

MINUTES OF MEETING

**BALLANTRAE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Ballantrae Community Development District was held on **Monday, May 3, 2004 at 11:00 a.m.** at 17835 State Road 54, Lutz, Florida 33558.

Present and constituting a quorum:

Fred Sikorski	Board Supervisor, Chairman
Theresa Collins	Board Supervisor, Vice Chairman
Bill Daskarolis	Board Supervisor, Assistant Secretary
Jim Bagley	Board Supervisor, Assistant Secretary

Also present were:

Brian Lamb	District Manager, Rizzetta & Company, Inc.
Mark Straley	District Counsel, Akerman Senterfitt
Dayne Piercefield	District Engineer, Geo Surv3, Inc.
John McKay	Financial Advisor, Rizzetta & Company, Inc.
Ed Bulleit	Investment Banker, Prager, Sealy & Co., LLC
Rob Walsh	Rizzetta & Company, Inc.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Lamb called the meeting to order.

SECOND ORDER OF BUSINESS

**Consideration of Minutes of the
Board of Supervisors' Meeting on
April 5, 2004**

Mr. Lamb stated that the first order of business was to consider the minutes of the Board of Supervisors' meeting on April 5, 2004 (behind tab 1). He asked if there were any additions, deletions or corrections to the minutes. Mr. Lamb noted that some comments were made by Ms. Collins.

On MOTION by Ms. Collins, seconded by Mr. Daskarolis, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on April 5, 2004 for Ballantrae Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Authorization to
Disburse District Funds 2004-08**

Mr. Lamb stated that the next item on the agenda was to consider the Authorization to Disburse District Funds 2004-08 (behind tab 2). The disbursement consisted of invoices for standard contractual commitments, maintenance, and administration costs. He asked if there were any questions. There were none.

On MOTION by Mr. Sikorski, seconded by Ms. Collins, with all in favor, the Board approved Authorization to Disburse District Funds 2004-08 for Ballantrae Community Development District.

FOURTH ORDER OF BUSINESS

**Continuation of Public Hearing on
Special Assessments**

Mr. Lamb stated that the next item on the agenda was the continuation of the public hearing on Special Assessments originally advertised for and opened on April 5, 2004 and subsequently continued until April 28, 2004. At that time, the meeting was re-continued until today's meeting. He asked for a motion to open the public hearing.

On MOTION by Mr. Sikorski, seconded by Ms. Collins, with all in favor, the Board opened the public hearing on Special Assessments for Ballantrae Community Development District.

Mr. Lamb stated that the first item related to the Special Assessments was the presentation of the Special Assessment Allocation Report. He asked Mr. McKay to review this item. Mr. McKay distributed copies of the Final Special Assessment Allocation Report to the Board. This report was essentially the same form as presented in March, 2004. It had only been amended to reflect the actual bond sizing. He noted one correction to Section 3 of the report, the costs of the total Series 2004 improvements should be \$22,661,367, not \$30 Million.

Of the total improvements, the bonds will fund approximately \$7,688,776 with a par amount of \$9,665,000 and will have an annual debt service (principal and interest) of \$696,600 based on a May 1, 2004 dated date, a 6% coupon rate, and 18 months of capitalized interest. This figure was adjusted to include early payment discounts and collections costs for a total annual assessment of \$741,064. This will be the thirty year, long-term bond paid by the property owners on their tax bill.

Mr. McKay stated that the allocation methodology is based on Equivalent Assessment Units (EUA) for each product type as a percentage of the total Equivalent Assessment Units for all products planned for development within the District.

Mr. McKay also stated that the "true-up" analysis will be performed, which will be required each time additional lots are platted, to make sure that the development is on tract for collecting sufficient assessment revenue to repay the bonds.

Mr. McKay reviewed the tables of the reports. He asked if there were any questions. Mr. McKay addressed the questions. Mr. Lamb asked if there were any further questions, there were none.

Mr. Lamb stated that the presentation of the Engineer's report was given at the April 5th meeting with the estimated or projected costs for development. Mr. Lamb stated that Mr. Piercefield was in attendance and available for any questions regarded the report.

Mr. Lamb asked for any public comments or questions regarding the presentation given. There were none, so Mr. Lamb asked for a motion to close the public hearing.

On MOTION by Mr. Sikorski, seconded by Ms. Collins, with all in favor, the Board closed the public hearing on Special Assessments for Ballantrae Community Development District.
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SIXTH ORDER OF BUSINESS

**Consideration of Final Assessment
Allocation**

Mr. Lamb stated that the next order of business was the consideration of Final Assessment Allocation Report previously presented by Mr. McKay. Mr. Lamb asked for a motion to approve the report.

On MOTION by Mr. Daskarolis, seconded by Mr. Bagley, with all in favor, the Board approved the Final Assessment Allocation Report for Ballantrae Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2004-31,
Approving Assessments**

Mr. Lamb stated that the next order of business was the consideration of Resolution 2004-31, which Mr. Straley would discuss. Mr. Straley stated that Resolution 2004-31 implements the allocation report that Mr. McKay outlined, and levies the assessments on the benefited parcels. Also, it contemplates that the assessment will be placed on the tax roll, after the capitalized interest period expires. Mr. Straley stated that the resolution confirms and provides for the "true-up" mechanism.

Mr. Straley stated that there were no public comments and the report was approved as presented. He said that the resolution would reflect the fact that there is no need to equalize or adjust the assessments. Mr. Straley asked if there were any questions, there were none.

Mr. Lamb asked if there were any questions from the Board. There were none, so he asked for motion to approve Resolution 2004-31, Approving Assessments.

On MOTION by Ms. Collins, seconded by Mr. Sikorski, with all in favor, the Board approved Resolution 2004-31, Approving Assessments, for Ballantrae Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Closing Documents

Mr. Lamb stated that the next item on the agenda was the discussion of closing documents, which Mr. Straley would explain. Mr. Straley stated that there were four necessary closing documents that the Board would need to consider and approve.

The first document was the Collection Agreement with Rizzetta & Company, Inc. Pursuant to the agreement, they will facilitate the collection of assessments by the District and will furnish payoff amounts and lien releases for residents who want to pay their assessments. Mr. Straley stated that the agreement had previously been approved. A Notice of Collection Agreement will be recorded and give title companies notice. He also said that if someone wanted to pay off an assessment that they would know to contact Rizzetta & Company.

BALLANTRAE COMMUNITY DEVELOPMENT DISTRICT

May 3, 2004 Minutes of Meeting

Page 5

The second document was a recorded Notice of the Lien of Special Assessments that are being levied today, called a Lien of Record.

The third document was the Acquisition Agreement. The Developer has expended approximately \$2,000,000 in costs related to this project, which the District will acquire and assume the existing contracts that the Developer had entered into relative to the construction of the project. The Acquisition Agreement will be partially funded with bond proceeds tomorrow, and with future bonds issued. Mr. Straley stated that the District Engineer will review the requisitions for payment and will certify that they are part of the project, and at a fair and not excessive market value. It will be an acquisition of the work completed to date that allows reimbursement to be made to the Developer.

Mr. Straley stated that the final document was the Developer Funding Agreement. Mr. McKay previously outlined the total cost of the project to be approximately \$22 Million. The bond proceeds will only fund approximately one-third of this amount. The Funding Agreement provides for payment by the Developer to the District for the remaining costs of completing the project.

Mr. Lamb asked if there were any questions. There were general questions, which Mr. Straley addressed. Mr. Lamb asked if there were any more questions from the Board. There were none, so Mr. Lamb asked for motion to approve the closing documents, as presented.

On MOTION by Mr. Daskarolis, seconded by Mr. Sikorski with all in favor, the Board approved the Four Closing Documents for Ballantrae Community Development District.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.
- B. District Engineer
No report.
- C. District Manager
No report.

TWELTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**


Mr. Lamb stated that the next item on the agenda was Supervisor requests and audience comments. Mr. Lamb asked if there were any; there were none.

THIRTEENTH ORDER OF BUSINESS


Adjournment

Mr. Lamb stated that there were no other agenda items to come before the Board and asked for a motion to adjourn.

On MOTION by Mr. Sikorski, seconded by Ms. Collins, with all in favor, the Board adjourned the meeting for Ballantrae Community Development District.



Brian K. Lamb
Secretary



Fred Sikorski
Chairman