

---

**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 the Ballantrae Community Development District was held on **Monday, July 7, 2008 at 6:00 p.m.** at the Ballantrae Community Center, located at 17611 Mentmore Boulevard, Land O'Lakes, FL 34638.

Present and constituting a quorum:

James Flateau	<b>Board Supervisor, Chairman</b>
Amanda Battistoni	<b>Board Supervisor, Vice Chairman</b>
Kelly Moseley	<b>Board Supervisor, Assistant Secretary</b>
Richard Levy	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Nils Hallberg	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Tonja Stewart	<b>District Engineer, WilsonMiller, Inc.</b>
Tracy Robin	<b>District Counsel, Straley &amp; Robin</b> <i>(joined the meeting in progress)</i>
Bill Fletcher	<b>Maintenance Supervisor</b>
Derek Wagner	<b>Representative, Aquagenix</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Flateau called the meeting to order and Mr. Hallberg read the roll call.

**SECOND ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisor's Meeting on May 19 & June  
2, 2008**

Mr. Flateau stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisor's meeting held on May 19, 2008. He asked if there were any additions, deletions, or corrections. Hearing none, Mr. Flateau asked for a motion to approve.

On a Motion by Mr. Levy, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisor's meeting held on May 19, 2008 for Ballantrae Community Development District.
--

---

Mr. Flateau stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisor's meeting held on June 2, 2008. He asked if there were any additions, deletions, or corrections. Hearing none, Mr. Flateau asked for a motion to approve.

On a Motion by Mr. Levy, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisor's meeting held on June 2, 2008 for Ballantrae Community Development District.

---

**THIRD ORDER OF BUSINESS**

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

Mr. Flateau stated that the next item on the agenda was the consideration of the Operation and Maintenance expenditures for June. Mr. Hallberg briefly reviewed the expenditures for the period of May 1-May 31, 2008 totaling \$58,974.05 for the Board. Mr. Flateau asked if there were any questions. Hearing none, he asked for a motion to approve.

On a Motion by Mr. Levy, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for June totaling \$58,974.05 for Ballantrae Community Development District.

---

**FOURTH ORDER OF BUSINESS**

**Consideration of New Business**

Mr. Flateau stated that the first item listed under new business was the consideration of the proposals received in response to an RFP for Aquatic Maintenance Services. Mr. Hallberg briefly reviewed the proposals, stating that he received three proposals with Aquagenix submitting the lowest bid at an annual cost of \$18,300. He stated that all three firms are qualified to do the job and Aquagenix is the firm currently maintaining the ponds. A brief discussion ensued regarding an ongoing algae condition in one of the ponds. Mr. Wagner addressed the issue recommending various options for controlling it. He stated that the design of the pond is one of the major factors leading to the type of resistant algae growing in this pond. Ms. Stewart stated that she would review the as built plans to see if the pond depths were not excavated to the full design, or if they were all designed to be shallow. The possibility of having an environmental engineer determine what plant material could be installed to help with the condition and the possibility of getting assistance from the Pasco County Adopt a Pond program was discussed. Following discussion regarding the terms of the contract, Mr. Flateau asked for a motion to award the contract to Aquagenix.

On a Motion by Mr. Levy, seconded by Ms. Moseley, with three in favor and one against (Amanda Battistoni), the Board of Supervisors awarded the contract for Aquatic Maintenance Services to Aquagenix for Ballantrae Community Development District.

A question was raised regarding whether or not it was feasible to have WilsonMiller, Inc. provide SWFWMD inspection services. Ms. Stewart stated that this was already part of the contract, so there was no need to seek additional proposals for this service.

**FIFTH ORDER OF BUSINESS**

**Consideration of Old Business**

Mr. Flateau stated that the next item on the agenda was the ratification of the contract with Bay Area Fence to enclose the basketball court. Mr. Hallberg stated that based on the Board's decision last month to enclose the basketball courts, Mr. Flateau approved a proposal from Bay Area Fencing totaling \$8,050. He asked that the Board ratify this action.

On a Motion by Ms. Moseley, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors ratified the proposal from Bay Area Fencing to enclose the basketball court totaling \$8,050 for Ballantrae Community Development District.

*(Mr. Robin joined the meeting in progress.)*

Ms. Stewart distributed copies of a draft report from Bracken Engineering outlining their analysis of the large outfall structures that were failing. She stated that the report concludes what she had discussed at the previous meeting and it appears that there may be some design flaws. Discussion ensued regarding various options for repair and the possible need to seek legal recourse to cover the cost of repairs. It was stated that District Counsel will provide a list of lawyers with expertise in this area. The Board authorized the Chairman to negotiate a contract with a lawyer to discuss the District's options with a not-to exceed amount of \$2,500. Once selected, the lawyer will be sent a copy of the report from Bracken Engineering and a meeting set up to determine if it makes any sense to try and litigate the issue. ~~The concern is that the cost of the litigation might be more than the cost of the repairs at \$50,000.~~ The possibility of needing to provide additional security in the area to ensure the safety of residents until the repairs are complete was discussed.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Robin stated that in petitioning the County to accept the roads in Village 2A, it was discovered that an error was made in platting the roads and it became necessary to obtain an affidavit from M/I Homes relating to the error. He stated that now the County has requested a "Deed of Record". Following a brief discussion, Mr. Robin asked that the Board authorize the Chairman to execute a Quit Claim Deed to the County.

On a Motion by Ms. Battistoni, seconded by Mr. Levy, with all in favor, the Board of Supervisors authorized the Chairman to execute a Quit Claim Deed to the County for Downan Point Drive and Gianna Way for Ballantrae Community Development District.

Mr. Flateau executed the Quit Claim Deed so it could be filed with the County.

B. District Engineer

No report.

C. District Manager

Mr. Hallberg reviewed the financial status of the District in relation to the amount of funding it might have available to cover the costs to repair the drainage structures. A lengthy discussion ensued.

Mr. Hallberg requested that the Board consider approving the establishment of a debit card to make purchasing materials for the District easier in lieu of a petty cash account. It was decided to set up a debit card with a limit of \$750 and still keep a petty cash fund totaling \$250.

On a Motion by Ms. Battistoni, seconded by Mr. Levy, with all in favor, the Board of Supervisors authorized District Staff to establish a debit card account with a not-to-exceed amount of \$750 and reduce the petty cash account to \$250 for Ballantrae Community Development District.

Mr. Hallberg distributed copies of a review form to the Board asking them to rate Mr. Fletcher's performance over the past year as it is time for his annual review. A brief discussion ensued.

Mr. Hallberg informed the Board of an upcoming public hearing relating to the Shoppes at Ballantrae on July 9<sup>th</sup> and 22<sup>nd</sup>. Mr. Flateau stated that he would try to attend these meetings on behalf of the District.

**SEVENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

Mr. Flateau stated that the next item on the agenda was Supervisor requests and audience comments. He asked if there were any Supervisor requests. A brief discussion was held regarding the "No Parking" notice that was requested to be included with the assessment notification letters being sent to all homeowners.

Discussion was also held regarding the duty listing for the off-duty officers working in the community.

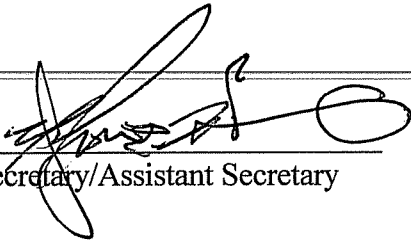
Mr. Flateau asked if there were any audience comments. Audience comments were entertained; however, no Board action was taken.

**EIGHTH ORDER OF BUSINESS**

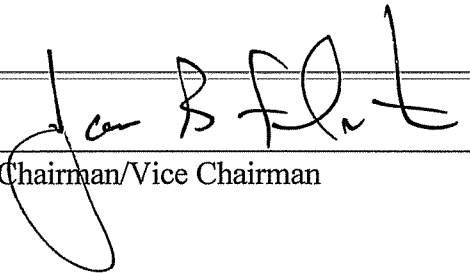
**Adjournment**

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

On a Motion by Ms. Battistoni, seconded by Ms. Moseley, with all in favor, the Board of Supervisors adjourned the meeting at 9:03 p.m. for Ballantrae Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman