

**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, June 18, 2009 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 Vericker	District Counsel
Bob Valentine	District Engineer
John Adams	Site Manager
Alan Messing	Swim Kids
Aaron Toli	OneSource
Several Residents	

*The following is a summary of the minutes and actions taken at the June 18, 2009 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**

**Approval of the Minutes of the May 21, 2009 Meeting**

Mr. Bechtel stated each Board member received a copy of the minutes of the May 21, 2009 meeting and requested any additions, corrections or deletions.

The Board made several corrections which will be incorporated into the minutes.

On MOTION by Mr. Dolente seconded by Mr. Peters with all in favor the minutes of the May 21, 2009 meeting were approved as amended.

**SIXTH ORDER OF BUSINESS**

**Attorney's Report**

There being no report, the next item followed.

*The record will reflect Mr. Valentine joined the meeting.*

**SEVENTH ORDER OF BUSINESS**

**Engineer's Report – Update on Fitness Center**

Mr. Valentine addressed the following:

- Work is on schedule and the equipment will be delivered next week.
- The center will open on June 29<sup>th</sup> and a grand opening ceremony will be planned for the weekend of July 4<sup>th</sup>.

**EIGHTH ORDER OF BUSINESS**

**Discussion/Update of Capital Project Items**

- The work on the fountain at the front entrance has begun.
- Permission regarding the signage is pending and the item is expected to be on the County Commission's June meeting agenda.
- The installation of the street lights at the village entrances should be completed by the next meeting.

**NINTH ORDER OF BUSINESS**

**Discussion of Maintenance of Lexington Oaks Boulevard Past Traffic Circle**

*The Board and staff discussed the need to take safety measures in order to avoid future accidents and the possible acceptance by the county for maintenance of the road. A meeting with the county is in the process of being scheduled to address this issue.*

*The record will reflect Mr. Messing joined the meeting.*

**FOURTH ORDER OF BUSINESS**

**Presentation by Alan Messing of Swim Kids to Offer Swimming Lessons**

- Mr. Alan Messing the owner of Swim Kids proposed offering swimming lessons at Lexington Oaks.

*The Board and staff discussed authorizing Swim Kids to conduct swimming lessons with the outcome being it was requested they provide their standard contract and an insurance certificate for review by District Counsel.*

On MOTION by Mr. Nystrom seconded by Mr. Peters with all in favor Swim Kids was authorized to conduct swimming lessons for a \$500.00 monthly rental fee subject to contract review by District Counsel and the submittal of an insurance certificate.

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

**SEVENTH ORDER OF BUSINESS**

**Engineer's Report (continued)**

Mr. Valentine addressed the following:

*The Board and staff discussed the Pocono Pond repair and the engineer recommended moving forward.*

On MOTION by Mr. Bechtel seconded by Mr. Nystrom with all in favor the repair proposal for Pocono Pond in the amount of \$7,500.00 was accepted.

- It was noted that in order to determine the exact extent of the problem with the pipe at Saratoga they need to plug the pipe, clean it out and then take a video.
- The cost is \$4,260.00 and does not include any needed repair.

On MOTION Mr. Bechtel seconded by Mr. Nystrom with all in favor the proposal to proceed with determining what the problem is with the pipe at Saratoga in the amount of \$4,260.00 was approved.

**TENTH ORDER OF BUSINESS**

**Manager's Report**

Mr. Mendenhall addressed the following:

**A. Update on Ponds and Wetlands Permitted from Pulte**

- We are in the process of completing the template of the ponds for submittal to SFWMD.

**FIFTH ORDER OF BUSINESS**

**Discussion of OneSource Landscaping Proposal**

*The Board and staff discussed a financial analysis of the OneSource landscaping proposal; a copy of which is attached for the record.*

- Mr. Toli from OneSource noted that they are willing to meet with the Board to discuss price and labor.
- He also noted there are some areas you may be able to tweak but you should not change the mowing frequency.

**TENTH ORDER OF BUSINESS**

**Manager's Report (continued)**

**B. Questions and Comments on the Proposed Fiscal Year 2010 Budget**

*The Board and staff discussed the proposed fiscal year 2010 budget and the following was noted:*

- Contracts – Lakes and Wetland should be \$28,000.00
- Electricity – General should be \$145,000.00
- Misc. – Contingency (TRIM) should be taken out
- Legal will be \$12,000.00

**ELEVENTH ORDER OF BUSINESS**

**Staff Report – Site/Clubhouse Manager – Discussion of Fitness Center Rules**

Mr. Adams addressed the following:

- It was noted that if every other tree was removed the sight and traffic specs would be met.

*The Board and staff discussed removing the trees to improve the line of sight and adhering to engineering recommendations with the outcome being it was decided to proceed with the work.*

On MOTION by Mr. Nystrom seconded by Mr. Bechtel with Mr. Nystrom, Mr. Bechtel and Mr. Dolente in favor and Mr. Peters against staff was authorized to move forward with the engineering recommendation for tree changes.

- It was noted that as of May, \$13,800.00 for irrigation and \$5,700.00 for plant replacement was paid to OneSource for extra work.

*The Board and staff discussed the changes in the fitness center rules. The significant changes include:*

- If someone wants to use the fitness center they will have to sign a waiver and pay a key activation fee of \$10.00.
- TV sound can be individually accessed from each piece of cardio equipment with resident supplied headphones.
- Emergency 911 call in will be available in the center.
- Violation of these rules can result in revocation of rights to use fitness center.
- Age limit changed from 16 to 18 for the fitness center.

*The Board and staff discussed the age change and it was decided that 16 to 18 year olds will be permitted to use the fitness center with a signed waiver from a parent.*

- It was decided there will be a combination public hearing held to approve the rate and rule changes.
- The membership rate will be advertised as \$200.00 per quarter to use the fitness center with a \$10.00 card activation fee.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests and Comments**

- The issue of contributing funds to the crime watch patrol was addressed and it was noted that the Sheriff's office has created a new department for security crime watch and the District's patrol is now part of this. Since the District is allowed to enter into contracts with government entities, District Counsel will review this aspect and report back to the Board.

**THIRTEENTH ORDER OF BUSINESS**

**Audience Comments**

The following was addressed:

- There was a request from parents to have a trespass decision against their children rescinded and it was also requested the Board review the Districts trespassing bylaws and procedure.
- It was noted the enforcement of trespassing is done by law enforcement. The Board itself does not enforce the trespass so there is not much that can be done about the enforcement of it.
- The Board and staff discussed the trespassing issue and District Counsel noted at this point it is a criminal matter and the District can voluntarily rescind it but the criminal part is with the State Attorney and the Sheriff and the District cannot control that. It is out of our jurisdiction and the most we can do is send a notice to the Sheriff stating this has been suspended as of a certain date.
- We would write the Sheriff requesting they modify the suspension and they be allowed on the property again but it is going to be up to the Sheriff and the State Attorney as to whether to drop those charges or not. It is probably less likely they would prosecute if the District rescinded the suspension but it is up to them.
- It was suggested those involved apologize to Mr. Adams and the Board and then action on the matter will be discussed further. It was noted the next workshop is scheduled for July 2, 2009.
- Concern was voiced regarding pond, weed whacking not being done by lawn service and kids climbing over the wooden fence.
- It was noted the pond issue is being rectified and the lawn service company will follow up on the weed whacking. The fence will be repaired if damaged.
- A resident offered to volunteer to clean the clubhouse until there is a position available but it was noted someone has already been hired.

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

**FOURTEENTH ORDER OF BUSINESS**

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

- The financials for the period ending May 31, 2009 were reviewed.

- Electricity is broken out separately for Preakness and Hawthorne and Mr. Mendenhall will verify this is being charged accordingly.


On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor the financials for the period ending May 31, 2009 were accepted.


**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
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Andrew P. Mendenhall  
Secretary

  
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Terry Bechtel  
Chairman