dolente	Assistant Secretary
Terry Bechtel	Assistant Secretary

Also present were:

Andy Mendenhall	Severn Trent Services
Tracy Robin	Attorney
Bob Valentine	Engineer
Bob Hendricks	Lexington Oaks Clubhouse Staff
Tom Nicol	Resident
Carol Nicol	Resident
Tom Cayce	Resident
Patricia Ehrhardt	Resident
Javier Acosta	Resident
Lillian Acosta	Resident

The following is a summary of the minutes and actions taken at the May 24, 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

Organizational Matters

A. Acceptance of Resignation of Ms. Carlson

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with all in favor the resignation of Ms. Carlson was accepted.

B. Appointment of Supervisor to Fill the Unexpired Term of Office (11/2010)

- Mr. Peters requested the open seat be advertised.
- Mr. Mendenhall reported the last open seat was advertised in the newsletter and felt it made good sense to do so again. He will provide letters/resumes of interested candidates to the Board at the next meeting.
- Mr. Peters confirmed the next newsletter will not be sent out until July.
- Mr. Hanzel appointed Mr. Bechtel to fill the unexpired term of Ms. Carlson.
- Mr. Robin advised in order for Mr. Bechtel to fill the unexpired term, he will have to resign and be re-appointed to the vacant seat. However, he was uncomfortable with the Board doing this and will review the statute.

C. Oath of Office of Newly Appointed Supervisor

This item will be tabled until a candidate is appointed.

D. Election of Officers

Mr. Hanzel appointed Mr. Bechtel as Vice Chairman and Mr. Peters seconded the nomination. There being no further nominations, with all in favor Mr. Bechtel was elected Vice Chairman.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of April 26, 2007 Meeting

Mr. Peters stated each Board member received a copy of the minutes of the April 26, 2007 meeting and requested any additions, corrections or deletions.

Mr. Peters presented the following corrections:

Page 2 –Top 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?”

Page 19 – Sixth sentence, should say “He stopped his car in the middle”.

Mr. Hanzel presented the following correction:

Page 5 – Middle of the page, “Mr. Peter” should be “Mr. Peters”. In the last sentence, “Dr. Rizzetta” should be “Mr. Rizzetta”.

On MOTION by Mr. Hanzel seconded by Mr. Dolente with all in favor the minutes of the April 26, 2007 meeting were approved as amended.

FIFTH ORDER OF BUSINESS Attorney's Report

A. Update on Ownership of Pumps and Ponds

B. Water Use Permit (Pulte to Golf Course)

- Mr. Robin reported at the last meeting, there was a question about the operation and control of the pump station and not about ownership; along with the need to have assistance from the District Engineer to determine whether the pump station was functioning in a manner to allow the Board to operate consistent with the permit requirements.
- Due to an error made by SWFWMD, the permit was in the name of the golf course following an application by Pulte without any background documentation such as the deed, which is in the name of the District.
- Mr. Peters reported the ponds were in the name of the HOA.
- Mr. Valentine explained when the permits were transferred for operation and maintenance; they were placed in the name of the HOA. They can be transferred back to the District by completing the proper documentation. The error was made by Pulte who filled out the request for transfer.
- Mr. Hanzel offered to complete the paperwork to transfer ownership to the CDD.
- Mr. Robin made the following recommendations:
 - The transfer of the pumps and permit to the District not be done until the District had control over how the pumps operate, consistent with the agreement with Pasco County and the SWFWMD permit.
 - Evaluation of the pump as the golf course was not getting reclaimed water as was intended from the pump station.
- Mr. Valentine confirmed the District's permit was not only for the pumps at the pump station but for the pump the golf course uses.
- Mr. Bechtel explained originally, there was a 2" well to trench irrigation to the entranceway. Later a 10" line was added to irrigate the golf course. At a later time, Pasco County came in with a reclaimed water line. When the golf course or Lexington Oaks Boulevard requires irrigation water, the pressure in the line drops low enough to where the pumps run.

- Mr. Peters reported 70% of the water used comes out of wells and only 30% was reclaimed. The reclaimed water must be used on Lexington Oaks Boulevard, for the community center, Churchhill and Remington.
- Mr. Robin expressed concern over the golf course being in violation of the amount of water pumped out of the wells.
- Mr. Bechtel reported Irrigation Technical Services offered to provide a free proposal as there currently is no control of the pumps when people need water. The suggested adding a booster pump to the reclaimed water line at a cost of \$50,000.
- Mr. Robin reported Pasco County requires reclaimed water to be used first and only in the event of a shortfall as the well water was only to be used as a supplement.

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor Mr. Bechtel and Mr. Valentine were authorized to obtain a free proposal from Irrigation Technical Services who will determine how the District can maximize its use of reclaimed and well water.

C. Water/Sewer Problems (September 2005 Letter to Garth Noble – Pulte’s Response)

- Mr. Peters reported a letter was sent to Mr. Garth Noble from Pasco County when he had water and sewer problems. Mr. Robin confirmed he had not received a letter from Mr. Noble. Mr. Peters inquired whether the District needed to pay Mr. Valentine for repairs or if Pulte should be responsible. *Mr. Robin felt this was an engineering issue and offered to write a letter to Mr. Tim Murray regarding a status report.*

D. Deeding of Property to Homeowners Adjacent to Golf Cart Path

- Mr. Robin provided a copy of a plat to the Board and reported there was a 45’ wide tract of land running from the street to the rear of two lots. The entire 45’ strip was to be used for utility, drainage and ingress/egress purposes and owned by the CDD. There was a reservation over the entire area. Pulte installed the irrigation when they constructed homes. He does not recommend the conveyance of this property; however, he recommended obtaining a recommendation from the engineer about whether or not the strip was necessary to service the District.
- The homeowners will be affected by the following:

- Getting title to property with liability attached to it.
- Will not be able to fence as it must remain open for drainage and ingress/egress of the golf carts.
- Will be liable if someone is hurt as it is their property.
- Mr. Valentine reported the District needs this strip to service parts of the drainage control structures and drainage system. He suggested moving the sprinklers off of CDD property onto the homeowner's property since they are paying the water bill.
- Mr. Robin addressed the following:
 - The homeowners could cut the line and stop irrigating it at any time.
 - It was not a good idea for the District to give up the property, given the nature of the parcels and the way the easements were imposed.
 - By virtue of these easements, there are certain limitations to uses. The easements were imposed for the benefit of the District.
 - If the District were to convey the strip to the residents, the District should consider covenants and conditions on the title conveyed, in addition to what was on the plat, in order to ensure the District in the future has any rights it may need for access and service of drainage.
 - The golf course may decide not to water it and leave the easement in gravel.
 - There is no obligation for the District to repair the cart paths.
- Mr. Peters pointed out if the property up to the golf cart path was deeded to the homeowner, they would be liable. The CDD has the same liability. *Mr. Robin reported the District has sovereign immunity and there were some good reasons why the property was in the name of the District.*
- Mr. Robin explained Bahia grass will grow during the summer when it is raining, grow dormant in the winter and turn brown but was not dead.
- Mr. Acosta questioned whether the strip will affect his property value as he lives on the golf cart path.
- Mr. Hanzel suggested obtaining a proposal to install \$3,000 worth of bushes and a separate meter for irrigation and force Pulte to move the sprinklers.
- Mr. Peters felt the District should be compensated for the reclaimed water going forward. The District will continue to own the property.

- Mr. Hanzel questioned whether there was any golf course irrigation nearby, which could be tapped for irrigating the bushes and the Bahia grass. *Mr. Valentine recommended moving the sprinkler lines and installing bushes along each side.* Mr. Peters felt installing bushes did not solve the problem.
- Mr. Peters questioned what the homeowners will have to agree if the strip up to the golf cart path was deeded to them. *Mr. Robin will obtain further information from the engineer on what he foresees the District encountering over an extended period of time to use the area for ingress/egress and drainage purposes.*
- Mr. Robin recommended the Board obtain an appraisal or survey for the strip.
- Mr. Peters requested a document be prepared reflecting the conditions. *Mr. Robin was directed by the Board to prepare a document for the homeowner to agree to certain terms and conditions in deeding the property.*
- Mr. Peters requested a proposal to move the sprinklers. *Mr. Robin felt supplying the irrigation from a source on the golf course will remedy the problem.*
- Mr. Tom Nicol requested a meeting between a representative from the Board and the residents. Mr. Peters reported he has nothing to say to the homeowners until Mr. Robin prepares the document with the conditions.
- Mr. Hanzel requested a proposal from OneSource for the installation of bushes and negotiating with Pulte regarding the removal of the sprinklers.
- Mr. Robin suggested obtaining an appraisal on the parcels if the District decides to sell the land.

SEVENTH ORDER OF BUSINESS

Discussion Items

F. Banning of Vandals Families

- Mr. Mervin Lavinsky and a representative from the (Ken) Wright family reported they received letters banning them from the recreational facility for three months. They feel their children were not responsible. They were just in the area and no charges were filed.
- Mr. Peters reported there have been instances with fires started in the woods, gate on the tennis court being ripped off and furniture thrown into the pool at night.
- Mr. Hanzel confirmed he was at the scene and their children were involved in setting the newspaper racks on fire. A report was filed, although there were no

charges. The children were placed into a “Diversion Program”. The previous Site Manager witnessed the incident. He directed the parents to contact the Sheriff’s Office for a copy of the report.

- Mr. Eric Axe, parent of the child who caused fire in the preserve area reported his son was going through the “Diversion Program”, performing 60 hours of community service, writing letters of apology and attending a fire prevention program. He feels the entire family should not be banned.
- Mr. Peters thanked Mr. Axe for his input and concern as a parent.
- Mr. Bechtel feels the child should only be banned and not the entire family.

On MOTION by Mr. Bechtel seconded by Mr. Dolente with Mr. Peters, Mr. Dolente and Mr. Bechtel voting aye and Mr. Hanzel voting nay, the child will be banned from the CDD facilities and not their family effective immediately.

SIXTH ORDER OF BUSINESS Engineer’s Report

A. Update on Capital Projects

- Mr. Valentine provided an updated capital project list to the Board and addressed the following:
 - *Playground* – The County approved the plans and some equipment will be purchased.
 - *Solar pool heating* – The Board selected Solar Solutions at the last meeting. Mr. Peters reported someone from the Board informed them they were selected before the contract was signed by the Board. Mr. Mendenhall apologized for notifying Solar Solutions prematurely and will work with Mr. Valentine on the preparation of a contract.
 - *Hose Bibs* – Mr. Peters reported the Board approved the installation of 17 hose bids at the monuments and the purchase pressure washing equipment. Mr. Valentine confirmed a performance bond was not necessary.
 - *Fitness Center* – Mr. Valentine reported he set up a meeting with SFWMD regarding the drainage. Mr. Mendenhall reported the RFP for the Architect was re-advertised as no responses were received. He will email a copy of the

advertisement to the Board. *Mr. Robin encouraged staff to contact Architects and not rely on the advertisement.*

- *SWFWMD* – Mr. Valentine reported the control structures plans were being prepared except for Ponds 17A, 17D, 1B and 5A. Ponds 17A and 17D will need to be repaired and 1B and 5A are on golf course property. The contractor will develop the plans for Pond 27C. He spoke to SWFWMD who said even though different materials were being used, as long as they were designed to meet the same flow lines, they had no problem with them.
- Mr. Valentine will work with Bay Area Environmental in regards to the buried pipe.
- *Pond Fountain* – Mr. Valentine reported no SWFWMD permit was necessary and the fountain was functioning. Mr. Peters signed the bill from OneSource.
- *Physical Security System* – Mr. Mendenhall confirmed the RFP for security was advertised and will be in the newspaper today.

Mr. Robin reported at the entrance of the community; corner of S.R. 54 and Lexington Oaks Boulevard, the plat did not show an easement for landscaping and questioned whether the District had an easement, right of use permit or deed. Mr. Valentine thought the property belonged to the District and there was an easement adjacent to the road. The installation of the landscaping was completed as part of the development by Pulte and did not require an easement. Mr. Robin expressed concern whether the District had a legal right to use the property for the purpose of installing security equipment. Mr. Valentine will review the plat to determine whether or not the District has any easements.

- *Lighting at Bus Stops* – Board is working with Withlacoochee.
- *Front Entrance Encroachments* – This item will be on hold until the S.R 54 improvements are complete.
- *Pond Plants* – Mr. Hanzel is working on this item.
- *Broken Fences* – Mr. Peters is working on this item.
- *Drinking Fountain* – This item is complete.
- *Round-a-bout lighting*– This item is complete.

- *Sports Court Lighting* – This item will be included with the fitness center.
- *Skate Park* – This item will be removed from the list.
- Mr. Valentine reported the changes to the capital projects will cost \$10 per resident.
- Mr. Peters reported staff is working diligently on the kitchen upgrade but was concerned about \$30,000 in new equipment for the fitness center, which could be used towards kitchen upgrades. He requested the new stove, refrigerator and countertop be paid for out of the O&M Fund in the budget.

B. Reserve Study Update

- Mr. Valentine reported he was not ready to discuss this item.
- Mr. Hanzel requested a status on the road study for Hawthorne and Preakness. Mr. Valentine reported the study was performed and the county requested a drawing showing all pavement markings. He plans to talk the county into not requiring them otherwise CAD drawings will have to be prepared. He felt this was a moot point as there were no markings on the roadway.

C. Architectural Bids

This item was discussed under the capital projects report.

D. Belmont Pipe Repair

This item was discussed under the capital projects report.

E. Repair of Ponds 1B, 54 & 27

This item was discussed under the capital projects report.

SEVENTH ORDER OF BUSINESS

Discussion Items

A. Ratification of Items Discussed at May 10, 2007 Workshop

i. Purchase of Fence for Around the Pumps - \$3,600

On MOTION by Mr. Hanzel seconded by Mr. Dolente with all in favor PVC fencing will be placed around the pumps in an amount not to exceed \$3,600.

ii. Open House Signs/One Per Village (Saturday & Sunday – 12 p.m. to 5 p.m.)

- Mr. Peters reported to ease the burden on residents trying to sell their homes, one open house sign per village will be allowed between the hours of 12:00 p.m. to 5:00 p.m. on Saturday and Sunday.

On MOTION by Mr. Dolente seconded by Mr. Hanzel with all in favor one open house sign per village will be allowed between the hours of 12:00 p.m. to 5:00 p.m. on Saturday and Sunday.

- Mr. Dolente suggested all open house signs be identical and offered to notify local realtors.

iii. Hose Bibs – Only by Monuments (17 Already Installed)

This item was discussed under the capital projects report.

B. CDD Fees

This item will be discussed under the manager’s report.

C. Selection of Site Manager

- Mr. Mendenhall reported there was an initial screening of all candidates and first round of interviews for eight candidates. The candidates were then narrowed down to four individuals. Mr. Hanzel assisted Mr. Mendenhall in interviewing the remaining candidates and reached consensus on two candidates suited for the job. Mr. Mendenhall presented the resumes of the two candidates to the Board.
- Mr. Hanzel requested the candidates attend the June 7th workshop.

D. Playground Development

This item was discussed under the capital projects report.

E. Lifeguards

- Mr. Hendricks reported the pool will be staffed this weekend.
- Mr. Peters reported he received complaints about kids jumping over the fence to use the pool and no supervision.
- Mr. Hanzel reported there were four good lifeguard candidates and three were hired.

F. Banning of Vandals Families

This item was discussed earlier in the meeting.

G. Request for Soccer Camp (June & July)

- Mr. Peters reported there was a request for a resident to run a soccer camp from 9 a.m. to 2 p.m. five days a week in June and July. They will charge \$150 per week.
- Mr. Dolente questioned whether the District has any liability if a child is injured. Mr. Robin reported when the Board allows another party to use their property, the other party usually provides insurance. Often times, releases are required to be signed by the participants.
- Mr. Hanzel addressed the following:
 - Whether the District will receive a fee.
 - Concerned about the resident utilizing the soccer field for their exclusive use and preventing other residents from using it.
- Mr. Peters requested this request be denied.

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with all in favor the request for a soccer camp from 9 a.m. to 2 p.m. five days a week in June and July was denied.

H. Entrance Ornamentals (One Source)

- Representatives from One Source gave a presentation on the ornamentals and provided the following prices:
 - Normal 1 Gallon Plant - \$4,210
 - 1 Gallon Ornamental - \$8,756
 - 3 Gallon Ornamental - \$8,400
- Mr. Peters felt the Jack Frost Ligustrums were suitable, which cost \$4,000 less than the \$12,000 bid provided at the last meeting.

Mr. Peters moved to authorize One Source to plant 653 gallon Jack Frost Ligustrums in an amount not to exceed \$8,450 and Mr. Dolente seconded the motion.

- Mr. Hanzel felt the District was being overcharged and liked the current look of the monuments with the mulch. He requested additional sod be added in front of the stop signs.

On VOICE VOTE with Mr. Peters and Mr. Dolente voting aye and Mr. Hanzel and Mr. Bechtel voting nay, the prior motion to

authorize One Source to plant 653 Jack Frost ornamentals in front of the monuments in an amount not to exceed \$8,450.

- A representative from One Source reported they received a failing score by OLM and addressed the following as the reasons for the failed score:
 - Not being able to water due to new pavement being installed on S.R. 54.
 - OLM was not familiar with the contract.
 - OLM penalized them for not trenching but trenching is not in One Source contract (according to the minutes of the April 2006 meeting)
- One Source feels the District has come a long way in their landscaping and they are striving to make it better.
- Mr. Hanzel reported Greenbrier was supposed to replace 6,500' of dead sod and felt the comments made by One Source were noteworthy and supports them.
- Mr. Mendenhall recommended the Board contact Mr. Tom Rohr at OLM to discuss these issues before making any decision. He offered to contact Mr. Rohr to discuss the report and the points brought up by One Source. Mr. Hanzel agreed with discussing the issues with Mr. Rohr, however he felt both of these firms work for the District and it was the Board's decision to make. He felt One Source worked hard to correct the damage caused by the construction on S.R. 54.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor One Source will not be penalized on the five points deducted by OLM due to trenching not being included in their contract and landscaping affected by the S.R. 54 construction.

- Mr. Peters addressed the following:
 - Inquired when the Viburnum will be planted in Remington and North Hampton. *The representative from One Source reported the Viburnum was delivered but he was getting further direction on where it was to be planted.*
 - Inquired when the tree in Saratoga was going to be replaced. *The representative from One Source reported the tree will be replaced next week.*

I. Fishing/Swimming/Boating Policy Signs

- Mr. Mendenhall provided the following policy to the Board:
 - No swimming or wading.

- No powerboats of any kind.
- Fishing: Catch and release only, no trespassing on residents' property or parking on CDD grass.
- Mr. Peters requested no alcoholic beverages be added.
- Mr. Glenn Davis lives on a pond in War Admiral and feels fishing was not a problem but was a behavioral problem. People walk along his property and leave beer bottles and other trash. He was happy to hear Viburnum was being planted.
- Mr. Peters did not know what the CDD could do other than floating a barge in back of the resident's house. They cannot stop people from trespassing.
- Mr. Mendenhall provided suggested signs to post on the ponds.
- Mr. Lynn Davis addressed the following:
 - Reported cars were parking in North Hampton where the pump station was located.
 - Inquired whether canoes or paddleboats were allowed. *Mr. Mendenhall reported they were permitted according to the policy.*
 - Inquired why the ponds were open to the public. *Mr. Robin reported this was public land; meaning if District has a policy permitting fishing, the public was welcome to fish. The District was a unit of local government and all of its land was on public property. Subject to the District's adoption of a policy to restrict fishing, the residents and the public were not allowed to fish.*
 - Inquired whether there was a county law for public waters to be accessible for public use. *Mr. Robin reported he was not aware of any statute requiring this, however, these drainage facilities were owned and operated by the District.*
 - Inquired whether the Board's decision can be changed if it was an illegal action. *Mr. Robin reported the Board has legislative authority and if the Board does something inappropriate or illegal, the courts can overturn them. However, there was nothing illegal about either of these decisions. It was within the Board's power to decide whether or not there was access to these ponds for fishing.*
 - Feels the CDD should include the residents in their decision since they reside on these ponds. *Mr. Robin did not disagree but added the only place a non-resident*

has access to a pond was through publicly owned property and their access was restricted to this area. The problem was the difference between the legal right and practical side of how this was enforced and managed.

- Feels if the CDD cannot not enforce a policy, they should not enact a policy.
- Mr. Dolente reported the Board has not taken any action. Mr. Mendenhall reported this item has been on the agenda for several meetings, which was published and made available to the public and discussed with the residents.
- Mr. Peters reported many residents were in favor of permitting fishing in the ponds.
- Ms. Esther Larkin inquired how the Board can distinguish where to allow fishing. The golf course does not allow fishing in their ponds. She felt there should be one designated pond for catch and release fishing.

Mr. Peters moved to approve the fishing/boating/swimming policy as drafted by Mr. Mendenhall. There being no second to the motion, the motion died.

- Mr. Hanzel requested the Board adopt the following policy:
“It is the policy of the Lexington Oaks CDD to prohibit:
 - Swimming or wading in any of the District ponds
 - Powerboats or boats powered by mechanical devices; either gas or electric. Boats manually operated may be allowed on ponds not to exceed 8 to 10’.
 - Fishing is permitted but catch and release fishing only, no trespassing on residents’ property or parking on CDD grass.”
- Mr. Bechtel inquired what existing policy was in place. Mr. Mendenhall reported there was no such policy in place.
- Mr. Peters expressed concern over liability with swimming and eating of poisonous fish.

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor the fishing/boating/swimming policy as stated above was approved.

- Mr. Hanzel suggested the county put a lock on the pump station in North Hampton to prevent cars from parking there.
- Mr. Mendenhall reported the Board requested quotes for signage and provided a quote from Signs Now in the amount of \$777.86 for 10 signs on galvanized poles and installation. A template of the sign was attached to the quote.
- Mr. Bechtel reported the sign did not include the policy. He suggested the verbiage be changed to “Fishing – Catch & Release Only and No Powerboats”.
- Mr. Robin advised the problem with signage was anything not stated on the sign was permitted. He feels it was better not to have signage.
- Mr. Peters inquired what the District’s liability was if there was no signage and someone was eaten by an alligator in a pond. *Mr. Robin felt the liability was no different than before and suggested the policy be published in the newsletter rather than having signage.* Mr. Peters reported the newsletter only went to residents and not taxpayers. He suggested posing a sign at the entrance or at ponds along Lexington Oaks Boulevard saying “NO SWIMMING AND FISHING/BOATING AT OWN RISK”.

After further discussion, there was consensus from the Board to table discussion of the signage to the June 7, 2007 workshop.

EIGHTH ORDER OF BUSINESS Manager’s Report

A. Distribution of the Proposed Budget for Fiscal Year 2008 and Consideration of Resolution 2007-5 Approving the Budget and Setting the Public Hearing

- Mr. Mendenhall provided a copy of the proposed budget to the Board and explained this starts the budget process. The objective of this item was for the Board to approve the budget in order to set the public hearing 60 days from today. Between now and the public hearing, the budget can be modified with the intent of presenting the final budget to the community at the public hearing, at which time, the Board will adopt the budget. He discussed the following highlights:
 - Rizzetta & Company prepared the previous budget.
 - Conservative in preparation of expenses.
 - The budget will decrease, meaning assessments will decrease.

- Funds will be carried forward to FY 2008 based on not spending what was anticipated last year which can be used to lower assessments, fund some reserve accounts or designate some operating funds for the first quarter.
- Electric increased due to dissolution of the Lighting District.
- The TRIM Notice was due into Pasco County by July 15th. There will be a TRIM adjustment for flexibility purposes.
- Mr. Peters addressed the following:
 - Requested \$50,000 to \$60,000 for the pool re-marcing.
 - Inquired whether checks can be written against the State Board account. Mr. Mendenhall confirmed this can be done.
 - Reported the \$51 & \$61 per unit reserve for Preakness and Hawthorne was for the roads only and not the gates. He requested the gates be included.
 - Requested details behind the R&M reserve of \$18,440 under road and street facilities.

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with all in favor Resolution 2007-5 Approving the Budget for Fiscal Year 2008 and Setting the Public Hearing for July 26, 2007 at 6:30 P.M. at the Lexington Oaks Clubhouse, 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida was adopted.

- Mr. Mendenhall reported at the workshop meeting, the Board deferred taking action on the CDD fees for the clubhouse and obtaining information from other communities on non-CDD fees. He provided a list of typical rates from other CDD's for residents/non-residents as well as a price listing from non-CDD facilities.
- Mr. Robin reported two advertisements are required to be placed in the newspaper; one prior to the consideration of changing the rates stating the Board's intention to adopt the rates and another for its adoption. The public hearing needs to be set 40 days prior. He encouraged the Board to hold a workshop prior to setting the public hearing. He further advised the Board to set the fee at a value in the marketplace for similar facilities. Bond Counsel, Mike Williams recommended a daily fee like the YMCA charges and a monthly/quarterly fee.

B. Consideration of Resolution 2007-6 Authorizing the District Manager to Open a State Board of Administration Account

- Mr. Peters questioned what type of account was at the State Board of Administration. Mr. Mendenhall reported this was an interest bearing account for the reserve or excess funds.

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with all in favor Resolution 2007-6 Authorizing the District Manager to Transmit Funds to the State Board of Administration Account was adopted.

C. Personnel Manual/Policies

- Mr. Mendenhall provided a draft of the employee manual to the Board and reported this is a working document.

D. Security System RFP

This item was discussed under the capital projects update.

- Mr. Mendenhall sent out an email to the Board from Sonic Corporation with a dollar figure for purchase of .75 acres at the entrance to the community. They want to pay the District \$653,000 or \$20 per square foot and are interested in design criteria.

After further discussion, there was consensus from the Board to deny Sonic's request.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor request by Sonic for the purchase of property in the District for \$653,000 was denied.

- Mr. Mendenhall addressed the following:
 - Reported he contacted Withlacoochee and the county regarding the Street Lighting District. Severn Trent Services requested the warranty bond be increased due to the additional lights. Mr. Mendenhall was still getting the details.
 - Reported an independent Insurance Agent came out to review the property and provided updated values in comparison to current coverages. He also provided a report regarding various CDD structures and property assets.

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

- Mr. Hendricks reported Nick from My Keys provided an estimate to upgrade the pool gates for \$530.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor the Site Manager was authorized to spend \$530 to repair the pool gates.

TENTH ORDER OF BUSINESS Supervisor Requests

- Mr. Dolente will call ADT regarding the sensor at the clubhouse door.
- Mr. Bechtel questioned who owns the roadway from Lexington Oaks Boulevard into the Preakness and Churchhill gates. Mr. Peters confirmed the county owned the roadway. Mr. Bechtel reported there were broken pavers at the gate and suggested the repair be made during repair of the road. Mr. Hanzel offered to ask the county.
- Mr. Hanzel thanked Mr. Hendricks for his assistance with the Lifeguard interviews.

ELEVENTH ORDER OF BUSINESS Audience Comments

- A resident from Pimlico requested permission to add landscaping to their island. Mr. Peters reported the residents can do whatever they choose inside of their gate as long as they paid for it and the CDD will pay for the island outside of the fence. He felt Churchhill and Hawthorne were completely different from Pimlico, Preakness and Remington as the islands were smaller and something needs to be done.
- A resident reported the pond in back of his home off of Lexington Oaks Boulevard was red.
- A resident complimented Mr. Hendricks on doing a great job serving as interim Site Manager.
- Mr. Davis suggested the brick not be placed at Churchhill until the S.R. 54 construction was completed.

TWELFTH ORDER OF BUSINESS Approval of the Financial Statements, Check Registers and Invoices

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor the financial statements, check registers and invoices in the

amount of \$68,893.84 for the period ending April 30, 2007 were approved.

THIRTEENTH ORDER OF BUSINESS Adjournment

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

Andrew P. Mendenhall
Assistant Secretary

Don Peters
Chairman