

**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, November 2, 2009 at 6:31 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>
Steve White	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Scott Brizendine	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Pete Williams	<b>Director of Management Services, Rizzetta &amp; Co., Inc.</b>
Nils Hallberg	<b>Operations Manager, Rizzetta &amp; Company, Inc.</b>
Tonja Stewart	<b>District Engineer, WilsonMiller, Inc.</b>
Bill Fletcher	<b>Maintenance Manager</b>
Joe Ciellini	<b>Representative, Ameriscape Services</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

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

**SECOND ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisor's Meeting on October 5,  
2009**

On a Motion by Mr. White, seconded by Ms. Moseley, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisor's meeting held on October 5, 2009 as presented for Ballantrae Community Development District.
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**THIRD ORDER OF BUSINESS**

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

A request was made to provide the Board with a monthly running total of the expenses for Mike Addison in the agenda packets.

On a Motion by Mr. White seconded by Ms. Moseley, with all in favor, the Board of Supervisors accepted the Operation and Maintenance Expenditures for October totaling \$62,822.03 for Ballantrae Community Development District.

Mr. Flateau sought and received confirmation on the amount of funds that have been carried forward from previous years as of the September financial statement totaling \$267,000. Mr. Brizendine stated that this is one of the reasons he had recommended that the Board consider investment options.

**FOURTH ORDER OF BUSINESS**

**District Counsel and District Engineer  
Reports**

- A. District Counsel  
Mr. Brizendine stated that Mr. Robin had indicated that he had nothing new to report to the Board regarding the litigation but was available by phone if needed.
  
- B. District Engineer  
Ms. Stewart presented the revised proposal from Bracken Engineering totaling \$3,065.00 to perform the structural study. She stated that the proposal increased from the one provided earlier as a result of adding the seven entry monuments to the study. She stated that there are very few firms that are interested in providing this type of service and are qualified to perform the study.

Ms. Stewart informed the Board that there are conservation easements that were never transferred to the District and the Army Corp of Engineers (ACOE) permit has not been transferred. She asked for authorization to transfer the conservation easements to the ACOE for maintenance as well as those for easements by the monuments. The Board indicated its permission, but did not make a formal motion.

Ms. Stewart also briefly reviewed her proposal to complete a reserve study totaling \$1,045 that would encompass the general condition of the storm water structures and common areas. Following a brief discussion regarding whether a Public Facilities Report was needed, the Board tabled this item until next month.

A brief discussion ensued regarding the status of the erosion repairs and the Shoppes at Ballantrae project.

The following Board actions were taken:

On a Motion by Ms. Battistoni, seconded by Mr. White, with all in favor, the Board of Supervisors approved the proposal from Bracken Engineering totaling \$3,065 to perform the structural study for Ballantrae Community Development District.

*(Ms. Stewart left the meeting.)*

**FIFTH ORDER OF BUSINESS**

**Update on Status of RFP for District Management Services**

Mr. Brizendine stated that he provided the Chairman and District Counsel with a detailed scope of services for review and comments, but has not had any feedback to date. Mr. Williams addressed the Board regarding the RFP for District Management Services, explaining that the Board needs to be careful in utilizing a basic scope of service as what looks like a good price may not be when the monthly charges hit. He offered to reduce Rizzetta's fee to a flat rate of \$60,000 based on the scope of services provided to the District in lieu of going out to bid.

Mr. Williams confirmed that the fee would include the same level of service that the District is currently receiving, including the additional services provided by Mr. Hallberg. The Board did not accept the offer and indicated its intention to follow through with the RFP process. It was stated that the scope of services provided to interested firms should be the more detailed one. A request was made to bring the revised RFP to next month's meeting for Board approval.

No official Board action was taken.

**SIXTH ORDER OF BUSINESS**

**Consideration of Old Business**

Discussions were held regarding the status of the RFP for Landscape Services, whether OLM would be providing the monthly inspections once the new landscaping firm has been selected, and proposals for rust prevention services, to seal the pool pavers, and to resolve particular landscape issues addressed in the September report.

Concerns were expressed regarding the scope of service in the OLM bid specs versus what is included under the current contract, i.e. The frequency of mowing and days of service, fire ant control not being specified, and the fact that OLM will not include the performance payment program in the contract, if they are not hired to perform the inspections. It was stated that District Counsel should be asked to address the performance payment issue.

It was stated that 14 companies attended the pre-bid meeting and that OLM would be sending the bid summary on November 17<sup>th</sup> for distribution to the Board with the Board voting on a new contractor at its December 7<sup>th</sup> meeting.

Discussions were held regarding the advantages and disadvantages of the District owning the rust prevention equipment opposed to the vender owning it. It was decided not to change companies for the rust prevention services.

The Board requested that Staff obtain references from the contractors submitting proposals to seal the pool pavers and tabled any action pending their receipt. Mr. Ciellini addressed questions regarding the proposals presented to the Board relating to landscape issues.

The following Board actions were taken:

On a Motion by Mr. White seconded by Ms. Moseley, with all in favor, the Board of Supervisors did not authorize OLM to perform the monthly landscape inspections for Ballantrae Community Development District.

On a Motion by Mr. White seconded by Ms. Moseley, with all in favor, the Board of Supervisors approved proposals #130 (pvc pipe only), #190, #192, #201, #204, & #205 from Ameriscape USA as discussed for Ballantrae Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of New Business**

Mr. Hallberg reviewed the findings from his Landscape inspection on October 19<sup>th</sup>. Following a brief discussion the following Board action was taken:

On a Motion by Mr. White seconded by Ms. Moseley, with all in favor, the Board of Supervisors approved proposal #223 from Ameriscape USA as discussed for Ballantrae Community Development District.

*(Mr. Hallberg left the meeting.)*

Mr. Brizendine presented the revised format for the monthly maintenance report, stating that these are based off the daily logs being submitted on a weekly basis. A brief discussion ensued regarding a desire to see the daily logs and minor revisions that would enhance the form.

**EIGHTH ORDER OF BUSINESS**

**Other Staff Reports**

A. Maintenance Supervisor

Mr. Fletcher informed the Board of necessary irrigation repairs (\$1,320) that he had authorized because of the nature of the issue. He stated that he was unable to reach anyone at the time of the incident to obtain prior authorization.

Mr. Fletcher led a discussion on the need to purchase a new pressure washer.

On a Motion by Ms. Battistoni seconded by Ms. Moseley, with all in favor, the Board of Supervisors approved the purchase of a new pressure washer with a not-to-exceed amount of \$1,300 for Ballantrae Community Development District.

The Board prioritized the maintenance list, asking that the pressure washing be completed first, with the vines being cut at the base and treated next, followed by any painting that might be needed.

**B. District Manager**

Mr. Brizendine presented a draft version of the Investment policy statement touching on the summary of objectives, the permissible investments and the funds currently available for investment. He recommended that the Board consider utilizing some of the other options to improve the return on the investments.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

Mr. Flateau stated that he had received a request from a resident to use the clubhouse for a Home Business Expo, explaining that the rules state that any business use must have Board approval. The Board approved the Expo at a cost of \$50. He also stated that the proprietors of Miranda's Swimming Class and the Zumba Class have requested that their contracts be extended. A discussion was held regarding parking issues throughout the community and the upcoming community yard sale. It was stated that a Goodwill trailer will be on site during the yard sale as well.

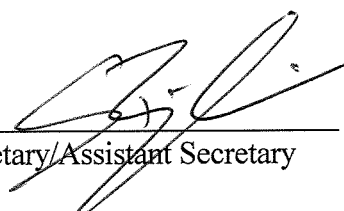
Mr. Brizendine confirmed that Ms. Battistoni will be able to provide her comments regarding the individual firms submitting proposals for landscape services to him. It was also stated that Ms. Moseley could vote if she chose to do so, but even without that option the Board would have a quorum to hold the vote. The possibility of holding a special meeting was discussed but not scheduled.

Joe Ciellini stated that the scope of service provided in the bid specs by OLM are actually less than the current scope. He pointed out some areas where he feels it is lacking and issues with withholding 25% of the pay for failed inspections performed by someone without a horticultural background. A brief discussion ensued. Mr. Ciellini stated that he might not even bid the project based on the current bid specs and opined that the Board was taking a step backward.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Ms. Battistoni, seconded by Mr. White, with all in favor, the Board of Supervisors adjourned the meeting at 9:20 p.m. for Ballantrae Community Development District.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman