
MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based

**BALLANTRAE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Ballantrae Community Development District was held on **Monday, October 2, 2006 at 11:00 a.m.** at the Ballantrae Community Center, 17611 Mentmore Boulevard, Land O'Lakes, FL 34638.

Present and constituting a quorum:

Fred Sikorski	Board Supervisor, Chairman <i>(joined the meeting in progress)</i>
Theresa Lynn Collins	Board Supervisor, Vice Chairman
Bill Daskarolis	Board Supervisor, Assistant Secretary
Jim Bagley	Board Supervisor, Assistant Secretary

Also present were:

Nils Hallberg	District Manager, Rizzetta & Company, Inc.
Tracey Robin	District Counsel, Straley, Robin & Williams <i>(via speakerphone)</i>
Tonja Stewart	District Engineer, Wilson Miller, Inc. <i>(joined the meeting in progress)</i>
Lee Thompson	Representative, M/I Homes
Bill Fletcher	Field Manager
Patricia Adrion	Resident

FIRST ORDER OF BUSINESS

Call to Order

Mr. Hallberg called the meeting to order and performed roll call.

SECOND ORDER OF BUSINESS

**Consideration of Board Supervisor
Resignation (Bob Ollweiler)**

Mr. Hallberg stated that Staff received an email from Bob Ollweiler stating his desire to resign as a Board Supervisor for the District. He asked for a motion to accept Mr. Ollweiler's resignation.

On Motion by Ms. Collins, seconded by Mr. Bagley, with all in favor, the Board accepted the resignation of Bob Ollweiler as Board Supervisor for Ballantrae Community Development District.

Mr. Hallberg stated that the resignation of Mr. Ollweiler creates a vacancy on the Board. He stated that Patricia Adrion, who is a resident of the Ballantrae Community has expressed an interest in joining the Board and asked for a motion to appoint her to fill the vacancy.

On Motion by Mr. Daskarolis, seconded by Ms. Collins, with all in favor, the Board appointed Patricia Adrion as Board Supervisor for Ballantrae Community Development District.

Mr. Hallberg, a Notary Public in the State of Florida, administered the oath of office to Patricia Adrion. Ms. Adrion raised her right hand and swore and affirmed to the oath as read by Mr. Hallberg.

Mr. Hallberg explained that per Florida Statute, each Board member is entitled to collect a sum of up to \$200.00 per meeting with a maximum of \$4,800 annually for their attendance at Board meetings. He asked Ms. Adrion if she wished to accept or waive compensation at this time. Ms. Adrion stated that she would accept compensation for attending the Board Supervisor meetings.

THIRD ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for September**

Mr. Hallberg stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for September. He briefly reviewed the expenditures that were processed between August 1 and August 31, 2006 totaling \$77,574.61. Mr. Hallberg stated that he has contacted Cornerstone Landscaping regarding an over billing and a credit will be forth coming. A brief discussion ensued regarding the invoices from Sylvia's Pools and the fact that Mr. Fletcher has obtained the required licensing and will be maintaining the pools from this point forward. It was also stated that the storage shed will be on site today and the mule will no longer need to be stored in the Sales Center's garage. Mr. Hallberg asked if there were any questions regarding any of these expenditures.

On Motion by Mr. Daskarolis, seconded by Ms. Collins, with all in favor, the Board approved the Operation and Maintenance Expenditures for September totaling \$77,574.61 for Ballantrae Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting on September 11, 2006

Mr. Hallberg stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting on September 11, 2006. He asked if there were any additions, deletions, or corrections to the minutes. Hearing none, Mr. Hallberg asked for a motion to approve.

(Mr. Sikorski and Ms. Stewart joined the meeting in progress)

On Motion by Ms. Collins, seconded by Mr. Bagley, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held on September 11, 2006 for Ballantrae Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Fee Schedule for Non-Residential Facility Usage

Mr. Hallberg stated that the next item on the agenda was the consideration of establishing a fee schedule for non-residential facility usage. He presented a listing of fees charged by comparable facilities in the area and reviewed the various costs. Mr. Robin recommended that the District base its fees on a comparable rate rather than on assessment levels. Following a brief discussion, it was decided that the District would charge an annual fee of \$1800 for any non-residents desiring to use the community's recreational facilities.

On Motion by Ms. Collins, seconded by Mr. Bagley, with all in favor, the Board approved an annual non-resident fee of \$1800 to use the community recreational facilities for Ballantrae Community Development District.

Mr. Robin stated that the Board might want to consider setting a limit on the number of outside memberships it offers. Following a brief discussion, Mr. Sikorski made a motion to limit the number of outside memberships to 25 with the option to review as needed.

On Motion by Mr. Sikorski, seconded by Ms. Collins, with all in favor, the Board set a limit of 25 outside memberships for the use of the recreational facilities with the option to review as needed for Ballantrae Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of a Proposal for Vending Machines at the Clubhouse

Mr. Hallberg stated that the next item on the agenda was the consideration of a Proposal from ARF Enterprise, LLC to place two Vending Machines at the Clubhouse.

Mr. Fletcher stated that he was only able to obtain a proposal from one vendor due to concerns with vandalism with the machines being outside. Mr. Hallberg briefly reviewed the proposal for the Board and a brief discussion ensued regarding security issues and the need for the machines. It was decided to table further discussion until the security system is in place.

On Motion by Ms. Collins, seconded by Mr. Daskarolis, with all in favor, the Board tabled the discussion on installing vending machines at the clubhouse until the security system is in place for Ballantrae Community Development District.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel
No report.

B. District Engineer

Ms. Stewart stated that in researching the area where Verizon is requesting an easement to bury power lines, she determined that there is a wetland area that encroaches into the 20 foot corridor in question. She stated that Verizon is asking for a 10 foot strip within this corridor. Ms. Stewart stated that in reviewing the plat, she determined that there is a sufficient area within the wetland buffer that would be adequate for this purpose. She stated that in terms of permitting it, she understands that Verizon would be responsible for obtaining the necessary permits and that they have been granted rights to go through wetland buffer zones but not actual wetlands.

Ms. Stewart stated that should the District desire to put any landscaping or irrigation in this area in the future it would be limited to the remaining 10 feet of property. She stated that the District could argue that based on this limitation and the costs associated with preparing the actual easement that the area has value.

Mr. Sikorski clarified that the easement is certainly possible and has some benefit for the residents backing up to this area in that the overhead power lines go away. A lengthy discussion ensued regarding the value associated with granting this easement plus the associated costs with filing the easement and sod replacements. Mr. Daskarolis made a motion to grant the easement for a fee of \$17,500 plus the associated costs related to processing. Further discussion ensued regarding the residual value to Verizon in addition to the land value. Mr. Daskarolis amended his motion to authorizing the Chairman to negotiate a fee for granting the easement with a floor of \$17,500 and a ceiling of \$25,500 plus the associated costs relating to processing. Additional discussion ensued regarding Verizon's situation, what options they may have should the District not vote to grant the easement and what if any leverage this might afford the District in negotiating the terms for granting the easement.

On Motion by Mr. Daskarolis, seconded by Mr. Sikorski, with two in favor (Mr. Sikorski and Mr. Daskarolis) and three against (Theresa Lynn Collins, James Bagley and Patricia Adrion), the Board did not authorize the Chairman to negotiate a fee for granting the easement for \$25,500 with a bottom limit of \$17,500 plus the associated costs relating to processing for Ballantrae Community Development District.

Ms. Collins stated that she would like to see the amount higher and made a motion to set the fee at \$30,000 plus associated costs for processing the easement and restoring the land back to its original condition with a bottom line of \$25,500. Following further discussion, the motion died due to the lack of a second.

Mr. Bagley made a motion to set the fee for granting Verizon the easement at \$30,000 plus associated costs and re-sodding and to authorize the Chairman to accept a counter offer at no lower than \$20,000 plus the associated costs and re-sodding expenses.

On Motion by Mr. Bagley, seconded by Ms. Collins, with all in favor, the Board set the fee for granting Verizon the easement at \$30,000 plus associated costs and re-sodding expenses and to authorize the Chairman to accept a counter offer at no lower than \$20,000 plus the associated costs and re-sodding expenses for Ballantrae Community Development District.

Ms. Stewart recommended that should an agreement be reached, Verizon be asked for their easement form so that District Counsel and District Engineer can look at the legal descriptions and process the easement as quickly as possible. Mr. Robin stated that he believes Verizon already has the legal descriptions prepared. Mr. Sikorski stated that he would like to have the process completed prior to the next meeting so the documents can be executed at that time.

C. District Manager

Mr. Hallberg stated that at the last meeting he brought a proposal to treat the cattails on pond # 25 and the Board asked that he provide a cost estimate for treating all the ponds within the community for cattails. He distributed a copy of the proposal from Ecological Consultants, Inc. totaling \$25,800. He explained that this would be for the nine ponds that are not on a littoral shelf or do not have other types of vegetation that can not be removed. Mr. Sikorski stated that he has visited each of the ponds in question and does not feel that it is necessary to chemically treat the ponds at this time. It was noted that pond erosion is part of the process of managing the ponds and that vegetation helps to alleviate the erosion, plus removing the cattails might create other issues on the ponds.

The Board recommended that a letter be sent to the resident, who requested that the ponds be treated initially, informing him of the decision not to treat the ponds and reasons for the decision. Mr. Hallberg stated that he would take care of this.

Mr. Hallberg stated that he received a letter from Mr. Dardano requesting that the Board reconsider his offer to provide tennis lessons to children on the District's Tennis courts. He explained that Mr. Dardano, who is a resident of Ballantrae, states in his letter that both tennis courts would not be used at the same time and the hours that he would like to be allowed to offer lessons are not considered peak hours of usage. Following a brief discussion, it was stated that should the Board approve his request, it would be necessary to have Mr. Dardano submit to a background check to prevent potential issues with liability. Continued discussion led to the decision that the Board is not in a position to rent out the tennis courts. Mr. Robin stated that the Board has already denied the request and therefore another motion is not needed at this time.

Mr. Hallberg stated that he received a notice from the Growth Management Department of Pasco County regarding hearings related to the approval of Bexley Ranch DRI and the approval of 294,721 square feet of retail, \$73,200 square feet of office, a combined elementary and middle school site and 7,000 residential units north of Ballantrae. Ms. Collins asked that a copy of the letter be provided to each of the Board Members. Mr. Hallberg stated that he would do so.

EIGHTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Mr. Hallberg stated that the next item on the agenda was Supervisor requests and audience comments. He stated that there were no new audience members present.

Mr. Hallberg asked if there were any Supervisor requests. Mr. Sikorski inquired what the status of the pool and cleaning services are. Mr. Hallberg stated that both services have ended and the District should not see any invoices for October and beyond.

Ms. Collins provided a brief update on the security situation, stating that she and Mr. Fletcher have met with another company, but they did not have a system that would meet the needs of the community.

Mr. Hallberg asked if there were any comments from the audience. Mr. Fletcher stated that he had a few items to present to the Board. He stated that he met with the Sheriff's Office regarding using the clubhouse as a substation and was asked to change the lock to a keyless system, which has been done. Mr. Fletcher stated that he contacted the Sheriff's office to provide them with the code, but he is not sure whether anyone has actually used the facility yet. Mr. Hallberg asked that Mr. Fletcher contact the Sheriff's office and request that the officers leave a card to let him that someone has been there.

Mr. Fletcher stated that the tot playground equipment has been installed. The new signs have been obtained listing the rules for rollerblades and skateboards. He stated that he had to call the police on September 23rd regarding vandalism at the pool in the form of furniture being thrown into the pool and both fire extinguishers being discharged into the pool, which resulted in the need to close the pool for the weekend. Mr. Fletcher stated that it will be necessary to replace both of the extinguishers.

Mr. Fletcher stated that several broken tiles were found in the parking lot, which may or may not be the result of vandalism. A brief discussion ensued on this topic.

Mr. Fletcher stated that he has also noticed some sinking pavers around the pool and in researching the problem has discovered what appears to be an erosion problem. A brief discussion ensued regarding possible causes and solutions to the problem.

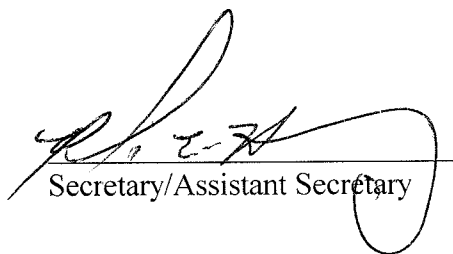
A brief discussion was held regarding the timing for changing the code for the pool and sending out the newsletter to the residents. Mr. Hallberg stated that he is working in conjunction with the Home Owners Association on this issue and anticipates that this will be accomplished in the near future.

NINTH ORDER OF BUSINESS

Adjournment

Mr. Hallberg stated that there was no other business scheduled to come before the Board. He asked for a motion to adjourn the meeting.

On Motion by Mr. Sikorski, seconded by Ms. Collins, with all in favor, the Board adjourned the Board of Supervisors' meeting at 12:20 p.m. for Ballantrae Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman