

**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, January 20, 2011 at 8:30 a.m. at the Lexington Oaks Clubhouse, 26304 Lexington Oaks Boulevard, Wesley Chapel, Florida.

Present and constituting a quorum were:

Fritz Nystrom	Chairman
Don Peters	Vice Chairman
Bob Hendrick	Assistant Secretary
Peter Hanzel	Assistant Secretary
Rick Carroll	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Tracy Robin	District Counsel
Jeffrey Siewert	District Engineer
Todd Wilhelmi	Site Manager
Bob Leidel	Leidel Fitness
Residents	

*The following is a summary of the minutes and actions taken at the January 20, 2011 Lexington Oaks Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Nystrom called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

- Mary Hanchar noted the community yard sale will be held on April 16<sup>th</sup> and items will need to be published. She invited the CDD to participate and it was suggested staff have a CDD information table at the event. The Board will consider this and get back to her with a decision.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the December 16, 2010 Meeting**

Each Board member received a copy of the minutes of the December 16, 2010 meeting and the Board made a correction which will be incorporated into the minutes.

On MOTION by Mr. Peters seconded by Mr. Hendrick with all in favor the minutes of the December 16, 2010 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**Discussion of Fitness Personal Training and Fitness Boot Camp**

- Discussion ensued with regard to advertising the fitness club on the Leidel Fitness website. Mr. Leidel understood he could advertise the boot camp class and noted he uses Lexington Oaks only as a point of reference.
- It was noted there is a provision in the contract for residents and non-residents. The classes are not causing a capacity problem for residents and there have been no complaints.
- Mr. Leidel was asked to remove the reference to Lexington Oaks. There should be no reference to the Lexington Oaks fitness center and use Lexington Oaks Boulevard as an address. The contract will continue as is and if it becomes a problem the District has the opportunity to terminate. It was requested Mr. Leidel make sure non-residents leave the District after they complete their class.

**FIFTH ORDER OF BUSINESS**

**Discussion of the Brighthouse vs the Verizon Issue and if Brighthouse Can Set Up Phone Service With the Two Gates Under CDD Control**

- It was noted there will be a \$3,400 conversion fee and a \$44.95 monthly fee for each gate. It was requested the terms be obtained in writing for discussion at the next workshop.

**SIXTH ORDER OF BUSINESS**

**Attorney's Report**

Mr. Robin addressed the following:

- It was requested District Counsel reaffirm there was no misappropriation or misuse of the construction funds.

- District Counsel reviewed the bidding process for the new Board members noting that after the turnover of the community by Pulte to the residents the Board discovered there were significant bond proceeds left in the construction account. They were the Districts funds and they could redeem bonds or use the funds to build capital infrastructure.
- He gave an overview of the procedure used regarding the use of the bond proceeds remaining in the construction account.
- He noted that there was a very structured procedure for utilization of those funds and the Board followed all the steps of the procedure under guidance of Counsel and to the best of his knowledge all the funds were done in compliance with law and the District bond options.

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

#### **SEVENTH ORDER OF BUSINESS**

#### **Engineer's Report**

Mr. Siewert addressed the following:

- It was noted the District is allowed to trim the tree on the fence in Delmar along their property line. Mott's Contracting Services has trimmed the tree beyond the fence. Since the proposal included tree removal and it was only trimmed, Mr. Mendenhall will inquire about a discount/refund from Motts for work not done.
- SWFWMD has requested a pre-application meeting to discuss the construction, type and the location of the wall in Saratoga and the conservation area. It was suggested Mr. Mendenhall, Mr. Nystrom and Mr. Siewert meet with them to discuss details. Mr. Siewert will follow up and notify individuals when the meeting is scheduled.
- To date two wall bids for a six foot vinyl fence have been received, one for \$14,900 and another for \$13,100.
- Discussion ensued with regard to trespassing issues and the safety of residents and there was consensus of the Board to support installation of the fence to enhance the security of the community.
- Pond assessment activities – he met with Mr. Wilhelmi and inspected all the ponds required for maintenance and a draft assessment report was presented.

- Discussion ensued and there was consensus that the intent is to preserve the integrity of the ponds and is not for aesthetics. Costs and prioritization will be forthcoming and it was requested an aesthetic improvement price be included as an option in the assessment.
- It was noted BioMass will begin work the first week of February.
- It is expected the map will be completed by the next meeting.
- Discussion ensued with regard to the playground awning structure. An estimate for phase one of the project to cover the top part was received for approximately \$21,204. It was noted it may cost close to \$40,000 to complete the project. It was suggested this is a large expense at this time and should be deferred.

Mr. Peters Moved to rescind the vote to allocate the remainder of the capital expense fund for the shade tree project on the playground and to nullify that past vote and Mr. Carroll seconded the motion.

- Time is running out to utilize the remaining capital project funds and a decision should be made. It was suggested this be discussed at the next workshop. It was requested an estimate for additional lighting between Delmar and Churchill on the east side of the boulevard be obtained for consideration as an option.

On Voice Vote with all in favor the prior motion was approved.

- Residents from Cigar Lane were present and noted there is an on-going trespassing problem they are trying to get solved. Their properties border a pond and children come around throwing trash and running between houses destroying property. Residents have proposed the placing of *No Trespassing* signs at the edges of their property.
- Discussion ensued and it was agreed *No Trespassing* signs will be placed on CDD property in the discussed areas.

**EIGHTH ORDER OF BUSINESS**

**Discussion/Update of Capital Project  
Items – Update on Pasco County  
Maintenance of Roads**

- Mr. Mendenhall noted this item is scheduled to be on the January 25<sup>th</sup> meeting agenda of the Board of the County Commission.

**NINTH ORDER OF BUSINESS**

**Manager's Report**

Mr. Mendenhall addressed the following:

- He followed up on the question of collecting sales tax on commission received from an independent contractor who offers services such as Leidel Fitness and was advised by the accountant that the District should be taking sales tax out.
- He spoke to the owner of the home where individuals are renting and the children living there did damage to the gate. The owner was apologetic and said he will send the invoice payment shortly.
- The American Consulting settlement check is still pending and he is following up on it.
- Discussion of staff uniforms, golf relationship, District fees and the additional items mentioned today; bond capital projects and job descriptions will be placed on the next workshop agenda.
- It was requested the complete agency mailing be placed on the website.

**TENTH ORDER OF BUSINESS**

**Staff Report – Site/Clubhouse Manager**

Mr. Wilhelmi addressed the following:

- The sign painting is almost complete.
- The tennis practice court is up and the new nets will be installed by Monday.
- Pasco County denied the request to place a *Deer Crossing* sign at the entrance.
- The newsletter requires updating and he will follow up on this with Supervisor Carroll.
- The Moms Club is requesting a music teacher be allowed to use the clubhouse for instructions and it was noted a fee would be charged and insurance would be required.
- Discussion ensued with regard to the renting of the meeting room to residents and it was agreed to allow this at the existing rental rate of \$75.
- A pressure washing maintenance schedule was presented. Supervisor Nystrom requested pressure washing of the fence in North Hampton.

- Mr. Wilhelmi is working on obtaining proposals for the trimming of trees blocking the security cameras. The District Manager will check with HPI and Mr. Wilhelmi will obtain additional proposals for this.
- Discussion ensued with regard to working on a service schedule for the pool water heaters and obtaining proposals for a maintenance schedule. Mr. Wilhelmi will follow-up on this.
- Discussion ensued with regard to replacing/moving the lights by the oak trees at the circle in the back. It was suggested this be done by in-house employees. Mr. Mendenhall recommended getting a licensed electrician to avoid any potential liability. Mr. Wilhelmi will replace and redirect existing lights and report back.

**ELEVENTH ORDER OF BUSINESS****Supervisors' Requests and Comments**

- Supervisor Hanzel
  - Questioned the discussion of golf club relations on the summary and it was noted this item is to discuss the relations between the golf club and the CDD and to clarify the responsibility for water usage and reclaimed water.
  - Suggested an insert be placed in the newsletter notifying residents they can pay off their bond debt in May. Mr. Mendenhall will follow up on this.
  - Requested the repainting of the dog sign posts and replacing the signs where necessary.
- Supervisor Carroll
  - Questioned if the engineer check will be held in abeyance for any future parking lot issues and it was noted that was Mr. Mendenhall's understanding
  - Requested receipt of a year-to-date general ledger electronically every month.
  - Contact him if there are any items the Board would like in the newsletter to convey information to the residents.
- Supervisor Peters
  - Received a resident request to install a propane fireplace and it was noted this should be addressed by the HOA.

- Supervisor Nystrom
  - Requested the Board review the employee manual for discussion at the next workshop.
  - Questioned if it is necessary to spend additional funds on the front fountain.

**TWELFTH ORDER OF BUSINESS**

**Audience Comments**

- Avil Paz noted he liked what he heard today and is pleased with the new engineer. He questioned if OneSource will take care of the fire ants as part of the maintenance. He questioned the lake bank erosion plan and Mr. Siewert reviewed the process to be used. He suggested water mists for the playground and therma blankets to heat the pool.

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

**THIRTEENTH ORDER OF BUSINESS**

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

- The financials for the period ending December 31, 2010 were reviewed.

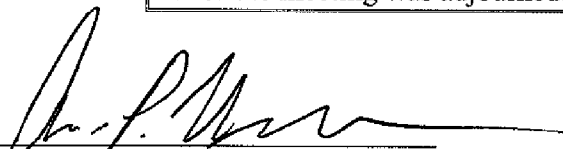
On MOTION by Mr. Hendrick seconded by Mr. Peters with all in favor the financials for the period ending December 31, 2010 were accepted.

**FOURTEENTH ORDER OF BUSINESS**

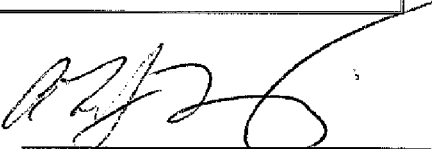
**Adjournment**

There being no further business,

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



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Andrew P. Mendenhall  
Secretary



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A. Fritz Nystrom  
Chairman

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Rick Carroll Assistant Secretary

Also present were:

Andy Mendenhall District Manager Tracy Robin District Counsel Jeffrey Siewert District Engineer

Todd Wilhelmi Site Manager Bob Leidel Leidel Fitness Residents

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*Lexington Oaks Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS Roll Call**

Mr. Nystrom called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS Pledge of Allegiance** The Pledge of Allegiance was recited.

- Mary Hanchar noted the community yard sale will be held on April 16th and items will need to be published. She invited the CDD to participate and it was suggested staff have a CDD information table at the event. The Board will consider this and get back to her with a decision.

January 20, 2011  
Lexington Oaks CDD

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**FIFTH ORDER OF BUSINESS Discussion of the Brighthouse vs the Verizon Issue and if Brighthouse Can Set Up Phone Service With the Two Gates Under CDD Control**

- It was noted there will be a \$3,400 conversion fee and a \$44.95 monthly fee for each gate. It was requested the terms be obtained in writing for discussion at the next workshop.

**SIXTH ORDER OF BUSINESS Attorney's Report** Mr. Robin addressed the following:

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2-10-11

January 20, 2011 Lexington Oaks CDD

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- He gave an overview of the procedure used regarding the use of the bond proceeds remaining in the construction account.
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January 20, 2011 Lexington Oaks CDD

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• Supervisor Carroll

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Requested receipt of a year-to-date general ledger electronically every month.

Contact him if there are any items the Board would like in the newsletter to convey information to the residents.

• Supervisor Peters

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January 20, 2011 Lexington Oaks CDD

• Supervisor Nystrom

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**TWELFTH ORDER OF BUSINESS Audience Comments**

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

**THIRTEENTH ORDER OF BUSINESS Approval of Financial Statements, Check Registers and Invoices**

- The financials for the period **ending December 31, 2010** were reviewed.

On MOTION by Mr. Hendrick seconded by Mr. Peters with all in favor the financials for the period ending December 31, 2010 were accepted.

**FOURTEENTH ORDER OF BUSINESS Adjournment** There being no further business,

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

*w-l*

Andrew P: **Mendenhall A. Fritz Nystrom Secretary Chairman**

2-10-11