

**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, May 17, 2012 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
Stuart Rogers	District Engineer
Todd Wilhelmi	Site Manager
Residents	

The following is a summary of the minutes and actions taken at the May 17, 2012 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.

THIRD ORDER OF BUSINESS

Audience Comments

- Concern was voiced with regard to the CDD not contributing to the Security Patrol and to the opinion the CDD does not have the ability to donate to an outside entity by District Counsel.
- A resident distributed government literature on the Volunteer Protection Act and petitions signed by Lexington Oaks residents to continue the Pasco County Security Patrol; copies of which are attached for the record.

- A lengthy discussion ensued and it was suggested the CDD *contract* with the Security Patrol organization. This option will be discussed with District Counsel.

EIGHTH ORDER OF BUSINESS

Engineer's Report

Mr. Rogers addressed the following:

- Repair work on Aptitude Terrace will begin next week at a reduced cost of \$17,000.
- First herbicide treatment was applied to wetlands mitigation area J4.
- Proposals for fence, gates and lock options were discussed.

Mr. Hanzel MOVED to accept the proposal from Con Asset to install two seven foot steel gates at the pool area in an amount not to exceed \$4,000 and Mr. Nystrom seconded the motion.

- Mr. Rogers will report back on type and cost of locks.

On VOICE VOTE with Mr. Hanzel, Mr. Nystrom, Mr. Peters and Mr. Hendrick voting aye and Mr. Carroll voting nay the prior motion was approved.

- Security camera RFP draft was discussed and BOS comments will be incorporated. It was noted District Counsel is also reviewing the document.
- Mr. Rogers is following up on researching fountain options and will compile information for presentation to the Board at the next meeting.
- Discussion ensued with regard to fountain requirements. The District Manager will photograph Seven Oaks fountains and distribute for discussion at next meeting.
- He reviewed the Withlacoochee Street Lighting Agreement and will contact them with billing questions. District Counsel forwarded his comments to District Manager, further research will be done and this will be placed on the next workshop agenda for discussion.
- A draft implementation action plan to meet the ADA Program was reviewed; a copy of which is attached for the record.

- The requirement is to have something in place to meet ADA standards and it was suggested the District proceed slowly. It was recommended District Counsel review the implementation schedule.
- Information on Structure 9 was sent to District Counsel who will discuss golf course attorney.

The record will reflect Mr. Rogers left the meeting.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the April 19, 2012 Meeting

Each Board member received a copy of the minutes of the April 19, 2012 meeting.

On MOTION by Mr. Peters seconded by Mr. Carroll with all in favor minutes of the April 19, 2012 meeting were approved.

FIFTH ORDER OF BUSINESS

Public Hearing to Consider Rules Regulating Rates for Use of the Clubhouse and Recreational Facilities

On MOTION by Mr. Hendrick seconded by Mr. Peters with all in favor the public hearing to consider the rates for the use of the clubhouse and recreational facilities was opened.

- It was noted Mr. Hanzel was not in the room to vote on the prior motion opening the public hearing.
- The fee schedule was discussed and questions/comments heard from the audience.
- Existing executed contracts will be *grandfathered in* at their contracted rate.
- It was noted the effective date of the new fee schedule will be the day of adoption, May 17, 2012.

On MOTION by Mr. Carroll seconded by Mr. Peters with all in favor the public hearing was closed.

Mr. Hanzel MOVED to adopt the fee schedule as presented dated May 17, 2012 and Mr. Nystrom seconded the motion.

- The fee schedule was discussed by the Board.

On VOICE VOTE with Mr. Hanzel, Mr. Nystrom, Mr. Peters and Mr. Hendrick voting aye and Mr. Carroll voting nay the prior motion was approved and Resolution 2012-6 adopting a fee schedule and rules and policies governing the use of the District's recreation facilities was adopted.

SIXTH ORDER OF BUSINESS

Update on Clubhouse Redecoration

- The artwork is scheduled to be installed next week.

SEVENTH ORDER OF BUSINESS

Attorney's Report

Mr. Robin was not in attendance.

NINTH ORDER OF BUSINESS

Staff Report – Site/Clubhouse Manager

Mr. Wilhelmi addressed the following:

- Sidewalk repairs are in progress.
- Summer lifeguards are hired and a team meeting is scheduled next week.

TENTH ORDER OF BUSINESS

Manager's Report

Mr. Mendenhall addressed the following:

A. Distribution of the Proposed Fiscal Year 2013 Budget and Consideration of Resolution 2012-7 Setting a Public Hearing

- The proposed fiscal year 2013 budget was reviewed and discussed.
- The need for additional reserve funds and increasing the assessments was discussed.

Mr. Carroll MOVED to increase General Fund assessment by 10% and Mr. Nystrom seconded the motion.

- Increasing the General Fund assessment, past assessment increases and the budget process was discussed.

- It was suggested the increase be placed into Capital Improvements – General Field.

On VOICE VOTE with Mr. Carroll, Mr. Nystrom, Mr. Peters and Mr. Hendrick voting aye and Mr. Hanzel voting nay the prior motion increasing assessments by 10% was approved and Resolution 2012-7 approving the budget for fiscal year 2013 and setting a public hearing date on August 16, 2012 at 6:30 p.m. in the Lexington Oaks Clubhouse was adopted.

B. Report on the Number of Registered Voters (2,726)

- A letter from the Supervisor of Elections was presented indicating as of April 15, 2012 there were 2,726 registered voters within the District; a copy of which is attached for the record.

C. Consideration of Resolution 2012-8 Sale of Surplus Equipment

- There is a statutory requirement to adopt a resolution when selling surplus equipment.

On MOTION by Mr. Peters seconded by Mr. Hanzel with all in favor Resolution 2012-8 declaring certain tangible personal property surplus equipment and authorizing the District Manager to sell or dispose of said equipment as expeditiously as possible and providing for an effective date was adopted.

- The process for the sale of the surplus equipment was discussed.

On MOTION by Mr. Peters seconded by Mr. Nystrom with all in favor placing a notice of *Sale of Surplus Equipment* in the upcoming newsletter was approved.

- Discussion ensued with regard to the updated Planet Green contract with the addition of a 35% energy savings guarantee and receiving a \$500 refund if the system does not work. The District Manager was directed to execute the contract.
- It was suggested moving forward the funding allocation process for repairs to Aptitude Pond be reviewed.

ELEVENTH ORDER OF BUSINESS Audience Comments

- Clarification on the process for purchasing surplus equipment was requested. *It was suggested a raffle process is the fairest method. Prices will be set and interested parties can submit their name for a drawing.*
- Concern was voiced with regard to using the engineer for the RFP process. *It was noted the District Manager can handle the RFP process.*
- Dissemination of information with regard to the Sunshine Law was reviewed.

TWELFTH ORDER OF BUSINESS Supervisors' Requests and Comments

- Supervisor Peters
 - Questioned the Wells Fargo v. Jayson M. Kurko et al Foreclosure issue. *It was noted District Counsel submitted a motion to dismiss based on the fact the CDD should not be a party to this lawsuit.*
- Supervisor Hendrick
 - Updated the BOS on landscaping including:
 - perennials in plant boxes
 - reducing budget for annuals
 - placing of baskets at entrances
 - replacing mulch with stones
 - Questioned if a response was sent to Ms. Carlson regarding damaged fence. *It was noted the golf course prefers the fence remain in place and they will maintain it. There was Board consensus not to have the fence removed. The Chairman will follow up on this and notify the resident.*
- Supervisor Carroll
 - Noted possible irrigation issue on the boulevard. *Todd will follow up with Ariel.*
- Supervisor Hanzel
 - Requested reviewing landscape contract be placed on next workshop agenda.
 - Requested an inventory of CDD equipment be taken. *It was noted Todd is in the process of preparing an inventory of major items.*

- Suggested District Engineer only attend workshops. *It was noted he is not attending the June workshop but will attend the June regular meeting.* It was suggested he not attend a meeting or workshop until July.
- Supervisor Nystrom
 - Signs for the crosswalks were changed.

THIRTEENTH ORDER OF BUSINESS

Approval of Financial Statements, Check Registers and Invoices

- The financials for the period ending April 30, 2012 were reviewed.

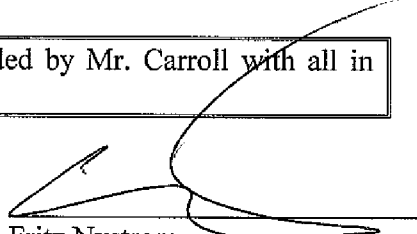
On MOTION by Mr. Peters seconded by Mr. Carroll with all in favor the financials for the period ending April 30, 2012 were accepted.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business,

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


Fritz Nystrom
Chairman