

**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, December 18, 2008 at 8:30 a.m. at the Lexington Oaks Clubhouse, 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida.

Present and constituting a quorum were:

Terry Bechtel	Chairman
Fritz Nystrom	Vice Chairman
Don Peters	Assistant Secretary
Raymond Dolente	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
John Browne	District Manager
Bob Valentine	District Engineer
John Adams	Site Manager

The following is a summary of the minutes and actions taken at the December 18, 2008 Lexington Oaks Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Bechtel 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

Commending Mr. Peter Hanzel

- Mr. Hanzel was recognized for his years of service to the CDD.

On MOTION by Mr. Nystrom seconded by Mr. Peters with all in favor Resolution 2009-4 commending Peter Hanzel for his years of service to the Lexington Oaks Community Development District was adopted.
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FOURTH ORDER OF BUSINESS

Approval of the Minutes of the November 20, 2008 Meeting

Mr. Bechtel stated each Board member received a copy of the minutes of the November 20, 2008 meeting and requested any additions, corrections or deletions.

The Board made a change which will be incorporated in the amended minutes.

On MOTION by Mr. Dolente seconded by Mr. Peters with all in favor the minutes of the November 20, 2008 meeting were approved.

FIFTH ORDER OF BUSINESS

Attorney's Report

Mr. Robin was not in attendance and Mr. Mendenhall addressed the following:

- Cornerstone has submitted a proposal and exhibits for the front landscaping project. They have requested an agreement be prepared by the District's attorney.

The Board and staff discussed the Cornerstone proposal with the outcome being Mr. Mendenhall will obtain additional information and also drawings relating to the fountain from Cornerstone and then request District Counsel to prepare the agreement for execution by the Chair and then ratification by the Board at the next meeting.

- It was requested that in order to save legal costs a generic agreement be prepared which can be used for future contracts.
- It is anticipated there should be no more then \$5,000 in additional engineering fees related to the landscape project.

SIXTH ORDER OF BUSINESS

Engineer's Report

Mr. Valentine addressed the following:

- The fitness center is moving along. A list of comments was received from the county. Some of their parking lot design comments need to be addressed in a different manner.
- The landscape and parking plan for the fitness center was distributed; a copy of which is attached for the record.

- The original parking design had a distance of 18' around the outside which is sufficient for one-way. The Fire Department required 20' in order to meet the fire codes. We were able to expand to 20' with no issues.
- The county required 24' which would have shifted the building itself. So it was redesigned to place the driveway in the middle and the parking on the outside.
- The Fire Department is comfortable with this design and the plans are being changed.
- The drawing was sent to the county for review and discussion prior to formal submittal.
- The county has noted it requires one water service for both the fitness center and the community center. A tee and new meter will be installed to the existing service line.
- The goal is to make a formal submittal to the county by or prior to the first of next year.

SEVENTH ORDER OF BUSINESS

Discussion/Update of Capital Project Items

A. Pavers/License Agreement/Quotes

- Mr. Valentine noted work on the pavers is in progress.
- He has had conversations with the contractor regarding the absence of the large vertical message boards on R54, which is a requirement of the county as part of the traffic plan.
- Someone closed off the exit side removing the barricades which he had to open this morning.
- This is a public safety issue and a letter will be sent to the contractor indicating the job will be shut down if the sign issue is not corrected.

B. Update of Security System Install

- The tennis court is still not done and adjustments are needed to the camera for the license plates.
- HPI has not returned telephone calls and Mr. Mendenhall will follow up on this issue.
- Contractors were contacted regarding additional lighting for the cameras and a cost estimate will be forthcoming for consideration by the Board.
- Additional poles will cost \$8,000 to \$10,000 per pole. Another option is to attach the lights to the monument.
- The District Manager will verify if the security cameras for the fitness center are included in the security system contract.

C. Permanent Sign

- A copy of the new proposal for the double sided illuminated sign is attached for the record.
- This sign is smaller but the county will accept this design. An invoice for additional fees was submitted.

The Board and staff discussed the smaller sign and the submitted invoice with the outcome being an additional cost of \$1,245 for the sign was approved.

On MOTION by Mr. Peters seconded by Mr. Bechtel with all in favor the additional cost for the sign in an amount of \$1,245 was approved pending the breakdown of the \$3,300 installation permitting fee.

EIGHTH ORDER OF BUSINESS

Manager's Report

Mr. Mendenhall addressed the following:

A. Defibrillator Update

B. Update on Front Entrance Landscape Design Proposal

This item was previously discussed

C. Consideration of Resolution 2009-1 Amending the General Fund Budget for Fiscal Year 2008

D. Ratification of Resolution 2009-2 Amending the General Fund Budget for Fiscal Year 2009

- This resolution was approved at the last meeting but the breakout was not included for the Sheriff Contract and Contracts - Warranty Services. The amount remains the same and the Board is being asked to ratify the action previously taken.

On MOTION by Mr. Nystrom seconded by Mr. Dolente with all in favor the adoption of Resolution 2009-02 amending the general fund budget for fiscal year 2009 was ratified.

E. Update on Ponds and Wetlands Permitted from Pulte

- The transfer document is being reviewed by District Counsel. It is logical that the District should accept the ponds and wetlands which are out of monitoring and are in good

condition and not accept those that have not been released from the five year monitoring program because they may still require corrective action.

The Board and staff discussed this issue with the outcome being they will wait for direction from District Counsel.

- At the last meeting there was a question regarding the percentage of interest being allocated to capital projects. In the financials there is a Cash Investment Report which breaks out each fund including the construction account.
- The percentages range is 3.04% to 1.22% depending on the fund.
- Regarding the general reserve which had increased; typically, those funds get booked at the end of the year. The accountant will back that out so FY 2009 dollars are not applied until the end of the year. Obviously we have not realized that much of the collections yet.
- A copy of the utilities report was distributed; a copy of which is attached for the record. This report will be included in future agenda books.
- It was noted Mr. Mendenhall had a lengthy discussion with Prager & Sealy and Standard & Poors regarding the financial standing of the District. It was a positive discussion and a rating should be back soon.

NINTH ORDER OF BUSINESS

Staff Report – Site/Clubhouse Manager

Mr. Adams addressed the following:

- There is a depression in the road at the entrance to Remington off of Lexington Boulevard. The county has been out to inspect it.
- It is an area where the county and Verizon have worked and a pipe may have been damaged.
- The District Engineer recommended it be filled in with dirt as a safety issue.

The Board and staff discussed the road issue with the outcome being the road will be filled in and then when it is determined to be stable, repaired. There may be a hole in one of the pipes or they may have not compacted the dirt.

- Mr. Adams reported he would like to purchase gift cards for the staff for the holidays and the Board concurred.

TENTH ORDER OF BUSINESS

Supervisors' Requests and Comments

The following was addressed:

- Part of a fence was taken out off of Risen Star behind hole 8.
- Mr. Peters met with another landscape inspection company who quoted a fee of \$1,200 per month but they are willing to negotiate if services are needed every other month.

Mr. Dolente moved the District not accept the increase request from OLM. The motion died due to a lack of a second.

The Board and staff discussed terminating the contract with OLM and the need for a company to inspect the property.

- It was noted that what the District is really paying for is the enforcement mechanism and whether the Board would really hold back a performance payment.

The Board and staff continued to discuss the need for a landscape inspection company with the outcome being other interested companies will be invited to the next workshop to make presentations to the Board.

- It was suggested water consumption be considered in future landscape design.
- There are some sidewalks requiring repair.
- It was requested a long range plan be prepared by Board members and staff for future consideration and incorporation into the reserve fund.

ELEVENTH ORDER OF BUSINESS

Audience Comments

The following was addressed:

- It was suggested the Board request landscape company references before a decision is made.

TWELFTH ORDER OF BUSINESS

Approval of Financial Statements, Check Registers and Invoices

The following was addressed:

- The difference in telephone charges between Preakness and Hawthorne were questioned. Mr. Mendenhall will follow up and report back to the Board.
- The fund balance line was discussed. This includes the end-of-year balance plus whatever was received up to this point.

On MOTION by Mr. Dolente seconded by Mr. Peters with all in favor the financial statements, check registers and invoices for the period ending November 30, 2008 were accepted.

THIRTEENTH ORDER OF BUSINESS


Adjournment

There being no further business,

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



Andrew P. Mendenhall
Secretary



Terry Bechtel
Chairman