

**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, August 28, 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
Peter Hanzel	Assistant Secretary
Raymond Dolente	Assistant Secretary
Fritz Nystrom	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
John Browne	Severn Trent
Tracy Robin	District Counsel
Bob Valentine	District Engineer
John Adams	Site Manager
Paul Woods	OLM
John Gorham	American Consulting
Marissa Meier	Art Class Instructor
April Disabitino	Aerobic Instructor

*The following is a summary of the minutes and actions taken at the August 28, 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 July 24, 2008 Meeting**

Mr. Peters stated each Board member received a copy of the minutes of the July 24, 2008 meeting and requested any additions, corrections or deletions.

The Board made several changes, which will be incorporated in the amended minutes.

On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor the minutes of the July 24, 2008 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**Guest Speaker – Mr. Paul Woods – OLM**

Mr. Paul Woods of OLM addressed the following:

- The issue of pruning around the pool area and the holly trees along the boulevard.
- Requested the contractor prune in a more formal manner.
- Pruning should be done in a manner to encourage growth.
- The Lexington Oaks landscape design is a loose English garden style as opposed to a rigid geometric shape garden.
- It was noted pruning in a loose canopy shape will maintain the lifespan of the plant.

*The Board and staff continued to discuss pruning as described by Mr. Woods and alternatives to replacing the holly trees.*

- The work quality of OneSource was addressed.
- It was suggested the position of OLM be supported and the fee withheld from OneSource as recommended.
- A representative from OneSource was not present to defend themselves.
- OneSource has claimed managing the landscape in this weather has been difficult.
- The frequency requirements of mowing was discussed.
- Mr. Mendenhall will meet with OLM and OneSource to discuss a solution.

**FIFTH ORDER OF BUSINESS**

**Public Hearing to Consider Rule Making and Establishing a Fee for Security Camera Requests**

- This meeting was advertised as a public hearing to discuss the records requests to review or obtain copies of video footage from the security cameras.
- District Counsel has reviewed the advertisement and had some concerns.

- District Counsel noted the rule should be structured to be consistent with the existing rules of the District.
- He suggested this public hearing be continued to the next meeting and he will put the rule in the proper form and forward it to the Board for review prior to the meeting.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor the public hearing was continued to September 25, 2008 at 8:30 a.m.

- Ms. Marissa Meier presented an Art Class proposal for children; a copy of which is attached for the record.
- District Counsel noted a background screening would be appropriate since the class is for children. There is a screening process according to statute that is used for swimming instructors and early education programs.
- Ms. Meier suggested the parents sign a responsibility waiver similar to what *Michaels* does for their classes and District Counsel noted this could be accomplished.
- Ms. Meier will research insurance options.

*The Board and staff continued to discuss the art class proposal with the outcome being Mr. Adams will communicate with the District Manager regarding the times and frequency of the classes and District Counsel will prepare a basic License Agreement to present to the Board at the next workshop or meeting which Ms. Meier will attend.*

- Ms. April DiSabitino presented an Aerobics Program proposal.
- Ms. DiSabitino is a personal trainer who carries liability insurance and has CPR training.
- District Counsel would incorporate a release provision with the License Agreement for this type of activity.
- The schedule for both programs will be coordinated with Mr. Adams.
- It was requested the District be added as an additional insurer on the insurance liability policy of Ms. DiSabitino.

On MOTION by Mr. Nystrom seconded by Mr. Hanzel with all in favor the proposal for aerobic classes for a period of one year and paying a 10% of the gross income as a monthly remittance fee to the District was authorized.

- A presentation was given regarding recycling cooking and grease oil and permission was requested to give a presentation to the residents of the CDD.
- It is a special recycling project for Pasco County. There is concern from the county pump station located within the community regarding grease and plastics. They are trying to educate the public so these items do not go into the sewer.
- A container for cooking oil can be placed in the community and someone will come out every week to check the level and empty it when needed. These containers have been placed in a number of districts.

*The Board and staff discussed the county recycling proposal with the outcome being it was requested literature be left with the Board and this item will be discussed further at the next meeting.*

**SIXTH ORDER OF BUSINESS**

**Attorney’s Report**

Mr. Robin addressed the following:

- Regarding the status of the construction contract for the fitness center, he received the draft contract and is working on an addendum to the contract.
- He will circulate this to Mr. Valentine and the architect for review to make sure all of the issues are covered and then forward it to the contractor. This should occur next week.

**SEVENTH ORDER OF BUSINESS**

**Engineer’s Report**

Mr. Valentine addressed the following:

- A Pocono ponds well repair estimate was submitted by BiomassTech Environmental Services for \$67,663.61; a copy of which is attached for the record.

*The Board and staff discussed the pond repair proposal including the option of other less costly alternatives and the timeframe of when the work needs to be done. The engineer recommended this work not be delayed or done in phases with the outcome being staff was*

*authorized to move forward with the repair and at the next workshop they will pinpoint where the funds will come from.*

- The District Manager noted he is familiar with BiomassTech and their services in other districts and has seen no problems.
- Other contractors are not familiar with this kind of work.
- The District Manager noted some of this cost can come from the lake maintenance budget line item. He will review by the next workshop where the funds will be available from but does not foresee a problem.

On MOTION by Mr. Peters seconded by Mr. Dolente with all in favor staff was authorized to move forward with the pond repair in an amount not to exceed \$67,663.61.

## **EIGHTH ORDER OF BUSINESS**

### **Discussion of Capital Project Items**

#### **A. Update of Fitness Center**

- An amendment to the master plan to tweak the use of the area for construction of the fitness center is required.
- The county has requested a document indicating the residents were aware that this area will no longer be a soccer field.

*The Board and staff discussed the issue with the outcome being copies of public hearing notices, resolutions, etc. relating to the fitness center will be provided to Mr. Valentine and Mr. Robin to present to the County Zoning Board.*

- If necessary, Mr. Robin will go through the County Attorney who is familiar with community development districts.

#### **B. Pavers/License Agreement/Quotes**

- The District is waiting for written permission from Restaurant Specialties regarding the use of Post Oak Road. This should not be a problem according to their attorney.
- To speed up the process Mr. Valentine will fax a draft letter to Restaurant Specialties for their use granting permission to use the road.

#### **C. Security System Update**

- Mr. Valentine noted everything is on track and being completed according to conversations with Mr. Bellissimo.

**D. Permanent Sign**

**E. Landscape Design – Front Entrance**

- Mr. Gorham gave a presentation of the landscape design; the landscape cost estimate summary and design drawings are attached for the record.

*The Board and staff discussed the landscape design with the outcome being American Consulting Engineers of Florida will move forward with preparing bid specifications for the entrance.*

On MOTION by Mr. Hanzel seconded by Mr. Nystrom with all in favor American Consulting Engineers of Florida was authorized to move forward and prepare bid specifications for the entrance landscaping project.

**TENTH ORDER OF BUSINESS**

**Staff Report – Site/Clubhouse Manager**

Mr. Adams addressed the following:

**A. Personnel Training Program**

This item was previously discussed.

**B. Tree Maintenance Quote**

- Waiting to receive a quote from OneSource

**C. Aptitude Bank Quotes**

**D. Vent Hood (Fire Inspection)**

- A \$8,000 quote was received.
- Waiting for a fire inspection.

**E. Patio Furniture (\$13,000)**

- A quote of \$12,786 was received.

On MOTION by Mr. Hanzel seconded by Mr. Nystrom with all in favor staff was authorized to purchase patio furniture after October 1, 2008 in an amount not to exceed \$13,000.

*The record will reflect Mr. Robin left the meeting.*

**NINTH ORDER OF BUSINESS**

**Manager’s Report**

Mr. Mendenhall addressed the following:

**A. Defibrillator Grant**

- The organization *AED Grant.com* works with corporate sponsors who offer grants giving organizations like this CDD the opportunity to purchase defibrillators at a discount. They also make arrangements for training in CPR and use of the defibrillator device.
- Mr. Mendenhall contacted them and is waiting for additional information.
- The golf course had an independent company come in and review its mitigation pond area.
- Mr. Mendenhall will meet with Mr. Kelly of the golf course and the biologist, Mr. Richardson, who handles the CDD mitigation areas to discuss this issue and will report back to the Board.
- The personnel review process has been conducted and it was questioned whether the Board would like to consider increasing any of the wages.
- Mr. Mendenhall completed his review of Mr. Adams but has not met with him to discuss it and asked if any Board members wanted to contribute any comments to this performance review.
- The review will be put on the workshop agenda for discussion.

**B. Aerobic Classes (Tracy)**

This item was previously discussed.

**C. PA System**

- Another district Mr. Mendenhall manages is upgrading their PA system and they may be willing to sell their present system. Mr. Mendenhall will follow up with them and report back to the Board at the next workshop.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests**

- Concern was voiced regarding replacing plants and the performance of OneSource.
- A small conservation area behind a neighbor’s house has ten foot high plants which need to be cut. This area should be deeded over to the homeowner.
- It was requested a barrier/railing be placed on the pond across the street from the playground. Mr. Adams will take a look at this area and check with the county to see if they will construct the railing.
- Mr. Peters met with a representative of OneSource who voiced concern the inspection by OLM was not well done and that there were *personal issues* involved; a copy of a letter from OneSource is attached for the record.
- Mr. Mendenhall mentioned that in most cases when performance is not satisfactory the *personal issue* is always noted.

*The Board and staff discussed the OLM inspection process of the work performed by OneSource with the outcome being the Board requested copies of the inspection reports. The rainy season may be affecting the timetable of mowing.*

- It was questioned if there were many items carried over from previous months which were not remedied and it was noted there were a number of carryovers.
- Mr. Peters felt OneSource was sincere about the issues and really felt it was a personal issue. Residents have been giving him compliments that some of the common areas are looking better including the pool area.
- Mr. Mendenhall noted other landscaping companies in other districts he manages are dealing with the same climate issues; rainstorms, bringing in extra staff to catch up and they are not having the same issue of being behind in their work.

**TWELFTH ORDER OF BUSINESS**

**Audience Comments**

There not being any the next item followed.

**THIRTEENTH ORDER OF BUSINESS**

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

There being no further comments or questions,

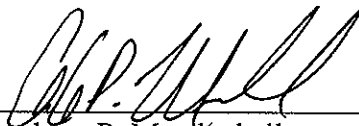
On MOTION by Mr. Nystrom seconded by Mr. Peters with all in favor the financial statements, check registers and invoices for the period ending July 31, 2008 were accepted.


**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
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Andrew P. Mendenhall  
Secretary

  
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Don Peters  
Chairman