

**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, October 25, 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
Raymond Dolente	Assistant Secretary
Fritz Nystrom	Assistant Secretary

Also present were:

Andy Mendenhall	Manager - Severn Trent Services
John Browne	Severn Trent Services
Bob Valentine	Engineer
Josh Adams	Site Manager
Chuck Bellissimo	HPI
Bob Shephard	Resident
Esther Larkin	Resident

The following is a summary of the minutes and actions taken at the October 25, 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 the September 27, 2007 Meeting

Mr. Peters stated each Board member received a copy of the minutes of the September 27, 2007 meeting and requested any additions, corrections or deletions.

Mr. Hanzel presented the following correction:

“Mr. Josh Adams” should be “Mr. John Adams”.

Mr. Mendenhall reported he had several changes, which he will present to the Recording Secretary.

On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor the minutes of the September 27, 2007 meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Bob Shephard Report on Entry Drainage at S.R. 54 & Lexington Oaks Boulevard

- Mr. Shephard reported on the following:
 - The work was scheduled to be completed in August. To date, \$800,000 has been spent on improvements.
 - The first layer of asphalt will be poured today. The next layer will be done in early 2008. The contractor will lay the asphalt past the gate by Lexington Oaks Boulevard and tie into the ramps for I-75.
 - The contractor will sweep Lexington Oaks Boulevard.
 - The potable water system will not be turned on until the entire road is complete from 581 to Magnolia.
 - The road will be open to traffic in both directions after the grade is evaluated. Any work will be done at night so as not to interrupt the traffic flow.
 - There is probably another eight years of construction in the area.
 - The I-75 bridge widening on S.R. 54 will start in 2008 or early 2009.
 - The eastern project on I-75 will start construction in late 2008/2009. The plans are 100 percent completed. Letters of Interest were requested last week for a CEI Consultant.
 - The construction on 581 and S.R. 54 South to County Line will start in April 2008.
 - A consultant was chosen to prepare the design plans in January 2008 for Magnolia to S.R. 54.
 - Since construction started, the school site and three car dealerships were added.

- S.R. 54 was open cut at Gateway to install a 24" pipe from the mall across S.R. 54 into a pond adjacent to an Urgent Care facility for stormwater discharge. There will be a median cut on S.R. 54 to tie into Oakley Boulevard.
- There will be at least four public meetings on the status of construction. The time/date/location of the meetings will be posted on the Pasco County website.
- The construction duration will be reduced as the contractor will work seven days/week in double shifts.
- There has been criticism about the slowness of Pulte.
- This project commenced in 2005; however, the right-of-way was not obtained until 2006.
- The mall will open two stores on October 26th. Signage announcing the opening will be posted along Old Pasco Road to Oakley Boulevard. A police officer will control the traffic at the entrance to the mall at the intersection of Oakley Boulevard and Old Pasco Road and at the entrance to the Cracker Barrel.
- A subcontractor for the mall broke into a line causing raw sewage to flow down to the Urgent Care facility while installing a 16" force main two weeks ago. Pulte came to their aid and minimized the damage. The pond was tested to make sure no contaminates seeped into the wetlands.
- Mr. Peters thanked Mr. Shephard for his report and noted the residents were concerned about the brick pavers and the storm drains being uphill. *Mr. Shephard explained the brick pavers will be replaced and the grade elevated by Pulte once the asphalt is poured onto S.R. 54.*
- Mr. Hanzel addressed the following:
 - Expressed concern about the stop sign and cars protruding into the lane when turning right onto S.R. 54. *Mr. Shephard believes there will be a traffic light but it will not allow a right on red. He will check with Pasco County to see if they will allow a right on red and what recourse the CDD has if the water does not drain.*
 - Feels the contractor did a good job considering all factors.

- Mr. Nystrom expressed concern about how far the stop sign protrudes. *Mr. Shephard explained no provisions were made to remove the sign.*
- Mr. Peters questioned whether the pedestrian crosswalk will be in front of the sign. *Mr. Shephard confirmed there would be a push button crossing with a ramp and the northern edge of the crosswalk will be at the gutter of the sign.*
- Mr. Valentine inquired whether there was anything Mr. Shephard could do to remove the 1.5" lip. *Mr. Shephard suggested installing an asphalt ramp.*
- Mr. Shephard will send an email to the Board with answers to their questions.

FIFTH ORDER OF BUSINESS**Security System Report by Chuck Bellissimo
of HPI**

- Mr. Bellissimo reported the following:
 - The county transferred the permitting of the poles from Permitting to Zoning who requested further documentation. *He will submit a request to the county for 45' poles and prepare a presentation to the Board on the placement of the poles.* He recommended 45' poles as the street lights are at 25' and the crowns of most of the foliage in the center of the development are at 30'.
 - The Board requested concrete poles instead of the metal poles proposed in the original bid, but Mr. Bellissimo felt this was not practical for cost reasons.
 - As soon as Mr. Bellissimo receives the deposit from the District, he will order the parts for the community center.
 - The Electrical Inspector informed Mr. Bellissimo at his last project he did not need permitting for low voltage poles. *He will check with the Electrical Inspector to make sure this is still the case.*
 - The cameras for the community center will be different than the ones installed on the poles. *Mr. Bellissimo will make sure they are vandal and weather proof.*
 - The panels will be stored in the closet of the control room. Outside of the closet, Mr. Bellissimo plans to have a console with two LCD screens, which can be used by staff to view the cameras and switch to an access control database when information needs to be entered. The community will receive 5000 numerical cards. He requested a desk for the console.

- Mr. Hanzel will find a location to store the poles.
- Mr. Peters inquired whether 60' poles could be installed and if the budget will be affected by doing so. The bid specified a 64' tower at the community center and tennis courts. *Mr. Bellissimo stated he looked at using a 75' concrete pole; however the cost was \$30,000 per pole, which was over budget.* The original proposal specified 20' poles and 64' towers; however he received a good price on the 45' poles.
- Mr. Peters inquired how long it will take after the permit is received to start installing the equipment. *Mr. Belissimo stated it will take four to six weeks for the poles to be delivered but some work can be performed in the meantime.* In the next three to four months, the system should be operating.

SIXTH ORDER OF BUSINESS

Attorney's Report – Golf Course Reclaimed Water Renewal

- Mr. Valentine reported he was present with Mr. Bechtel when the adjustments were made and reported the following:
 - It appears the system was set for a certain pressure to trigger the wells.
 - Some repairs were made to the valves due to a leak, which may have triggered the wells to turn on sooner.
 - The valves for the well are set so when the well turns on, the pressure from the well is low enough to allow reclaimed water to flow.
- Mr. Peters addressed the following:
 - Inquired whether ITS can make any adjustments since the District pays Irrigation Technical Services \$1,000 per year to maintain the irrigation system. *Mr. Valentine felt this was the Board's decision to make but would permit them to make the adjustments because they have the equipment.*
 - Inquired whether ITS was present when the adjustments were made. *Mr. Valentine reported they made the adjustments and felt the Board needed to be made aware of any adjustments made by ITS or direct ITS to make any adjustments.*
 - Noted there was now a fence around the pump and ITS did not have a key.

- Mr. Nystrom reported the golf course was pumping reclaimed water into the pond 24/7. *Mr. Valentine felt if they were taking water from the system, there was going to be less water for everyone else, which was part of the problem in Maywood.*
- Mr. Peters complimented Mr. Bechtel on the irrigation water usage chart and pointed out the last two columns show how much water goes into the pond from the golf course and how much water is taken from the pond to irrigate the golf course. He expressed concern over the amount of water going into the pond being more than the water coming out of the pond and felt 20 million gallons being lost to evaporation did not sound right. *Mr. Valentine explained there was a control structure on the pond releasing water into the wetlands.*
- Mr. Hanzel felt there needed to be resolution. *Mr. Valentine felt the Board was heading in the right direction by adjusting the settings and mixing the reclaimed water into the well to reduce the amount of well water.* It was just a matter of adjusting the valve to the optimum levels as everyone wants to maximize the use of the well without going over.
- Mr. Peters felt ITS was not the best company to be used and wondered whether there were similar companies. *Mr. Valentine stated it depended on who they sent out as the person he deals with knows the system and has been out here before. In an emergency situation they probably sent out whoever was available.*
- Mr. Nystrom inquired about the best scenario for the District and the golf course. *Mr. Valentine felt making adjustments to the system to always get reclaimed water into the system and maximizing the well usage but staying under the limits established by SWFWMD was the ultimate goal.*
- Mr. Peters expressed concern over 70% of the total water usage (reclaimed and well) being used by the golf course. *Mr. Valentine explained with the adjustments made, there should be reclaimed water flowing through, unless the reclaimed water pressure was too low.* He felt in the dry season, the reclaimed water pressure was going to be low but during the rainy season, the reclaimed water pressure will be high enough to where they will get a mix. Mr. Nystrom suggested going out every other month to see if this was occurring.

- Mr. Hanzel inquired whether the District was going to start billing the golf course for their water usage. *Mr. Peters requested Mr. Adams estimate how much money the District pays monthly to ITS.*

SEVENTH ORDER OF BUSINESS **Engineer's Report**

A. Update on Capital Projects

- Mr. Valentine addressed the following capital improvement projects:
 - *Playground* – Repairs are currently being made. Mr. Adams stated paperwork could not be found showing if the subcontractor was paid. Mr. Mendenhall will verify with the District Accountant whether the contractor paid the subcontractor. *Mr. Peters felt they should not be paid until the repairs are made and it is not the District's problem if a contractor does not pay their subcontractor.* Mr. Hanzel requested the invoice in the financials from OneSource for additional sod and irrigation work for the playground be paid out of the Capital Fund.
 - *Solar Pool Heater* – Completed.
 - Broken Fences – Completed.
 - *Drinking Fountain* – Completed.
 - *Round-about Lighting* - Completed.
 - *Landscaping Pulte Trailer Area* - Completed.
 - *Hose Bibs* – The check was cut for the pressure wash equipment.
 - *Fitness Center* – The following issues were discussed:
 - The submittal to SWFWMD and the county will be made upon approval by the golf course to allow the District to dump additional stormwater into the golf course ponds.
 - The lines in the existing irrigation system in the soccer field and across the sidewalk will be broken in order to install a new irrigation system. After talking with OneSource, the irrigation for the islands in the new parking lot will be installed adjacent to the building. Any irrigation for the turf will be installed at a later date and will not be part of the Fitness Center contract.

- The elevations of the existing sidewalk from the existing parking lot to the basketball court do not match the grade of the new parking lot for drainage purposes. One option is to add additional curbing but this will be difficult to construct, will cost extra money and be an eyesore. Adjusting the parking lot to no more than a 1" variation is a better option. If this cannot be done, the existing sidewalk will either have to be removed and a new one installed along the edge of the parking lot or the sidewalk in front of the Fitness Center will have to be extended around the parking lot to the basketball court. *Mr. Valentine felt the kids going to the basketball courts should be on the far side of the parking lot rather than in front of the Fitness Center for safety reasons.* Mr. Peters agreed.
- The existing 1.5" service line feeding water into the Fitness Center is no longer sufficient for the current fixtures and needs to be upgraded to 2.5". There will be fees to the county for the hookup of the 2.5" service line; however the fees are much cheaper with another 1.5" service line. Mr. Peters agreed.
- The Pasco County Fire Department may be able to provide a variance to the District for the existing fire hydrant and not require a new fire hydrant within 200 feet of the building. *Mr. Valentine will follow up. If a hydrant is required, a 6" fire line will be installed from the existing hydrant to the Fitness Center.*
- Mr. Peters addressed the following:
 - Inquired whether lockers were included in the design plans. Mr. Mendenhall stated he directed the Architect to locate the lockers on a wall outside of the bathrooms. *He will ask Mr. Garcia to label items on the plans.*
 - Inquired about the bathrooms. *Mr. Mendenhall noted the Board requested unisex bathrooms at the last meeting.*

- Mr. Valentine reported he spoke to the Architect about running the water and sanitary services from the building closest to the existing parking lot and expressed concern over the location due to maintenance issues. *Mr. Mendenhall will direct the Architect to reverse the storage area and bathrooms to the other side.*
- The swales in the existing soccer field behind the building will need to be cut in order to run the surface water to the end of the sidewalk by the basketball courts.
- There is a swale in the rectangular area next to the Fitness Center. *Mr. Valentine will re-run the swale straight out and along the edge of the volleyball/basketball courts so there will be a square area on the south side of the Fitness Center.*
- Mr. Peters inquired whether a decision was made to reserve a parking spot for the Kubota. Mr. Mendenhall stated permission was granted to park the Kubota at the golf course. Mr. Hanzel suggested extending the dumpster. Mr. Adams expressed concern about the dumpster attracting animals and suggested fencing it in like the pool heaters. He feels the Kubota will be secure at the golf course as it will be behind a locked gate. Mr. Mendenhall suggested purchasing a separate garage. Mr. Nystrom expressed concern over a garage using up square footage. *Mr. Valentine suggested purchasing a pre-fabricated or wooden shed.*
- Mr. Mendenhall stated the next step was for the purchase of exercise equipment. Mr. Adams noted the exercise equipment will be purchased upon completion of the floor plan.
- Mr. Mendenhall will provide the dimensions on the covered entry to Mr. Valentine.
- *Security System* – This was discussed earlier in the meeting.
- *SWFWMD* – The following issues were discussed:
 - The concrete mat for Pond 1B/5A was installed yesterday. Pond 1B was filling in nicely and ducks and birds were flocking to it. By the beginning of next week, it should be backfilled.

- The contractor for the Belmont project dug up the end joints on the pipes to determine the problem and discovered the joints were separated and there was breakage to the pipe. The contractor will provide the plugs tomorrow to plug up the pipe so the water could be pumped out in order to pour the collars.
- The aluminum skimmer structures will be installed in front of the control structures for Ponds 1B/5A and 27C/D on October 29th. There was a delay due to manufacturing issues.
- Mr. Peters inquired about trees not being replaced in Belmont. *Mr. Valentine explained in order for the contractor to get access to the pond on the left, they had to remove trees homeowners planted in the District's drainage easement.*
- *Enhancements Front Entrance* – OneSource will provide a bid for Mr. Valentine to review.
- *Pond Fountain* - Installed.
- *Pond Plants* – Mr. Adams reported Aquatic Systems is waiting for the plants to be paid for. Mr. Mendenhall confirmed the requisition was processed but will contact the Trustee to follow-up on the release of funds.
- *Risen Star Golf Cart Path* – Mr. Peters reported \$3,813 charged to the O&M funds should be taken out of the bonds. *Mr. Valentine verified this was done.* Mr. Peters inquired whether there was another charge of \$4,500 for irrigation. *Mr. Valentine confirmed this was the case.*
- *Pond Aeration* – Mr. Adams reported he received an estimate of \$45,000 to \$50,000 but wanted to wait for the other contractor to bid so he did not go over budget.
- *Drain Depression* – Mr. Valentine reported he called a Geotechnical Engineer to provide a cost to do some non-destructive testing to evaluate the drain depression in Hawthorne Village.

- *Entrance Sign* - The following issues were discussed:
 - Mr. Hanzel reported the county will look at the LED Ordinance in December as two commissioners want to see LED signs in the community. An alternative is to spend \$10,000 for a manual sign.
 - Mr. Mendenhall confirmed he met with Ms. Pat Muliari and Mr. Jim Whitman about governmental entities having an exemption to the ordinance against LED signs. Mr. Muliari considers LED signs to be “visual pollution” but it was pointed out Pasco County schools use these signs as well as highways for Amber Alerts. There will be a presentation at the December County Commission meeting in regards to the exemption.
 - There was consensus from the Board to table this item until a decision is made by the County Commission in December.
- *Meeting Room* – Pending until completion of the Fitness Center.
- *Kitchen Upgrades* – The Board is waiting for Ms. Susan Steinmatz to give a report. Mr. Peters noted the Board can only pay for new appliances out of the O&M Funds. Mr. Hanzel requested prices from vendors on the appliances as this is a project that can be started.

B. Lyons Hoe Excavating Estimate for Pond 27C/D

This item was discussed above.

C. Storm Drain Collapse – 5410 Algerine Place

- Mr. Peters reported Pulte agreed to fix the storm drain.
- Mr. Valentine reported there was a pipe break underneath the sidewalk.
- Mr. Peters inquired who was responsible for maintaining the stormwater. *Mr. Valentine reported the District is responsible for the maintenance as it is part of the drainage system.* Mr. Mendenhall suggested the District make the repairs and provide the bill to Pulte. Mr. Valentine reported Pulte has contractors in the field to make the repairs.
- Mr. Hanzel indicated this is a safety issue and the Board must order repairs ASAP and collect funds later if needed.

D. Other Matters

- Mr. Peters reported he received a breakdown of cost to repair the signs between Preakness & Hawthorne. *Mr. Valentine requested the traffic study fee be split 50/50.*
- Mr. Hanzel inquired whether Mr. Valentine was in contact with HPI. Mr. Valentine reported HPI contacted him to request copies of the plans. *Mr. Hanzel will provide copies of the security plans to Mr. Valentine.*
- Mr. Mendenhall inquired whether Mr. Valentine was in contact with the Architect for the Fitness Center. *Mr. Valentine felt he did not need to stay in contact with the Architect but he wanted to know the dimensions of the pad.*
- Mr. Hanzel inquired whether the report by Mr. Shephard on the water flow was accurate. *Mr. Valentine confirmed it was accurate unless the water flow was forced to flow in a different direction.* He felt the water was going to drain to the existing inlets. Some brick pavers had to be removed due to the S.R. 54 widening and the increase in the elevation.
- Mr. Mendenhall inquired whether Mr. Valentine had any involvement with Pulte regarding the pavers. *Mr. Valentine confirmed he did not have any involvement with Pulte but will find out what they have planned.* He believed the county was overseeing the work. Mr. Peters reported Mr. Whitman offered his expertise in terms of the base to be installed before the pavers. Mr. Valentine felt the Board should allow Mr. Whitman to work with Pulte. *Mr. Hanzel will follow-up with Pulte in regards to the completion of the pavers.*
- Mr. Peters inquired whether Mr. Valentine submitted the documentation for the Preakness/Hawthorne law enforcement. *Mr. Valentine confirmed he provided the appropriate documentation to the county but had not heard anything and will follow-up.*

EIGHTH ORDER OF BUSINESS

Discussion Items

A. Playground Rules and Posting of Rules

- Mr. Hanzel provided the following rules for the playground, which will be placed on a free-standing sign:

Lexington Oaks Community Development District
Welcome to Lexington Playground

Playground Rules

The playground is for the benefit of Lexington Oaks residents & guest(s)
Anyone caught vandalizing or defacing the playground property will be prosecuted
Playground equipment is designed and engineered for youth 12 years and under.
Playground area opens at dawn and closes at dusk. All persons must leave the
playground property
All pets must be on a leash at all times
Loud and abusive language prohibited.
Alcoholic Beverages are not permitted
Children under the age of 13 years of age must be supervised by an adult while in
the playground area.

- Mr. Peters will review the playground rules and provide any comments to Mr. Adams.

B. Fitness Center Update

This item was discussed above.

C. Pool Remarciting

- Mr. Adams provided estimates to the Board and noted the remarciting will take three weeks to complete and end no later than late January.
- Mr. Dolente inquired about the warranty. Mr. Adams reported there was a five year manufactures warranty.
- Mr. Nystrom inquired about the advantage to spending the extra money. Mr. Adams felt the mini pebble finish was more durable, safer and provided more stability.
- Mr. Peters felt this needed to be done but the funds were coming from the O&M and the difference of \$28,000 between the mini pebble finish and marquis quartz finish was significant.

On MOTION by Mr. Hanzel seconded by Mr. Dolente with all in favor the pool remarciting contract was awarded to All Star Pools in an amount not to exceed \$38,500 for a marquis quartz finish, with the work to begin in the next 90 days.

- Mr. Adams provided estimates to the Board on the clubhouse painting with the lowest bid submitted by Bullard Custom Painting in the amount of \$2,875. Mr. Peters requested paint samples and reviewing the color scheme with the ARC. Mr. Mendenhall will provide the names of local painting companies.

D. Electrical Estimate for Pond Aeration

- Mr. Adams stated he provided an estimate to the Board at the last meeting and was waiting for another estimate.

NINTH ORDER OF BUSINESS

Manager's Report

- Mr. Mendenhall reported the following:

A. Balance of Hawthorne/Preakness Reserve

- The Accurate Electronic bills for 2004 were emailed to the Chairman prior to the meeting. Mr. Mendenhall inquired whether the Board wanted additional bills. There were currently no reserves but according to the fiscal year 2008 financials, which will be provided to the Board prior to the next meeting, there will be additional reserves.
- The accountant changed from Ms. Terri Lusk to Ms. Brandie Brokow who is in the Orlando office. The regional accountant is Mr. Rick Woodville who is also in the Orlando office. Mr. Mendenhall felt the proximity of Mr. Woodville was helpful to the Board.
- Mr. Peters provided a breakdown to Mr. Mendenhall of what the residents of Preakness and Hawthorne paid towards the reserves, less the early payment discount, gate and telephone expenses and compliance for law enforcement entry. He felt the residents of Hawthorne were overspending by \$2,265 and Preakness will have \$5,344 remaining for reserves.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor a reserve fund will be set up for Preakness in the amount of \$5,344 effective October 1st, subject to review by the Accountant at Severn Trent Services.

- Mr. Mendenhall felt the residents of Hawthorne could not currently be billed for the \$2,265 overage; however this can be revisited at the end of the year.

B. Insurance Update

- Mr. Adams met with Ms. Paula Davis at Severn Trent Services. Mr. Mendenhall provided to the Board a listing of cost estimates for the insurance carrier to provide insurance for the community center, tennis court and perimeter walls. A response from the insurance company is expected in two weeks, which Mr.

Mendenhall will provide to the Board at either the workshop or next regular meeting. He felt the Board should make a decision about the walls and whether they should be covered and suggested having a Wall Replacement Fund.

- Mr. Peters questioned whether the insurance covered an “Act of God” rather than deteriorating walls. Mr. Mendenhall confirmed the coverage was for an event such as a hurricane or a car running into the wall. *Mr. Peters felt the reserves could be used to cover the repair costs.*
- Mr. Dolente felt this matter should have been discussed prior to the budget being prepared in regards to the premiums. Mr. Mendenhall explained the insurance is bound after the budget is adopted but the planning for the insurance should be discussed prior to the budget adoption in regards to insured values and premiums.
- Mr. Mendenhall will give an update to the Board at the next meeting on the premium from the insurance company.

Hawthorne Streets

- Mr. Mendenhall provided a letter to the Board from J.C. *Mulé* regarding the streets in Hawthorne. Mr. *Mulé* expressed the following concerns:
 - Feels Pulte is responsible for the poor condition of the streets and requests the Board to take action.
 - Addressed landscaping concerns, specifically with OneSource regarding entry island and weed issues.
 - Inquired about the Sheriff coming into Hawthorne.
 - Requested a “No Trespassing Sign” for the gate.
- Mr. Peters requested the Board members drive into Hawthorne and look at the roads to validate Mr. Mule’s concerns. *Mr. Mendenhall suggested Mr. Adams walk the property with Mr. Mulé and report to the Board next month. Mr. Adams will call Mr. Mulé to coordinate.*
- Mr. Hanzel suggested handling the roads the same way the county does, which is to do an assessment on the road on what it will cost to bring it up to standard and assess the residents of Hawthorne.

TENTH ORDER OF BUSINESS

Staff Report – Site/Clubhouse Manager

A. Update on Projects

- Mr. Adams reported OneSource failed their inspection and inquired what percentage of their bill will not be paid. Mr. Mendenhall recalled the contract withholding 25% but will check. He will ask Mr. Paul Woods from OLM to attend the next workshop. Mr. Valentine requested OneSource take care of the weeds a month ago and they did not do so. Mr. Hanzel expressed the same concerns with Luke Brothers, which he is now addressing with OneSource. He also expressed concern about OneSource being sold to another company and wanted OneSource to be brought up to standard rather than terminating them.
- Mr. Nystrom suggested waiting to hear the results of the next inspection.
- Mr. Dolente suggested having Mr. Woods attend the next workshop and then review the next inspection report. If OneSource does not improve, the Board will request they attend the next available meeting.
- Mr. Mendenhall suggested the Board compile a list for Mr. Woods of the areas to inspect.

After further discussion with regards to whether or not trenching was included in OneSource's contract, there was consensus from the Board to have Mr. Paul Woods attend the next workshop.

• **Electrical Estimate for Pond Aeration Installation**

This item was discussed earlier in the meeting.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Dolente inquired whether insurance was obtained for the Halloween event being held on October 26th. *Mr. Mendenhall reported he received a phone call yesterday from an organization relating to the insurance and will follow-up after the meeting.*
- Mr. Hanzel addressed the following:
 - Complimented Mr. Adams on the removal of the phone and saving the District \$100/month.
 - Requested Mr. Adams develop a planning calendar of all CDD events and provide to the Board at the November meeting.

- Received emails from a resident in Maywood expressing concerns regarding people not picking up after their dogs on District property. Questioned whether a sign requesting owners clean up after their dogs and keeping them on a leash was missing from the Boulevard. *Mr. Adams will count how many signs are on the Boulevard versus the number the District purchased two years ago.*
- Inquired the status of the invoices sent to Sterling Management for Churchill, Pimlico and Remington to reimburse the District for electrical. Mr. Mendenhall stated he received a letter from the Churchill HOA requesting further clarification and copies of Withlacoochee bills for the last 12 months. Pimlico and Remington have not remitted payment. *Mr. Mendenhall will check with his office to see if any further payments were made.* He recalled some estimation on the electrical but wanted guidance from the Board on how to respond to Churchill's request. *Mr. Hanzel stated this was a running dispute between the HOA and the Board as they have the documentation but refuse to pay the bill. He suggested contacting Withlacoochee and directing them to forward the bills to Sterling Management Company who is the management company for Churchill..*
- Mr. Peters questioned the issue about the gate telephone. *Mr. Mendenhall explained the Churchill HOA requested a copy of the Verizon bills for their review as they believe the phone number belongs to the Preakness gate.*
- Mr. Mendenhall inquired if the meter was changed to the Churchill HOA and whether the District was responsible for any part of the bill. Mr. Hanzel believed the District was responsible for the electricity for the floodlights in the monuments and suggested Mr. Robin write a letter to the Churchill HOA notifying them a lien will be placed on their property for non-payment. *Mr. Mendenhall will send copies of the Withlacoochee invoices and the Verizon bill to the Churchill HOA and await their response. If they respond negatively, Mr. Robin will write the collection letter.*

- Mr. Peters reported it was stated in the minutes; Churchill, Pimlico and Remington agreed to pay \$400 and were going to be turned over to Withlacoochee on September 30, 2007.

After further discussion, there was consensus from the Board to have Mr. Mendenhall write two letters to the Churchill HOA; one informing them of their receipt of the requested documentation in the past and a second letter informing them the phone line for the gate will be disconnected if there was no response from them within 30 days.

- Mr. Peters reported he received an email from a resident on the cul-de-sac adjacent to Lexington Oaks Boulevard on Aptitude Terrace in regards to people camping in between the set of trees before Maywood as the sidewalk curves. Mr. Peters will have off duty officers patrol the area between 3 a.m. and 6 a.m.

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

- Mr. Hanzel addressed the following:
 - Questioned whether the tree removed by OneSource for \$550 on Quadrangle Court was on District property. Mr. Adams stated the tree was on District property.
 - Questioned the invoice from OneSource for a broken valve on the tennis court. *Mr. Adams explained the irrigation was in the common area of the tennis courts.*
 - Requested a copy of the updated Rules of Procedure. Mr. Mendenhall stated Mr. Robin's Assistant updated the Rules of Procedure for all Districts to take into account the new legislation. However, he was not sure whether or not the District approved the updated Rules of Procedure and will contact Mr. Robin to confirm. If the Board did not adopt the new rules, this item will be placed on the next agenda.
- Mr. Peters addressed the following:
 - Questioned the invoice from OneSource on the line trimming and disposal of grass clippings. Mr. Adams explained this work was done in Saratoga to a pond area where turf was growing 4' to 5' tall.
 - Reported the District was in the positive by \$175,000.

- Questioned an invoice from King Engineering. Mr. Mendenhall explained one of the Board members forwarded it to him but will confirm who sent it to him.

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor the financial statements, check registers and invoices in the amount of \$55,279.03 for the period ending September 30, 2007 were approved.

TWELFTH ORDER OF BUSINESS Audience Comments

- Ms. Esther Larkin, President of the Master HOA for Lexington Oaks reported there was a situation with a storm drain in Maywood. Mr. Matt O'Brien from Pulte sent her an email which indicated the following:

"You should be aware, because of the nature of this problem and its originating cause; it is our opinion the repair is an HOA expense. I am happy to assist in the scheduling and contracting of these repairs. However, the HOA will need to be in the position to pay for or reimburse Pulte for the necessary repair work. This being said, if for some reason, you would like for me to stop while the HOA attempts to determine on its own accord the root cause and possible fix for the erosion problem, I would be willing to postpone my efforts until you tell me otherwise. If any of them are willing to schedule the repair, please let me know by the close of business tomorrow".

- Ms. Esther Larkin stated she was going to provide the following response to Mr. O'Brien:

"The HOA does not pay for anything. I cannot and do not authorize you to proceed with repairs that will incur any costs. I will have to take this up with our Association Attorney to see what avenues we need to proceed down. Unfortunately the storm drain does belong to Pulte according to the County. If there is an accident involving the drain, then you will be responsible for any legalities concerning it."


- Mr. Peters inquired whether the above response was provided to Mr. O'Brien. Ms. Larkin reported she will not send this response until she speaks with the association attorney. Mr. Peters felt Pulte should fix the storm drain. Mr. Mendenhall felt regardless of who paid, the storm drain needed to be fixed and suggested if Pulte intended to fix it, have them do the work, pay for it upfront and then figure out later who will pay for it. He did not feel the HOA should be

responsible for the repairs. Ms. Larkin felt since Pulte installed the sprinkler system, they were responsible for any repairs. Mr. Mendenhall agreed and felt these points could be brought up to Pulte when the invoice was presented. *Mr. Peters requested Ms. Larkin inform Mr. O'Brien the HOA is in no way responsible to reimburse Pulte and direct him to send the estimate to the District. In the meantime, Mr. Peters will speak to Mr. Valentine about this matter.*


FOURTEENTH ORDER OF BUSINESS Adjournment

There not being any further business,

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



Andrew P. Mendenhall
Secretary



Don Peters
Chairman

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, October 25, 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 Peter Hanzel Raymond Dolente Fritz Nystrom

Also present were:

Andy **Mendenhall John Browne Bob Valentine Josh Adams Chuck Bellissimo Bob Shephard
Esther Larkin**

Chairman Assistant Secretary Assistant Secretary Assistant Secretary

Manager - Severn Trent Services Severn Trent Services

Engineer Site Manager HPI

Resident Resident

*The following is a summary of the **minutes** and actions taken at the October 25, 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 the September 27, 2007 Meeting

Mr. Peters stated each Board member received a copy of the minutes of the September 27, 2007 meeting and requested any additions, corrections or deletions.

Mr. Hanzel presented the following correction:

"Mr. Josh Adams" should be "Mr. John Adams".

t

October 25, 2007

Lexington Oaks CDD

Mr. Mendenhall reported he had several changes, which he will present to the Recording Secretary.

On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor the minutes of the September 27, 2007 meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Bob Shephard Report on Entry Drainage at S.R. 54 & Lexington Oaks Boulevard

• Mr. Shephard reported on the following:

- o The work was scheduled to be completed in August. To date, \$800,000 has been spent on improvements.
- o The first layer of asphalt will be poured today. The next layer will be done in early 2008. The contractor will lay the asphalt past the gate by Lexington Oaks Boulevard and tie into the ramps for 1-75.
- o The contractor will sweep Lexington Oaks Boulevard.
- o The potable water system will not be turned on until the entire road is complete from 581 to Magnolia.
- o The road will be open to traffic in both directions after the grade is evaluated. Any work will be done at night so as not to interrupt the traffic flow.
- o There is probably another eight years of construction in the area.
- o The 1-75 bridge widening on S.R. 54 will start in 2008 or early 2009.
- o The eastern project on 1-75 will start construction in late 2008/2009. The plans are 100 percent completed. Letters of Interest were requested last week for a CEI Consultant.
- o The construction on 581 and S.R. 54 South to County Line will start in April 2008.
- o A consultant was chosen to prepare the design plans in January 2008 for Magnolia to S.R. 54.
- o Since construction started, the school site and three car dealerships were added.

October 25, 2007 Lexington Oaks CDD

- o S.R. 54 was open cut at Gateway to install a 24" pipe from the mall across S.R. 54 into a pond adjacent to an Urgent Care facility for stormwater discharge. There will be a median cut on S.R. 54 to tie into Oakley Boulevard.
 - o There will be at least four public meetings on the status of construction. The time/date/location of the meetings will be posted on the Pasco County website.
 - o The construction duration will be reduced as the contractor will work seven days/week in double shifts.
- o There has been criticism about the slowness of Pulte.
- o This project commenced in 2005; however, the right-of-way was not obtained until 2006.
- o The mall will open two stores on October 26 h. Signage announcing the opening will be posted along Old Pasco Road to Oakley Boulevard. A police officer will control the traffic at the entrance to the mall at the intersection of Oakley Boulevard and Old Pasco Road and at the entrance to the Cracker Barrel.
- o A subcontractor for the mall broke into a line causing raw sewage to flow down to the Urgent Care facility while installing a 16" force main two weeks ago. Pulte came to their aid and minimized the damage. The pond was tested to make sure no contaminates seeped into the wetlands.
- Mr. Peters thanked Mr. Shephard for his report and noted the residents were concerned about the brick pavers and the storm drains being uphill. *Mr. Shepherd explained the brick pavers will be replaced and the grade elevated by Pulte once the asphalt is poured onto S. R. 54.*
- Mr. Hanzel addressed the following:
 - o Expressed concern about the stop sign and cars protruding into the lane when turning right onto S.R. 54. *Mr. Shephard believes there will be a traffic light but it will not allow a right on red. He will check with Pasco County to see if they will allow a right on red and what recourse the CDD has if the water does not drain.*
 - o Feels the contractor did a good job considering all factors.

October 25, 2007 Lexington Oaks CDD

- Mr. Nystrom expressed concern about how far the stop sign protrudes. *Mr. Shephard explained no provisions were made to remove the sign.*
- Mr. Peters questioned whether the pedestrian crosswalk will be in front of the sign. *Mr. Shephard confirmed there would be a push button crossing with a ramp and the northern edge of the crosswalk will be at the gutter of the sign.*
- Mr. Valentine inquired whether there was anything Mr. Shephard could do to remove the 1.5" lip. *Mr. Shephard suggested installing an asphalt ramp.*
- Mr. Shephard will send an email to the Board with answers to their questions.

FIFTH ORDER OF BUSINESS Security System Report by Chuck Bellissimo of HPI

- Mr. Bellissimo reported the following:
 - o The county transferred the permitting of the poles from Permitting to Zoning who requested further documentation. *He will submit a request to the county for 45' poles and prepare a presentation to the Board on the placement of the poles.* He recommended 45' poles as the street lights are at 25' and the crowns of most of the **foliage in** the center of the development are at 30'.
 - o The Board requested concrete poles instead of the metal poles proposed in the original bid, but Mr. **Bellissimo** felt this was not practical for cost reasons.
 - o As soon as Mr. Bellissimo receives the deposit from the District, he will order the parts for the community center.
 - o The Electrical Inspector informed Mr. Bellissimo at his last project he did not need permitting for low voltage poles. *He will check with the Electrical Inspector to make sure this is still the case.*
 - o The cameras for the community center will be different than the ones installed on the poles. *Mr. Bellissimo will make **sure** they are vandal and weather Proof*
 - o The panels will be stored in the closet of the control room. Outside of the closet, Mr. Bellissimo plans to have a console with two LCD screens, which can be used by staff to view the cameras and switch to **an access control** database when information needs to be entered. The community will receive 5000 numerical cards. He requested a desk for the console.

October 25, 2007 Lexington Oaks CDD

- o Mr. Hanzel will find a location to store the poles.
- Mr. Peters inquired whether 60' poles could be installed and if the budget will be affected by doing so. The bid specified a 64' tower at the community center and tennis courts. *Mr. Bellissimo stated he looked at using a 75' concrete pole; however the cost was \$30, 000 per pole, which was over budget.* The original proposal specified 20' poles and 64' towers; however he received a good price on the 45' poles.
- Mr. Peters inquired how long it will take after the permit is received to start installing the equipment. *Mr. Bellissimo stated it will take four to six weeks for the poles to be delivered but some work can be performed in the meantime.* In the next three to four months, the system should be operating.

SIXTH ORDER OF BUSINESS Attorney's Report - Golf Course Reclaimed Water Renewal

- Mr. Valentine reported he was present with Mr. Bechtel when the adjustments were made and reported the following:
 - o It appears the system was set for a certain pressure to trigger the wells.
 - o Some repairs were made to the valves due to a leak, which may have triggered the wells to turn on sooner.
 - o The valves for the well are set so when the well turns on, the pressure from the well is low enough to allow reclaimed water to flow.
- Mr. Peters addressed the following:
 - o Inquired whether ITS can make any **adjustments** since the District pays Irrigation Technical Services \$1,000 per year **to maintain** the irrigation system. *Mr. Valentine felt this was the Board's decision **to make** but would permit them to make the adjustments because they have the equipment.*
 - o Inquired whether ITS was present when the adjustments were made. *Mr. Valentine reported they made the adjustments and felt the Board needed to be made aware of any adjustments made by ITS or direct ITS to make any adjustments.*
 - o Noted there was now a fence around the pump and ITS did not have a key.

October 25, 2007 Lexington Oaks CDD

- **Mr. Nystrom reported the golf course was pumping reclaimed water into the pond 24/7. *Mr. Valentine felt if they were taking water from the system, there was going to be less water for everyone else, which was part of the problem in Maywood.***
- **Mr. Peters complimented Mr. Bechtel on the irrigation water usage chart and pointed out the last two columns show how much water goes into the pond from the golf course and how much water is taken from the pond to irrigate the golf course. He expressed concern over the amount of water going into the pond being more than the water coming out of the pond and felt 20 million gallons being lost to evaporation did not sound right. *Mr. Valentine explained there was a control structure on the pond releasing water into the wetlands.***
- **Mr. Hanzel felt there needed to be resolution. *Mr. Valentine felt the Board was heading in the right direction by adjusting the settings and mixing the reclaimed water into the well to reduce the amount of well water.* It was just a matter of adjusting the valve to the optimum levels as everyone wants to maximize the use of the well without going over.**
- **Mr. Peters felt ITS was not the best company to be used and wondered whether there were similar companies. *Mr. Valentine stated it depended on who they sent out as the person he deals with knows the system and has been out here before. In an emergency situation they probably sent out whoever was available.***
- **Mr. Nystrom inquired about the best scenario for the District and the golf course. *Mr. Valentine felt making adjustments to the system to always get reclaimed water into the system and maximizing the well usage but staying under the limits established by SWFWMD was the ultimate goal.***
- **Mr. Peters expressed concern over 70% of the total water usage (reclaimed and well) being used by the golf course. *Mr. Valentine explained with the adjustments made, there should be reclaimed water flowing through, unless the reclaimed water pressure was too low.* He felt in the dry season, the reclaimed water pressure was going to be low but during the rainy season, the reclaimed water pressure will be high enough to where they will get a mix. Mr. Nystrom suggested going out every other month to see if this was occurring.**

October 25, 2007 Lexington Oaks CDD

- Mr. Hanzel inquired whether the District was going to start billing the golf course for their water usage. *Mr. Peters requested Mr. Adams estimate how much money the District pays monthly to ITS.*

SEVENTH ORDER OF BUSINESS Engineer's Report A. Update on Capital Projects

- Mr. Valentine addressed the following capital improvement projects:
 - o Playground* - Repairs are currently being made. Mr. Adams stated paperwork could not be found showing if the subcontractor was paid. Mr. Mendenhall will verify with the District Accountant whether the contractor paid the subcontractor. *Mr. Peters felt they should not be paid until the repairs are made and it is not the District's problem if a contractor does not pay their subcontractor.* Mr. Hanzel requested the invoice in the financials from OneSource for additional sod and irrigation work for the playground be paid out of the Capital Fund.
 - o Solar Pool Heater* - Completed.
 - o Broken Fences* - Completed.
 - o Drinking Fountain* - Completed.
 - o Round-about Lighting* - Completed.
 - o Landscaping Pulte Trailer Area* - Completed.
 - o Hose Bibs* - The check was cut for the pressure wash equipment.
 - o Fitness Center* - The following **issues** were discussed:
 - The submittal to SWFWMD and the county will be made upon approval by the golf course to allow the District to dump additional stormwater into the golf course ponds.
 - The lines in the existing irrigation system in the soccer field and across the sidewalk will be broken in order to install a new irrigation system. After talking with OneSource, the irrigation for the islands in the new parking lot will be installed adjacent to the building. Any irrigation for the turf will be installed at a later date and will not be part of the Fitness Center contract.

October 25, 2007 Lexington Oaks CDD

- The elevations of the existing sidewalk from the existing parking lot to the basketball court do not match the grade of the new parking lot for drainage purposes. One option is to add additional curbing but this will be difficult to construct, will cost extra money and be an eyesore. Adjusting the parking lot to no more than a 1" variation is a better option. If this cannot be done, the existing sidewalk will either have to be removed and a new one installed along the edge of the parking lot or the sidewalk in front of the Fitness Center will have to be extended around the parking lot to the basketball court. *Mr. Valentine felt the kids going to the basketball courts should be on the far side of the parking lot rather than in front of the Fitness Center for safety reasons.* Mr. Peters agreed.
- The existing 1.5" service line feeding water into the Fitness Center is no longer sufficient for the current fixtures and needs to be upgraded to 2.5". There will be fees to the county for the hookup of the 2.5" service line; however the fees are much cheaper with another 1.5" service line. Mr. Peters agreed.
- The Pasco County Fire Department may be able to provide a variance to the District for the existing fire hydrant and not require a new fire hydrant within 200 feet of the building. *Mr. Valentine will follow up. If a hydrant is required, a 6" fire line will be installed from the existing hydrant to the Fitness Center.*
- Mr. Peters addressed the following:
 - o Inquired whether lockers were included in the design plans. Mr. Mendenhall stated he directed the Architect to locate the lockers on a wall outside of the bathrooms. *He will ask Mr. Garcia to label items on the plans.*
 - o Inquired about the bathrooms. *Mr. Mendenhall noted the Board requested unisex bathrooms at the last meeting.*

October 25, 2007 Lexington Oaks CDD

- Mr. Valentine reported he spoke to the Architect about running the water and sanitary services from the building closest to the existing parking lot and expressed concern over the location due to maintenance issues. *Mr. Mendenhall will direct the Architect to reverse the storage area and bathrooms to the other side.*
- The swales in the existing soccer field behind the building will need to be cut in order to run the surface water to the end of the sidewalk by the basketball courts.
- There is a swale in the rectangular area next to the Fitness Center. *Mr. Valentine will re-run the swale straight out and along the edge of the volleyball/basketball courts so there will be a square area on the south side of the Fitness Center.*
- Mr. Peters inquired whether a decision was made to reserve a parking spot for the Kubota. Mr. Mendenhall stated permission was granted to park the Kubota at the golf course. Mr. Hanzel suggested extending the dumpster. Mr. Adams expressed concern about the dumpster attracting animals and suggested fencing it in like the pool heaters. He feels the Kubota will be secure at the golf course as it will be behind a locked gate. Mr. Mendenhall suggested purchasing a separate garage. Mr. Nystrom expressed concern over a garage using up square footage. *Mr. Valentine suggested purchasing a pre fabricated or wooden shed.*
- Mr. Mendenhall stated the next step was for the purchase of exercise equipment. Mr. Adams noted the exercise equipment will be purchased upon completion of the floor plan.
- Mr. Mendenhall will provide the dimensions on the covered entry to Mr. Valentine.

o Security System - This was discussed earlier in the meeting. o SWFWMD -

The following issues were discussed:

- The concrete mat for Pond 1B/5A was installed yesterday. Pond 1B was filling in nicely and ducks and birds were flocking to it. By the beginning of next week, it should be backfilled.

October 25, 2007 Lexington Oaks CDD

- The contractor for the Belmont project dug up the end joints on the pipes to determine the problem and discovered the joints were separated and there was breakage to the pipe. The contractor will provide the plugs tomorrow to plug up the pipe so the water could be pumped out in order to pour the collars.
- The aluminum skimmer structures will be installed in front of the control structures for Ponds 1B/5A and 27C/D on October 29th. There was a delay due to manufacturing issues.
- Mr. Peters inquired about trees not being replaced in Belmont. *Mr. Valentine explained in order for the contractor to get access to the pond on the left, they had to remove trees homeowners planted in the District's drainage easement.*

o Enhancements Front Entrance - OneSource will provide a bid for Mr. Valentine to review.

o Pond Fountain - Installed.

o Pond Plants - Mr. Adams reported Aquatic Systems is waiting for the plants to be paid for. Mr. Mendenhall confirmed the requisition was processed but will contact the Trustee to follow-up on the release of funds.

o Risen Star Golf Cart Path - Mr. Peters reported \$3,813 charged to the O&M funds should be taken out of the bonds. *Mr. Valentine verified this was done.* Mr. Peters inquired whether there was another charge of \$4,500 for irrigation. *Mr. Valentine confirmed this was the case.*

o Pond Aeration - Mr. Adams reported he received an estimate of \$45,000 to \$50,000 but wanted to wait for the other contractor to bid so he did not go over budget.

o Drain Depression - Mr. Valentine reported he called a Geotechnical Engineer to provide a cost to do some non-destructive testing to evaluate the drain depression in Hawthorne Village.

October 25, 2007 Lexington Oaks CDD

o Entrance Sign - The following issues were discussed:

- Mr. Hanzel reported the county will look at the LED Ordinance in December as two commissioners want to see LED signs in the community. An alternative is to spend \$10,000 for a manual sign.
- Mr. Mendenhall confirmed he met with Ms. Pat Muliari and Mr. Jim Whitman about governmental entities having an exemption to the ordinance against LED signs. Mr. Muliari considers LED signs to be "visual pollution" but it was pointed out Pasco County schools use these signs as well as highways for Amber Alerts. There will be a presentation at the December County Commission meeting in regards to the exemption.
- There was consensus from the Board to table this item until a decision is made by the County Commission in December.

o Meeting Room - Pending until completion of the Fitness Center.

o Kitchen Upgrades - The Board is waiting for Ms. Susan Steinmatz to give a report. Mr. Peters noted the Board can only pay for new appliances out of the O&M Funds. Mr. Hanzel requested prices from vendors on the appliances as this is a project that can be started.

B. Lyons Hoe Excavating Estimate for Pond 27C/D This item was discussed above.

C. Storm Drain Collapse - 5410 Algerine Place

- Mr. Peters reported Pulte agreed to fix the storm drain.
- Mr. Valentine reported there was a pipe break underneath the sidewalk.
- Mr. Peters inquired who was responsible for maintaining the stormwater. *Mr. Valentine reported the District is responsible for the **maintenance** as it is part of the drainage system.* Mr. Mendenhall suggested the District make the repairs and provide the bill to Pulte. Mr. Valentine reported Pulte has contractors in the field to make the repairs.
- Mr. Hanzel indicated this is a safety issue and the Board must order repairs ASAP and collect funds later if needed.

October 25, 2007 Lexington Oaks CDD

D. Other Matters

- Mr. Peters reported he received a breakdown of cost to repair the **signs** between Preakness & Hawthorne. *Mr. Valentine requested the traffic study fee be split 50/50.*
- Mr. Hanzel inquired whether Mr. Valentine was in contact with HPI. Mr. Valentine reported HPI contacted him to request copies of the plans. *Mr. Hanel will provide copies of the security plans to Mr. Valentine.*
- Mr. Mendenhall inquired whether Mr. Valentine was in contact with the Architect for the Fitness Center. *Mr. Valentine felt he did not need to stay in contact with the Architect but he wanted to know the dimensions of the pad.*
- Mr. Hanzel inquired whether the report by Mr. Shephard on the water flow was accurate. *Mr. Valentine confirmed it was accurate unless the water flow was forced to flow in a different direction.* He felt the water was going to drain to the existing inlets. Some brick pavers had to be removed due to the S.R. 54 widening and the increase in the elevation.
- Mr. Mendenhall inquired whether Mr. Valentine had any involvement with Pulte regarding the pavers. *Mr. Valentine confirmed he did not have any involvement with Pulte but will find out what they have planned* He believed the county was overseeing the work. Mr. Peters reported Mr. Whitman offered his expertise in terms of the base to be installed before the pavers. Mr. Valentine felt the Board should allow Mr. Whitman to work with Pulte. *Mr. Hanzel will follow-up with Pulte in regards to the completion of the pavers.*
- Mr. Peters inquired whether Mr. Valentine submitted the documentation for the Preakness/Hawthorne law enforcement. *Mr. Valentine confirmed he provided the appropriate documentation to the county but had not heard anything and will follow-up.*

EIGHTH ORDER OF BUSINESS Discussion Items A.

Playground Rules and Posting of Rules

- Mr. Hanzel provided the following rules for the playground, which will be placed on a free-standing sign:

October 25, 2007

Lexington Oaks CDD

Lexington Oaks Community Development District Welcome to Lexington
Playground

Playground Rules

The playground is for the benefit of Lexington Oaks residents & **guest(s)** Anyone caught **vandalizing or defacing the playground** property will **be prosecuted** Playground **equipment is designed and engineered** for youth **12 years and under**. Playground **area opens at dawn and closes at dusk**. All persons **must leave the playground** property

All pets must be **on a leash at all times** Loud and abusive

language prohibited. Alcoholic Beverages are not permitted

Children under the age of 13 years of **age must be supervised by an adult while in the playground area.**

- Mr. Peters will review the playground rules and provide any comments to Mr. Adams.

B. Fitness Center Update

This item was discussed above. C.

Pool Remarciting

- Mr. Adams provided estimates to the Board and noted the remarciting will take three weeks to complete and end no later than late January.
- Mr. Dolente inquired about the warranty. Mr. Adams reported there was a five year manufactures warranty.
- Mr. Nystrom inquired about the advantage to spending the extra money. Mr. Adams felt the mini pebble finish was more durable, safer and provided more stability.
- Mr. Peters felt this needed to be done but the funds were coming from the O&M and the difference of \$28,000 between the mini pebble finish and marquis quartz finish was significant.

On MOTION by Mr. Hanzel seconded by Mr. Dolente with all in favor the pool remarciting contract was awarded to All Star Pools in an amount not to exceed \$38,500 for a marquis quartz finish, with the work to begin in the next 90 days.

- **Mr. Adams provided estimates to the Board on the clubhouse painting with the lowest bid submitted by Bullard Custom Painting in the amount of \$2,875. Mr. Peters requested paint samples and reviewing the color scheme with the ARC. Mr. Mendenhall will provide the names of local painting companies.**

October 25, 2007 Lexington Oaks CDD

D. Electrical Estimate for Pond Aeration

- Mr. Adams stated he provided an estimate to the Board at the last meeting and was waiting for another estimate.

NINTH **ORDER OF BUSINESS Manager's Report** • Mr. Mendenhall reported the following:

A. Balance of Hawthorne/Preakness Reserve

- The Accurate Electronic bills for 2004 were emailed to the Chairman prior to the meeting. Mr. Mendenhall inquired whether the Board wanted additional bills. There were currently no reserves but according to the fiscal year 2008 financials, which will be provided to the Board prior to the next meeting, there will be additional reserves.
- The accountant changed from Ms. Terri Lusk to Ms. Brandie Brokow who is in the Orlando office. The regional accountant is Mr. Rick Woodville who is also in the Orlando office. Mr. Mendenhall felt the proximity of Mr. Woodville was helpful to the Board.
- Mr. Peters provided a breakdown to Mr. Mendenhall of what the residents of Preakness and Hawthorne paid towards the reserves, less the early payment discount, gate and telephone expenses and compliance for law enforcement entry. He felt the residents of Hawthorne were overspending by \$2,265 and Preakness will have \$5,344 remaining for reserves.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor a reserve fund will be set up for Preakness in the amount of \$5,344 effective October 15th, subject to review by the Accountant at Severn Trent Services.

- Mr. Mendenhall felt the residents of Hawthorne could not currently be billed for the \$2,265 overage; however this can be revisited at the end of the year.

B. Insurance Update

- Mr. Adams met with Ms. Paula Davis at Severn Trent Services. Mr. Mendenhall provided to the Board a listing of cost estimates for the insurance carrier to provide insurance for the community center, tennis court and perimeter walls. A response from the insurance company is expected in two weeks, which Mr.

October 25, 2007 Lexington Oaks CDD

Mendenhall will provide to the Board at either the workshop or next regular meeting. He felt the Board should make a decision about the walls and whether they should be covered and suggested having a Wall Replacement Fund.

- Mr. Peters questioned whether the insurance covered an "Act of God" rather than deteriorating walls. Mr. Mendenhall confirmed the coverage was for an event such as a hurricane or a car running into the wall. *Mr. Peters felt the reserves could be used to cover the repair costs.*
- Mr. Dolente felt this matter should have been discussed prior to the budget being prepared in regards to the premiums. Mr. Mendenhall explained the insurance is bound after the budget is adopted but the planning for the insurance should be discussed prior to the budget adoption in regards to insured values and premiums.
- Mr. Mendenhall will give an update to the Board at the next meeting on the premium from the insurance company.

Hawthorne Streets

- Mr. Mendenhall provided a letter to the Board from J.C. *Mule* regarding the streets in Hawthorne. Mr. *Mule* expressed the following concerns:
 - o Feels Pulte is responsible for the poor condition of the streets and requests the Board to take action.
 - o Addressed landscaping concerns, specifically with OneSource regarding entry island and weed **issues**.
 - o Inquired about the Sheriff coming into Hawthorne. o Requested a "No Trespassing Sign" for the gate.
- Mr. Peters requested the Board **members** drive into Hawthorne and look at the roads to validate Mr. Mule's concerns. *Mr. Mendenhall suggested Mr. Adams walk the property with Mr. Mule and report to the Board next month. Mr. Adams will call Mr. Mule to coordinate.*
- Mr. Hanzel suggested handling the roads the same way the county does, which is **to do an assessment** on the road on what it will cost to bring it up to standard and **assess the** residents of Hawthorne.

October 25, 2007 **Lexington** Oaks CDD

TENTH ORDER OF BUSINESS Staff Report - Site/Clubhouse Manager A. Update on Projects

- Mr. Adams reported OneSource failed their inspection and inquired what percentage of their bill will not be paid. Mr. Mendenhall recalled the contract withholding 25% but will check. He will ask Mr. Paul Woods from OLM to attend the next workshop. Mr. Valentine requested OneSource take care of the weeds a month ago and they did not do so. Mr. Hanzel expressed the same concerns with Luke Brothers, which he is now addressing with OneSource. He also expressed concern about OneSource being sold to another company and wanted OneSource to be brought up to standard rather than terminating them.
- Mr. Nystrom suggested waiting to hear the results of the next inspection.
- Mr. Dolente suggested having Mr. Woods attend the next workshop and then review the next inspection report. If OneSource does not improve, the Board will request they attend the next available meeting.
- Mr. Mendenhall suggested the Board compile a list for Mr. Woods of the areas to inspect.

After further discussion with regards to whether or not trenching was included in OneSource's contract, there was consensus from the Board to have Mr. Paul Woods attend the next workshop.

- **Electrical Estimate for Pond Aeration Installation** This item was discussed earlier in the meeting.

ELEVENTH ORDER OF BUSINESS Supervisor Requests

- Mr. Dolente inquired whether insurance was obtained for the Halloween event being held on October 26th *Mr. Mendenhall reported he received a phone call yesterday from an organization relating to the **insurance** and will follow-up after the meeting.*
- Mr. Hanzel addressed the following:
 - o Complimented Mr. Adams on the removal of the phone and saving the District \$100/month.
 - o Requested Mr. Adams develop a planning calendar of all CDD events and provide to the Board at the November **meeting**.

October 25, 2007 Lexington Oaks CDD

- o Received emails from a resident in Maywood expressing concerns regarding people not picking up after their dogs on District property. Questioned whether a sign requesting owners clean up after their dogs and keeping them on a leash was missing from the Boulevard. *Mr. Adams will count how many signs are on the Boulevard versus the number the District purchased two years ago.*

- o Inquired the status of the invoices sent to Sterling Management for Churchill, Pimlico and Remington to reimburse the District for electrical. Mr. Mendenhall stated he received a letter from the Churchill HOA requesting further clarification and copies of Withlacoochee bills for the last 12 months. Pimlico and Remington have not remitted payment. *Mr. Mendenhall will check with his office to see if any further payments were made.* He recalled some estimation on the electrical but wanted guidance from the Board on how to respond to Churchill's request. *Mr. Hanzel stated this was a running dispute between the HOA and the Board as they have the documentation but refuse to pay the bill. He suggested contacting Withlacoochee and directing them to forward the bills to Sterling Management Company who is the management company for Churchill..*

- Mr. Peters questioned the issue about the gate telephone. *Mr. Mendenhall explained the Churchill HOA requested a copy of the Verizon bills for their review as they believe the phone number belongs to the Preakness gate.*

- Mr. Mendenhall inquired if the meter was changed to the Churchill HOA and whether the District was responsible for any part of the bill. Mr. Hanzel believed the District was responsible for the electricity for the floodlights in the monuments and suggested Mr. Robin write a letter to the Churchill HOA notifying them a lien will be placed on their property for non-payment. *Mr. Mendenhall will send copies of the Withlacoochee invoices and the Verizon bill to the Churchill HOA and await their response. If they respond negatively, Mr. Robin will write the collection letter.*

October 25, 2007 Lexington Oaks CDD

- Mr. Peters reported it was stated in the minutes; Churchill, Pimlico and Remington agreed to pay \$400 and were going to be turned over to Withlacoochee on September 30, 2007.

After further discussion, there was consensus from the Board to have Mr. Mendenhall write two letters to the Churchill HOA; one informing them of their receipt of the requested documentation in the past and a second letter informing them the phone line for the gate will be disconnected if there was no response from them within 30 days.

- Mr. Peters reported he received an email from a resident on the cul-de-sac adjacent to Lexington Oaks Boulevard on Aptitude Terrace in regards to people camping in between the set of trees before Maywood as the sidewalk curves. Mr. Peters will have off duty officers patrol the area between 3 a.m. and 6 a.m.

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

- Mr. Hanzel addressed the following:
 - o Questioned whether the tree removed by OneSource for \$550 on Quadrangle Court was on District property. Mr. Adams stated the tree was on District property
 - Questioned the invoice from OneSource for a broken valve on the tennis court. *Mr. Adams explained the irrigation was in the common area of the tennis courts.*
 - o Requested a copy of the updated Rules of Procedure. Mr. Mendenhall stated Mr. Robin's Assistant updated the Rules of Procedure for all Districts to take into account the new legislation. However, he was not sure whether or not the District approved the updated Rules of Procedure and will contact Mr. Robin to confirm. If the Board did not adopt the new rules, this item will be placed on the next agenda.
- Mr. Peters addressed the following:
 - o Questioned the invoice from OneSource on the line trimming and disposal of grass clippings. Mr. Adams explained this work was done in Saratoga to a pond area where turf was growing 4' to 5' tall.
 - o Reported the District was in the positive by \$175,000.

October 25, 2007
Lexington Oaks CDD

o Questioned an invoice from King Engineering. Mr. Mendenhall explained one of the Board members forwarded it to him but will confirm who sent it to him.

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor the financial statements, check registers and invoices in the amount of \$55,279.03 for the period ending September 30, 2007 were approved.

TWELFTH ORDER OF BUSINESS Audience Comments

- Ms. Esther Larkin, President of the Master HOA for Lexington Oaks reported there was a situation with a storm drain in Maywood. Mr. Matt O'Brien from Pulte sent her an email which indicated the following:

"You should be aware, because of the nature of this problem and its originating cause; it is our opinion the repair is an HOA expense. I am happy to assist in the scheduling and contracting of these repairs. However, the HOA will need to be in the position to pay for or reimburse Pulte for the necessary repair work. This being said, if for some reason, you would like for me to stop while the HOA attempts to determine on its own accord the root cause and possible fix for the erosion problem, I would be willing to postpone my efforts until you tell me otherwise. If any of them are willing to schedule the repair, please let me know by the close of business tomorrow".

- Ms. Esther Larkin stated she was going to provide the following response to Mr. O'Brien:
"The HOA does not pay for anything. I cannot and do not authorize you to proceed with repairs that will incur any costs. I will have to take this up with our Association Attorney to see what avenues we need to proceed down. Unfortunately the storm drain does belong to Pulte according to the County. If there is an accident involving the drain, then you will be responsible for any legalities concerning it."
- Mr. Peters inquired whether the above response was provided to Mr. O'Brien. Ms. Larkin reported she will not send this response until she speaks with the association attorney. Mr. Peters felt Pulte should fix the storm drain. Mr. Mendenhall felt regardless of who paid, the storm drain needed to be fixed and suggested if Pulte intended to fix it, have them do the work, pay for it upfront and then figure out later who will pay for it. He did not feel the HOA should be

October 25, 2007

Lexington Oaks CDD

responsible for the repairs. Ms. Larkin felt since Pulte installed the sprinkler system, they were responsible for any repairs. Mr. Mendenhall agreed and felt these points could be brought up to Pulte when the invoice was presented. *Mr. Peters requested Ms. Larkin inform Mr. O'Brien the HOA is in no way responsible to reimburse Pulte and direct him to send the estimate to the District. In the meantime, Mr. Peters will speak to Mr. Valentine about this matter.*

FOURTEENTH ORDER OF BUSINESS Adjournment There not being any further business,
On MOTION by Mr. **Dolente seconded** by Mr. **Peters with all in** favor the **meeting was adjourned.**

Andrew P. **Mendenhall** Don Peters **Secretary Chairman**

20