

**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 17, 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
Bob Hendrick	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Tracy Robin	District Counsel
Bob Valentine	District Engineer
John Adams	Site Manager
Aaron Toli	OneSource
Bob Leidel	Leidel Fitness
Ryan Anthony	Life Training Systems
Residents	

*The following is a summary of the minutes and actions taken at the September 17, 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 August 20, 2009 Meeting**

Mr. Bechtel stated each Board member received a copy of the minutes of the August 20, 2009 meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Dolente seconded by Mr. Hendrick with all in favor the minutes of the August 20, 2009 meeting were approved.

The Board had some questions and concerns about the areas along the boulevard and requested Mr. Toli from OneSource attend this meeting.

Mr. Toli addressed the following:

- Turf damage still exists but by next week it will be fixed.
- A new employee learning curve and an employee missing a few days due to illness was an issue.
- Mowing and the laying of turf are continuing. The mowing schedule will be reviewed and adjusted as needed.
- Mr. Toli is confident they will be more pro-active moving forward.

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

#### **FIFTH ORDER OF BUSINESS**

#### **Engineer's Report – Update on Aptitude Terrace Pond Repair**

Mr. Valentine addressed the following:

- In the SWFWMD permit documents the Aptitude Terrace Pond is #28 and is referenced as a *borrow* pond. It is really not part of the stormwater management system. They excavated that pond to get dirt as fill for other locations.
- They reconfigured the roadways and increased the size of the pond to get more dirt.
- One recommendation to the erosion issue is to put dirt and then sod over rock currently there.

*The Board and staff discussed the Aptitude Terrace Pond issue and its repair with the outcome being Mr. Valentine will bring back a variety of repair suggestions with costs for the Board to consider.*

**SIXTH ORDER OF BUSINESS**

**Discussion/Update of Capital Project Items**

- The capital update report was reviewed and discussed; a copy of which is attached for the record.

**SEVENTH ORDER OF BUSINESS**

**Manager's Report**

Mr. Mendenhall addressed the following:

**A. Consideration of Arbitrage Rebate Agreement with AMTEC**

- This firm performs the arbitrage rebate calculation ensuring that the bond funds are being invested in a way the District is not earning interest greater than what it is paying. The District is not allowed to make a profit on these types of bonds.

On MOTION by Mr. Nystrom seconded by Mr. Dolente with all in favor the Arbitrage Rebate Agreement with AMTEC for the \$4,000,000 Issue Series 2008 A&B bond was approved.

**B. Discussion of Chairs, Tables, Flooring, AV Equipment for Old Fitness Room**

*The Board and staff discussed turning the old fitness room into a meeting room with the outcome being Mr. Adams will prepare a detailed list of items/options for discussion at the next workshop.*

**C. Approval of Staff Increases**

- This item was previously discussed at the workshop.

On MOTION by Mr. Dolente seconded by Mr. Nystrom with all in favor staff increases as discussed at the workshop were approved and will be effective the first pay period of fiscal year 2010.

**D. Approval of Test Benches**

*The Board and staff discussed the placement of benches within the community with the outcome being staff was directed to purchase two benches to be placed in North Hampton and Preakness as test areas.*

**E. Approval of Paver Enhancement**

- Mr. Valentine noted the added sealer and anti slid agent on the pavers is no longer there. Removing the sealer, roughing it up and adding more sealer does not seem to be a long term solution.

*The Board and staff discussed the paver enhancement issue with the outcome being Mr. Valentine will research available options to eliminate the slippery pavement and report back to the Board.*

*The Record will reflect Mr. Robin joined the meeting.*

**F. Discussion of Tim Sheil Letter**

*The Board and staff discussed a letter from Mr. Timothy Sheil received at the August meeting which noted concerns regarding safety and security in Remington and his suggestion of installing a fence across the peninsula with the outcome being the District Manager will draft a letter to Mr. Sheil informing him a No Trespassing sign will be placed at the Northampton entrance of the CDD common area.*

On MOTION by Mr. Dolente seconded by Mr. Peters with all in favor staff was authorized to purchase and install a <i>No Trespassing</i> sign at the Northampton entrance.
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**Fitness Trainers**

- The Board previously agreed to offer individual training at the fitness center and requested Mr. Robin update and prepare the contracts. There was a question on conducting background checks.
- Mr. Robin noted background checks are at the option of the Board. If it is a part of what governs that vendor's use of premises it should be in the contract.
- District Counsel will include in the contracts that the District will require a background check on the firm and the company will provide background checks on all of their employees who will be coming onto District property.
- The District will pay for the background check on the principal but they will pay for the background check on their employees.

- The District Manager will get samples from Snelling on the type of background reports they provide; especially criminal and sexual crime reports.

*The Board and staff discussed the scope of the contracts for the fitness trainers with the outcome being District Counsel will draft the contracts and include background check requirements. John Adams and Terry Bechtel will meet with the two fitness trainers to discuss contract details and report back to the Board at the next workshop.*

**G. Discussion of Permanent Sign Usage Policy**

*The Board and staff discussed the usage policy of the permanent sign and how requests for the use of the sign will be handled with the outcome being the District Manager and Supervisor Hendrick will draft a policy to present to the Board.*

- It was noted the main use of the sign should be to announce community events.

**H. Update on Pasco County Maintenance of Roads**

- A road maintenance summary was distributed and reviewed; a copy of which is attached for the record.

On MOTION by Mr. Nystrom seconded by Mr. Peters with all in favor staff was authorized to purchase the required signs in the amount of \$2,290.

**FOURTH ORDER OF BUSINESS**

**Attorney’s Report – Explanation of Sidewalk Issue**

Mr. Robin addressed the following:

- The Board and staff discussed the email pertaining to the sidewalk and liability issues; a copy of which is attached for the record.
- To the extent you are on a county road in the District the sidewalks along those roadways are county owned and maintained.
- The District Engineer noted that the policy of the county is *if the county has installed a sidewalk they will maintain it, otherwise the entity who installed the sidewalk is responsible to maintain it.*

- A lengthy discussion on sidewalk ownership and maintenance ensued.
- District Counsel will review the agreements between the County and the District for right-of-way use and report back to the Board.
- District Counsel suggested dangerous or hazardous sidewalk conditions be reported in writing to the county.
- It was noted the District does not want to establish a *pattern of practice* of maintaining the county sidewalks.
- It was noted water is getting under the pavement of the parking lot and it was questioned who is responsible for the maintenance of this. District Counsel suggested the District work with an independent engineer to evaluate this issue.

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

**EIGHTH ORDER OF BUSINESS**

**Staff Report – Site/Clubhouse Manager**

Mr. Adams addressed the following:

- It was agreed to trim tree tops around the security cameras at a cost of \$850.
- It was agreed to remove every other holly tree to improve line of sight at a cost \$3,400.
- There was a request to purchase a receiver for the gate box and then residents can purchase a device to program their car remotes for entrance. It was decided if ten residents of Hawthorne back this request then it can be done and charged to their gate maintenance contract.
- A request for installation of mirrors along the wall of the cardio area in the fitness center so the door is in view was denied.
- It was agreed to expand the fitness center hours to open at 4 a.m. and close at 1 a.m.
- The OneSource extra work proposal was reviewed and discussed.

On MOTION by Mr. Bechtel seconded by Mr. Dolente with all in favor items #1, #2, #3 and #4 on the OneSource extra work proposal were approved.

**NINTH ORDER OF BUSINESS**

**Supervisors' Requests and Comments**

- It was suggested the time of meetings be changed. Since the fiscal year schedule has been advertised it was decided to keep the meetings as previously approved to avoid additional advertising fees.
- It was noted the bathroom issue is still under consideration.
- A cost estimate was requested for the pond and paver repairs. It was noted alternatives and costs of this will be forthcoming.
- It was noted WilsonMiller is an engineering firm the District can consult regarding the independent study on the parking lot issue.

On MOTION by Mr. Nystrom seconded by Mr. Peters with all in favor the Chairman was authorized to engage an independent engineer to review the parking lot issue and move forward with a fee schedule.

- A complaint regarding the sale of BJ warehouse enrollments at the fitness center was addressed and it was noted this will not happen again.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

The following was addressed:

- Mr. Leidel commented on trainers -- bring in only those who live in the community.
- A resident noted he feels it will be unfair not to have a flexible trainer pay scale for residents.
- Extending the vacation schedule for staff will be discussed at the next workshop.

**ELEVENTH ORDER OF BUSINESS**

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

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

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

**TWELFTH ORDER OF BUSINESS**

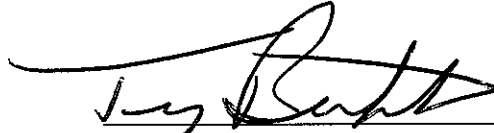
**Adjournment**

There being no further business,

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



Andrew P. Mendenhall  
Secretary



Terry Bechtel  
Chairman