

**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 20, 2009 at 6:30 p.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
Bob Hendrick	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Bob Valentine	District Engineer
John Adams	Site Manager
Numerous Residents	

The following is a summary of the minutes and actions taken at the August 20, 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

There was a moment of silence to honor police officer Mike Roberts, a resident of North Hampton, who was killed in the line of duty yesterday.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the July 16, 2009 Meeting

Mr. Bechtel stated each Board member received a copy of the minutes of the July 16, 2009 meeting and requested any additions, corrections or deletions.

There were several changes which will be incorporated in the minutes.

On MOTION by Mr. Dolente seconded by Mr. Peters with all in favor the minutes of the July 16, 2009 meeting were approved as amended.

- Maria Montero, a certified Zumba fitness instructor, presented an overview of her Zumba classes; an information packet is attached for the record.
- Ms. Montero will work with the District Manager to obtain details on liability insurance requirements and draft a contract to be reviewed by the Board at a future meeting.
- Bob Leidel, a resident who is a personal trainer/corrective exercise specialist, presented an overview of his qualifications and business; an information packet is attached for the record.
- Ryan Anthony presented an overview of his company Life Training Systems; an information packet is attached for the record. He presently has a contract with Lexington Oaks to conduct aqua classes.
- The Chairman noted it may be possible to utilize both of these companies, working out a schedule with the Site Manager.
- The Board will make a decision on exercise training at a future workshop/meeting.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider Resolution 2009-7 Adopting the Budget for Fiscal Year 2010 and Resolution 2009-8 Levy of Non Ad Valorem Assessments

On MOTION by Mr. Peters seconded by Mr. Dolente with all in favor the public hearing on the budget for fiscal year 2010 was opened.

- An overview of the proposed fiscal year 2010 budget was presented.
- The process of using bond funds to pay for improvements was reviewed.
- Resident comments and concerns:
 - Concern was voiced that a large amount of money, \$70,000, was spent on pond repair but there is still an issue with the Pocono pond.

- District security is a good investment and it was suggested that if funds are available the District should work on a schedule with the Sheriff Department on hiring additional off-duty deputies.
- The residents with the 78 foot lots are paying the bulk of the benefit that is being derived from the services everyone is receiving.
- It was noted when a community is developed it is based on non ad valorem assessment not using lot sizes. The proportion will always remain the same.
- There are two full time and three part time employees.
- It was noted all meetings are open to the public and input from residents is always welcome.

On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor the public hearing on the budget for fiscal year 2010 was closed.

On MOTION by Mr. Peters seconded by Mr. Nystrom with all in favor Resolution 2009-7 relating to the annual appropriations of the District and adopting the budget for the fiscal year beginning October 1, 2009; and ending September 30, 2010, and referencing the maintenance and benefit special assessments to be levied by the District for said fiscal year was adopted.

On MOTION by Mr. Bechtel seconded by Mr. Peters with all in favor Resolution 2009-8 levying and imposing a non ad valorem maintenance special assessment for the District for fiscal year 2010 was adopted

FIFTH ORDER OF BUSINESS

**Public Hearing to Adopt Rules Governing
the Use of District Facilities and
Establishing a Schedule of Rates**

On MOTION by Mr. Peters seconded by Mr. Dolente with all in favor the public hearing establishing a schedule of rates was opened.

- There was discussion of adding two proposed items to the existing rates; a quarterly fitness center fee of \$200.00 for non-residents and a \$10.00 fitness center card activation fee which would be applicable to both residents and non-residents.
- The majority of public comment was in objection to the \$10.00 fitness center card activation fee.

On MOTION by Mr. Hendrick seconded by Mr. Peters with all in favor the public hearing establishing a schedule of rates was closed.

On MOTION by Mr. Nystrom seconded by Mr. Peters with Mr. Nystrom, Mr. Peters, Mr. Hendrick and Mr. Dolente voting aye and Mr. Bechtel voting nay Resolution 2009-9 expressing findings regarding utilization of the community recreation facilities and supporting a rate structure for use of such facilities was adopted as amended removing the \$10.00 activation fee.

SIXTH ORDER OF BUSINESS

Discussion of Pasco County Maintenance of Roads

- The county has only accepted those roads up to the traffic circle to the golf course. We are trying to get them to accept the roads from the circle back to Maywood.
- We are waiting for them to re-inspect Lexington Boulevard for acceptance.
- It was noted a punch list from the county was requested but not received.

The Board and staff discussed the issue of repairing the roads so the county will then accept them and the Cornerstone proposal to repair the road behind Maywood for an amount not to exceed \$12,000.

On MOTION by Mr. Bechtel seconded by Mr. Hendrick with Mr. Bechtel, Mr. Hendrick, Mr. Peters, and Mr. Nystrom voting aye and Mr. Dolente voting nay staff was authorized to contract with Cornerstone to repair the road in an amount not to exceed \$12,000 and petition the county to split the cost of the repair.

SEVENTH ORDER OF BUSINESS

Attorney's Report

There not being any, the next item followed.

EIGHTH ORDER OF BUSINESS

Engineer's Report

Mr. Valentine addressed the following:

- Pond repairs to Aptitude Terrace were previously made. There has been extended drought and the pond did not fill back up and there is additional erosion. He met with a contractor to get some ideas and review the problems with this pond. It was suggested he speak to a drainage engineer to see if it would be possible to fill in the pond decreasing the volume but SWFWMD would have to approve this option. Even with the rainy season the pond is not getting filled.

The Board and staff discussed the pond repair and the different options with the outcome being the District Engineer will explore with SWFWMD the possibility of filling in the bottom of the pond and bring back the information to the Board.

- Aptitude Terrace residents voiced their concern and noted they are displeased with the condition of the pond; a copy of a signed petition is enclosed for the record.
- Front entrance pavers - concrete pavers lose skid resistance when wet. When dry the concrete and asphalt pavers are similar but wet concrete pavers loose more skid. The District Engineer or Site Manager should be present when work is performed to make sure the correct application rate for the anti-skid material is used.

NINTH ORDER OF BUSINESS

Discussion/Update of Capital Project Items

- A capital update report is attached for the record.

TENTH ORDER OF BUSINESS

Manager's Report

Mr. Mendenhall addressed the following:

A. Discussion of OneSource Contract Addendum

- A discussion of the contract addendum ensued and it was decided to change five years to two years and remove all OLM references. This item will be continued to a meeting held prior to the September 9, 2009 workshop.

B. Meeting and Workshop Schedule for Fiscal Year 2010

- A proposed meeting and workshop schedule for fiscal year 2010 based on past schedules was presented.

On MOTION by Mr. Nystrom seconded by Mr. Peters with all in favor the meeting and workshop schedules for fiscal year 2010 were approved as presented.

- An Arbitrage Rebate Agreement with AMTEC was received. This item will be placed on the next meeting agenda.

ELEVENTH ORDER OF BUSINESS

Staff Report – Site/Clubhouse Manager – Entrance Pavers

Mr. Adams addressed the following:

- Complaints were received that the pavers are slick when wet.

TWELFTH ORDER OF BUSINESS

Supervisors’ Requests and Comments

- Concern was voiced regarding the algae in the ponds.
- A punch list will be provided for the entrance way.

THIRTEENTH ORDER OF BUSINESS

Audience Comments

The following was addressed:

- Concern was voiced regarding the front entrance.
- It was requested topiary horses be put at the entrance to compliment the racing theme of the community.
- It was suggested the track rail at the entrance be removed.
- Follow-up was requested for placing fish in the ponds to control algae.
- Concern regarding the security and safety problem in Remington was voiced; a copy of a letter from the Remington HOA is attached for the record.

FOURTEENTH ORDER OF BUSINESS

Approval of Financial Statements, Check Registers and Invoices

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

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


FIFTEENTH ORDER OF BUSINESS **Continuation**

This meeting was continued to September 3, 2009 to discuss the OneSource contract addendum.

On MOTION by Mr. Bechtel seconded by Mr. Nystrom with all in favor the meeting was continued to September 3, 2009 at 9:00 a.m.



Andrew P. Mendenhall
Secretary



Terry Bechtel
Chairman