

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, September 8, 2008 at 6:04 p.m.** at the Ballantrae Community Center, located at 17611 Mentmore Boulevard, Land O'Lakes, FL 34638.

Present and constituting a quorum:

James Flateau	Board Supervisor, Chairman
Amanda Battistoni	Board Supervisor, Vice Chairman
Kelly Moseley	Board Supervisor, Assistant Secretary
Richard Levy	Board Supervisor, Assistant Secretary

Also present were:

Nils Hallberg	District Manager, Rizzetta & Company, Inc.
John Vericker	District Counsel, Straley & Robin
Tonja Stewart	District Engineer, WilsonMiller, Inc. <i>(via speakerphone)</i>
Bill Fletcher	Maintenance Supervisor
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 July 7 and
August 4, 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 July 7 and August 4, 2008. He stated that if there were no additions, deletions, or corrections to the minutes from the meeting held on July 7th, a motion to approve would be in order.

On a Motion by Mr. Levy, seconded by Mr. Flateau, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisor's meeting held on July 7, 2008 for Ballantrae Community Development District.

Mr. Flateau asked if there were any additions, deletions, or corrections to the minutes from the meeting held on August 4th. Hearing none, he asked for a motion to approve.

On a Motion by Mr. Levy, seconded by Ms. Moseley, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisor's meeting held on August 4, 2008 for Ballantrae Community Development District.

THIRD ORDER OF BUSINESS

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

Mr. Flateau stated that the next item on the agenda was the consideration of the Operation and Maintenance expenditures for August. He asked if there were any questions on any of the expenditures. A brief discussion ensued regarding the invoices for the signs. Mr. Flateau asked for a motion to approve.

On a Motion by Ms. Moseley, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for August totaling \$65,147.38 for Ballantrae Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of New Business

Mr. Flateau stated the next item on the agenda was the consideration of setting the meeting schedule for Fiscal Year 2008/2009. Mr. Hallberg presented Resolution 2008-08 stating that currently the Board meets on the first Monday of each month at 6:00 p.m. He asked if the Board would like to maintain this schedule for the meetings starting in October or if it would like to make some changes. Following a brief discussion, the Board decided to change the meeting time to 6:30 p.m. Mr. Hallberg asked for a motion to approve Resolution 2008-08 as discussed.

On a Motion by Ms. Battistoni, seconded by Mr. Levy, with all in favor, the Board of Supervisors approved Resolution 2008-08, Setting the Meeting Schedule for Fiscal Year 2008/2009 as the first Monday of each month at 6:30 p.m., at the Ballantrae Community Center, located at 17611 Mentmore Boulevard, Land O'Lakes, FL 34638 for Ballantrae Community Development District.

Mr. Flateau stated that he had asked Mr. Hallberg to adjust the individual line items in the approved budget for the sidewalk extension and the establishment of a website to reflect the monies that will be spent in those areas out of the reserve funds. He explained that this will provide residents with a more accurate reflection of what the money is used for. Mr. Flateau confirmed that the adjustments did not affect the total budget. A brief discussion ensued.

FIFTH ORDER OF BUSINESS

Consideration of Old Business

Mr. Hallberg inquired as to whether the Board was still interested in carpeting the meeting room. It was stated that they would like to see the tile cleaned as opposed to carpeting the area.

Mr. Flateau provided a brief synopsis of the damaged drainage structures issue that was discussed at the last meeting. He stated that since that time, the Developer has taken the position that they hired a builder to do the work as designed by the Engineer, and any issues should be addressed with them. It was stated that the Engineer hasn't responded to the district's questions and the builder has taken the position that the drainage structures were built according to plans and were subsequently accepted by the County as functioning properly. The builder stated that the damage was possibly caused by the inordinate amount of rain that we have had this year, rather than any defects in the design or quality of work associated with the structures. Mr. Flateau stated that District Counsel has informed the Board that the legal fees for litigation could be more than the cost to do the repairs and that since the District did not pay for the structure to be rebuilt, it would not be able to recover any of the legal costs. He asked if the Board would still like to have him proceed with meeting with both or either of the two recommended litigators to discuss possible litigation of the matter. Following a brief discussion, it was decided that it would be in the best interest of the District to meet with the litigators to determine the strength of any case the District may have before simply moving forward with the repairs.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.

- B. District Engineer
Ms. Stewart provided an update on the ponds, stating that there are ten ponds in the District that have littoral shelves and would therefore have limitations on the removal of vegetation. A brief discussion ensued regarding the proposal from Aquagenix to remove nuisance vegetation and replant with other vegetation and the possibility of obtaining proposals for other vendors. Mr. Flateau confirmed that based on the contract with Aquagenix, they would be responsible for removing the cattails in the remaining ponds. He recommended that other firms be contacted to evaluate the issue and submit proposals to ensure that the district gets the best price for the project in the ten ponds, which would need to have replacement plants installed. Further discussion ensued on other pond related issues. It was stated that some of the algae problems are a result of the additional rain this year.

- C. District Managers
No report.

- D. Maintenance Supervisor
No report.

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. Mr. Fletcher addressed some maintenance issues and a brief discussion ensued.

Mr. Flateau asked if there were any audience comments. Audience members expressed concern with the quality of service from Aquagenix. Further discussion ensued regarding the contract with Aquagenix and the issue of removing the cattails from the littoral shelves. Mr. Flateau stated that there is an option to possibly participate in the County's "Adopt a Pond" program to offset some of the cost to replace the plants. He explained that the residents will need to be on board with whatever program is decided on, as once initiated, residents can not take it upon themselves to cut down any plants they feel are too high. It was stated that the current plan is to install similar plants, in the ten ponds with the littoral shelves, as were installed in the pond across from the Ayrshire entrance. Further discussion ensued regarding whether the cattails would come back if removed and other plants installed and if this would be an ongoing expense year after year. It was stated that the idea of planting desirable plants and removing the cattails would be to have them take over the area so the cattails would not have room to root.

A lengthy discussion ensued regarding the need to have both an HOA and a CDD newsletter and website. Mr. Vericker explained the legal requirements. Mr. Flateau stated that by having two separate ones; residents will better understand the differences between the two entities.

Further discussion ensued regarding concerns with the damaged drainage structure and possible conflicts of interest by professional staff initially hired by the Developer.

A resident inquired on the status of the seasonal decorations and it was stated that this item would be placed on the next agenda.

EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Flateau stated that there was 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 8:00 p.m. for Ballantrae Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman