

**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, September 25, 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 Chariman
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
Chuck Bellissimo	HPI
Resident	

The following is a summary of the minutes and actions taken at the September 25, 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 August 28, 2008 Meeting

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

There being none,

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

FIFTH ORDER OF BUSINESS

Continuation of Public Hearing to Adopt a Rule Establishing a Fee for Security Camera Requests and Consideration of Proposed Public Records Requests and Copy Costs.

- Mr. Robin updated the Board on what direction to take for handling record requests.
- The proposed rule is statute driven and is guidance for the field manager when someone comes in with a request.
- This should not be part of your formal rules. Nearly all of what is in this document is a parody of what is in the statute. The statute gives you the maximum cost which is in the proposed rule.
- The statute does not address the cost of charges for information technology services such as the cost of having a skilled person obtain information from the security system.
- Mr. Robin reviewed the proposed rule and fee schedule; a copy of which is attached and made a part of the public record.

The Board and staff discussed the proposed rule and fee schedule, how it would be implemented and the seven day retention timeframe with the outcome being requests should go through the District Manager so a record of requests can be maintained.

On MOTION by Mr. Hanzel seconded by Mr. Nystrom with all in favor the proposed rule/policy and fee schedule for security review requests as presented by District Counsel was adopted.

On MOTION by Mr. Nystrom seconded by Mr. Dolente with all in favor a seven day retention of security film was adopted.

FOURTH ORDER OF BUSINESS

Presentation on Zumba Fitness Classes by Helen Gonzalez

- This item was postponed until the new fitness center is completed.

SIXTH ORDER OF BUSINESS

Attorney’s Report

Mr. Robin addressed the following:

A. Consideration of Escapades Wellness Spa Fitness Program

- The agreement prepared by District Counsel was distributed, a copy of which is attached for the record.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor the Escapades Wellness Spa fitness program proposal was accepted subject to insurance being provided.

B. Consideration of Art Stars Academy Program

- The agreement prepared by District Counsel was distributed, a copy of which is attached for the record.

The Board and staff discussed the need for insurance as recommended by District Counsel with the outcome being insurance in a minimum amount of \$250,000 will be required.

On MOTION by Mr. Nystrom seconded by Mr. Dolente with all in favor the Art Stars Academy program subject to the addition of a minimum of \$250,000 of insurance was approved.

C. Update of Fitness Center – County Zoning

- Mr. Valentine noted the county has approved the minor modifications to the zoning plan and is in the process of having the plan reproduced with the modifications and plans to submit the package to the county by next Friday.
- Mr. Robin noted he is working on the contract and will forward it to the contractor.

SEVENTH ORDER OF BUSINESS

Engineer’s Report – Consideration of Bid Specifications of Front Entrance Landscape Design

Mr. Valentine addressed the following:

The Board and staff reviewed and discussed the landscape plans submitted by American Consulting Engineers; copies of which are attached for the record.

- Mr. Mendenhall has prepared an advertisement to go out for bids and it was decided the bids will be opened on October 13, 2008.

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with all in favor the landscape plan submitted by American Consulting Engineer was accepted and staff was authorized to advertise for bids with a due date of October 13, 2008.

EIGHTH ORDER OF BUSINESS

Discussion/Update of Capital Project Items

A. Pavers/License Agreement/Quotes

- Permission was received from Restaurant Specialties and the submitted revised traffic control plan has been approved. It will now need to be placed on the County Board meeting agenda for approval.

B. Update of Security System Install – (Chuck Bellissimo – HPI)

Mr. Bellissimo addressed the following:

- Only one camera is not operational due to a problem with the converter. A new converter has been ordered.
- The access control on the tennis court is not working and we need to get a welder to redo the plates and the mounting.
- Tweaking and adjustments on the system are being made as needed.
- The quality of the security photographs will depend on the available light.
- A photograph of the light fixture was requested to determine aesthetics.

The Board and staff discussed the quality of lighting; a photograph of the light fixture was requested to determine aesthetics and a decision will be made within a week on whether additional lighting is necessary.

- Mr. Bellissimo will send the photographs to the District Manager for distribution to the Board.

C. Permanent Sign

- It was noted we are waiting on permitting for the sign.

The Board and staff discussed the aptitude pond issue, the two quotes received and what was included in the proposals with the outcome being Mr. Valentine recommended that the better value is the higher bid.

On MOTION by Mr. Nystrom seconded by Mr. Hanzel with all in favor the bid from Biomass Tech Environmental Services to repair the aptitude pond was accepted in an amount not to exceed \$68,000.

- Mr. Mendenhall noted the District will have a fund balance in its account to pay for these repairs and also can use a portion of the reserve fund. The funds are there and the District will have options of where to pull the money from to pay for these repairs.

The Board and staff discussed where the funds for the repairs will come from with the outcome being Mr. Mendenhall will prepare a spreadsheet of the cash position of the District going into next year and present it at the next workshop.

- The possibility of receiving a grant was discussed and Mr. Mendenhall noted grants are not typically offered for ponds that fall under the jurisdiction of SFWMD but he will follow up and get additional information.

NINTH ORDER OF BUSINESS

Manager's Report

A. Defibrillator Grant Update

- The Grant approval document from AEDGrant.com is attached for the record.

The Board and staff discussed purchasing the defibrillator through the grant program with the outcome being staff was authorized to purchase a defibrillator after Mr. Mendenhall compares the quotes Mr. Adams received from other sources.

B. Ratification of Mr. John Adams Salary Increase

- This item was discussed at the workshop and the Board decided to increase the salary of Mr. Adams by 7% effective at that time and Mr. Mendenhall requested the Board ratify the action taken.

On MOTION by Mr. Nystrom seconded by Mr. Bechtel with all in favor increasing the salary of Mr. John Adams by 7% was ratified.

C. Consideration of Increase to Site Staff Wages

- This is a secondary item to the general review process done by Mr. Adams of the staff.
- The Board and staff discussed the increasing of staff salary.

On MOTION by Mr. Hanzel seconded by Mr. Bechtel with Mr. Hanzel, Mr. Bechtel and Mr. Peters voting aye and Mr. Dolente and Mr. Nystrom voting nay the salary of staff was increased to \$9.25 per hour.

D. PA System Update

- Mr. Mendenhall reviewed the product information received from Sam Ash and suggested the Fender Pro Audio System as the best system which will meet the needs of the District.
- It is user friendly and transportable.

The Board and staff discussed the audio system and the different type of microphone options with the outcome being Mr. Mendenhall and Mr. Adams will visit Sam Ash, examine the equipment and purchase the equipment as previously approved.

E. Discussion on Advertising Monthly Meetings Once for the Fiscal Year

- It was decided monthly Board meetings and workshops would be advertised once for the year.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor monthly meetings and workshops will be advertised once for the fiscal year and will continue to be noticed in the newsletter and posted on the boulevard.

F. Decision on OneSource 25% Performance Payment from August Inspection

- OneSource passed the inspection which was conducted yesterday.

The Board and staff discussed the inspection of OneSource work and whether they should pay a 25% performance payment from the August inspection.

On MOTION by Mr. Nystrom seconded by Mr. Hanzel with all in favor staff was authorized to pay the 25% performance payment from the August inspection to OneSource.

- Mr. Mendenhall will draft a letter to OneSource stating the Board discussed this and they retain their commitment that they agreed to provide forgiveness of the 25% hold back based on the fact OneSource would pass the next inspection.
- However it is understood very strongly that this will not recur and the Board is still not satisfied and has deep concern about the future of the maintenance of the boulevard. They are asking that all contractual obligations be met and they expect them to maintain this in the highest standards.
- A letter from OLM requesting an increase in their monthly fee was discussed, a copy of which is attached for the record.

The Board and staff continued to discuss the requested OLM increase and the provisions in their contract with the outcome being the item was tabled and Mr. Adams will contact other landscape monitoring companies for price comparisons.

TENTH ORDER OF BUSINESS

Staff Report – Site/Clubhouse Manager

Mr. Adams addressed the following:

- The grease containers are not placed inside of the District.
- The Board and staff discussed the county recycling proposal.

On MOTION by Mr. Hanzel seconded by Mr. Nystrom with all in favor the county request for grease recycling was denied.

- The price of a warming station for the stoves will be approximately \$3,500.
- It was requested specifications of the warming station be provided at the next workshop.

TWELFTH ORDER OF BUSINESS

Audience Comments

- Concern regarding OneSource was voiced.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests

The following was addressed:

- The CDD is responsible for the pavers going into Churchill when they need repair.
- Concern was voiced regarding the lime deposits in the water fountains, the tile in the pool needs sealing, the pool fences require cleaning, the garbage cans are full at mid day, the gates and doors need to be cleaned or painted.
- It was requested photographs of Board members as well as past chairpersons and Ms. Pat Dwyer be posted.
- A schedule for the security patrol will be presented at the next workshop and Mr. Mendenhall will complete the Pasco County Sheriff's office application.
- There will be a separate line item for the cost of the security patrol.

THIRTEENTH ORDER OF BUSINESS

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

The following was addressed:

- There were two HPI invoices R-599 and R560 allocated to the fitness center project which will be reclassified.
- An actual amount of \$378 for the month of August is shown for electrical. The trend report agrees but the bank reconciliation and check register indicated a check in the amount of \$9,522.33 was paid and there is also an invoice.
- It was paid and it was questioned why it did not show up on the financials. Mr. Mendenhall will follow up with the accountant
- The accountant going forward will include on the financial the general ledger code numbers in the left hand column.
- An updated utility spreadsheet was requested.

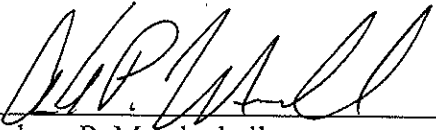
On MOTION by Mr. Hanzel seconded by Mr. Dolente with all in favor the financial statements, check registers and invoices for the period ending August 31, 2008 were accepted.

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.



Andrew P. Mendenhall
Secretary



Don Peters
Chairman