

**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, March 27, 2008 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
Terry Bechtel	Vice Chairman
Peter Hanzel	Assistant Secretary
Raymond Dolente	Assistant Secretary
Fritz Nystrom	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Tracy Robin	District Counsel
Bob Valentine	District Engineer
John Adams	Site Manager
One Source Representative Resident	

*The following is a summary of the minutes and actions taken at the March 27, 2008 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  
February 28, 2008 Meeting**

Mr. Peters stated each Board member received a copy of the minutes of the February 28, 2008 meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor, the minutes of the February 28, 2008 meeting were approved.

**SIXTH ORDER OF BUSINESS**

**Engineer's Report**

Mr. Valentine addressed the following:

- There is a crack in the wall in the back end caused by the growing roots of a tree but the collapse of the wall is not imminent.
- There is only a foot from the wall to the property line and no access for repair.
- He will follow up to obtain the construction plans for the wall from King Engineering.
- He checked the two pond repairs which were done on 27 C-D due to cracks and on 5A-1B due to water going underneath the structure.
- He found on 5A-1B there is a difference of 5' to 6' water elevation into one point to the next; he did not see any evidence of water running underground. He noticed the cracks on 27 C-D and contacted the contractor who performed the repairs but received no response. He will follow up and take some elevation readings.
- He is waiting for a report on the two depressions in Hawthorne. According to preliminary discussions with Geo Technical engineers, they did not find anything wrong.
- Erosion seems to be a common occurrence where the water is running off in between homes.
- We are waiting for the License Agreement with the county regarding the front entrance replacement of the pavers. Mr. Widman is aware of the delay and has requested copies as well.
- In anticipation of receipt of the agreement he will begin to get cost estimates for the work.
- The District will pay 50% of the cost for moving the monument in front with bond funds.
- District Counsel suggested the District request in writing what the cost is that it will be responsible for regarding the movement of the monument.

On MOTION by Mr. Hanzel seconded by Mr. Dolente with all in favor paying 50% of what the chair agrees to with the county to move or replace the monument was approved and the Chairman was authorized to execute the agreement to facilitate the moving or repair of the monument.

- The fitness center is at a standstill pending as-built plans from King Engineering.
- The one priority is receipt of the SWFWMD permit which has been submitted. Most of their comments were minor. The major item was the original permit for the clubhouse and park site was never transferred to the operations phase and in order to do this a set of as-built plans must be submitted. This should have been done by the developer.
- A set of as-built plans have been requested from King Engineering.

*The Board and staff continued to discuss obtaining the as-built plans with the outcome being the District Manager and District Counsel will continue to follow up with Pulte Homes and King Engineering.*

- The replacement gym equipment will be delivered.

#### **FOURTH ORDER OF BUSINESS**

#### **Security System Update by Chuck Bellissimo of HPI**

Mr. Bellissimo addressed the following:

- All equipment has been installed at the community center. The existing printer has been tested and works.
- The cameras work but the network video recorder had technical problems and is in the process of being replaced. He refused to accept a new one unless JVC does a bench check testing on it so time is not spent troubleshooting a problem which is theirs.
- A pole permit request submitted to Pasco County was returned with a request for 13 separate permit applications.
- The permit applications will be reviewed by District Counsel and returned to Mr. Bellissimo for sign off by his electrical contractor and then resubmitted to the county for processing.
- The access control system for the clubhouse will be operational next week.
- The day after the MPR arrives it will be installed and operational.

*The Board and staff continued to discuss the security issue and the operation and positioning of cameras.*

**FIFTH ORDER OF BUSINESS**

**Attorney's Report**

Mr. Robin addressed the following:

- There is an exception to the public records law regarding security records with respect to the physical configuration of the system, how it works and the architecture. Those records are exempt from someone coming in and asking for them. If you receive public record requests for those, they are exempt records.
- In order to protect them they should be stored together and maintained in separate distinct files apart from other District records. They should be marked they are exempt from public record requests without contacting the county. The information collected about the residents of the District which is being keyed into the system for the access cards is also protected. If you have other District records on the computer, these records should be stored separately.
- He was contacted by Prager Sealy, the District Bond Underwriter who monitors the status of District bonds relating to the present market. They are requesting an opportunity to meet with the Board to discuss the status of its 1998 Bonds and the opportunities available. It may be advantageous for the District to refund the 1998 Bonds due to recent market changes.
- Mr. Justin Rowan of Prager Sealy will make a presentation at the April 10, 2008 workshop.

**ELEVENTH ORDER OF BUSINESS**

**Audience Comments**

- A resident expressed interest in having a dog park in the Pocono community.
- A discussion ensued regarding overgrown trees hanging over the wall/fence and if it is permissible for the District to trim these trees.
- As a property owner the District has the right to trim tree limbs overhanging their property.

**SEVENTH ORDER OF BUSINESS**

**Discussion Items**

**A. Update on Entrance Pavers**

This item was previously discussed.

**B. Movement of Entrance Monument**

This item was previously discussed.

**C. Golf Course Mitigation Update**

- A meeting is scheduled today with golf course representatives.

**D. Fitness Center Bid Specifications**

- The specifications are in the process of being reviewed by District Counsel.

**E. Disposal of Fitness Center Equipment**

- Those who submitted bids have been contacted.

**F. In-house Pool Service**

- Mr. Adams has registered for a pool service certification class on May 6th and 7th.
- A discussion ensued regarding the advantage of having the pool serviced by an in-house employee.

**G. Administration of Card Access System**

*The Board and staff discussed a list of items for consideration relating to card access system administration distributed by Mr. Bechtel, a copy of which is attached for the record.*

- Those 16 or older will be issued cards.
- The first card will be free with return of key.
- The requirement of signing a medical waiver by all users was deleted.
- Information regarding card access entry will be placed in the May newsletter.
- August 1, 2008 will be the cut off for key usage.

On MOTION by Mr. Hanzel seconded by Mr. Peters with all in favor the oversight of the fitness center card access procedure was designated to Mr. Bechtel.

**EIGHTH ORDER OF BUSINESS                      Manager's Report**

Mr. Mendenhall addressed the following:

**C.      Status of Landscape Architectural Proposals**

- Proposals were received from American Consulting Engineers of Florida and OLM.
- The other interested firm did not see a fit right now for providing a proposal but recommended the firm Cooper & Associates might be interested.
- Mr. Mendenhall contacted the owner of Cooper & Associates who voiced interest but as yet they have not submitted a proposal.

Mr. Hanzel moved to accept the landscape architectural proposal from American Consulting Engineers of America and Mr. Bechtel seconded the motion.

*The Board and staff continued to discuss the landscape architectural proposals and the proposal procedure with the outcome being it was determined by voice vote 2 in favor and 3 against it is in the best interest of the District not to accept the proposal from American Consulting Engineers of America at this time in order to coordinate finalizing of bid specifications and the review of warranty language.*

On Voice Vote with Mr. Hanzel and Mr. Bechtel voting aye and Mr. Peters, Mr. Nystrom and Mr. Dolente voting nay the prior motion failed.

**A.      Consideration of Engagement Letters with Deloitte Tax LLP to Perform Arbitrage Rebate Services**

- Engagement letters were received from Deloitte Tax LLP to perform arbitrage rebate services in the amount of \$1,575 for Special Assessment Revenue Bonds, Series 1998A and B, \$1,575 for Special Assessment Revenue Bonds, Series 2000A and 2000B and \$1,575 for Special Assessment Revenue Bonds, Series 2002A and 2002B; copies of which are attached for the record.
- This amount is in line with what is typically charged and Deloitte has previously performed this required service for the District.

On MOTION by Mr. Bechtel seconded by Mr. Hanzel with all in favor the engagement letters with Deloitte Tax LLP to perform arbitrage rebate services in the amount of \$1,575 for Special Assessment Revenue Bonds, Series 1998A and B, \$1575 for Special Assessments Revenue Bonds, Series 2000A and 2000B and \$1,575 for Special Assessment Revenue Bonds, Series 2002A and 2002B were accepted.

**B. Ratification of Acceptance of Single Sided Sign from Oakhurst**

- The Board previously approved the purchase of a sign for an amount not to exceed \$8,500.

On MOTION by Mr. Peters seconded by Mr. Hanzel with four Supervisors voting aye and one Supervisor voting nay the purchasing of a single sided lighted sign from Oakhurst including electric in an amount not to exceed \$12,000 was approved.

- The homeowners association has informally agreed to pay \$3,000 toward this sign.
- A discussion ensued regarding an email received from a resident inquiring if the baby pool could be replaced with a mini water park.
- Mr. Adams will research the cost of a mini water park.
- A preliminary fiscal year 2009 budget for review by the Board will be distributed within the next few days for discussion at the next workshop.

**TENTH ORDER OF BUSINESS**

**Supervisor Requests**

- The rubber in the playground needs replacement due to cracks.
- It was noted there are cracks in the monuments.
- Mr. Peters moved to waive the clubhouse fee for the party scheduled on May 3, 2008. The motion died due to no second.
- The hiring of lifeguards for the summer should commence.

**NINTH ORDER OF BUSINESS**

**Staff Report – Site/Clubhouse Manager**

Mr. Adams addressed the following:

- The original proposal for the circuit for the front fountain was \$1,750 which was based on county specifications but an additional 150' of conduit was required. They did not request approval from us for the cost of this additional conduit.

- The job was completed on the February 27, 2008. The \$1,750 had been paid according to the contract but they submitted an additional bill in the amount of \$2,033.55 for the extra conduit.
- District Counsel noted this is an opportunity to negotiate a reduction. The District is well within their legal rights because they did not get prior approval for the additional conduit.
- Mr. Keith McCraff will be invited to the next workshop to explain and discuss this issue.

*The record reflects Mr. Robin left the meeting.*

**TWELFTH ORDER OF BUSINESS**

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

- Mr. Mendenhall will check on the 81% of payments received for assessments.
- Mr. Mendenhall will review the cost of lifeguards for the upcoming budget.
- \$50/month for gas should be added tax free to the paycheck of Mr. Adams.

*The Board and staff continued to discuss the invoices as submitted.*

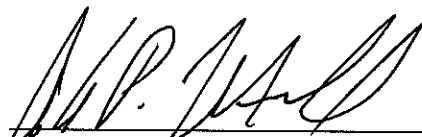
On MOTION by Mr. Peters seconded by Mr. Nystrom with all in favor the financial statements, check registers and invoices for the period ending February 29, 2008 were approved.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**


There not being any further business,

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




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Andrew P. Mendenhall  
Secretary




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Don Peters  
Chairman