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**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 6, 2009 at 6:35 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>
Steve White	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Nils Hallberg	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Bill Fletcher	<b>Maintenance Supervisor</b>
Carina Wells	<b>Representative, Zumba Fitness</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 June 1, 2009**

On a Motion by Ms. Moseley, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors accepted the minutes of the Board of Supervisor's meeting held on June 1, 2009 as presented for Ballantrae Community Development District.
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**THIRD ORDER OF BUSINESS**

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

A brief discussion ensued regarding invoices related to the drainage structure issues and lighting repairs.

**EIGHTH ORDER OF BUSINESS**

**Update on Drainage Structure Issues**

Mr. Flateau stated that all of the construction at both drainage structures has been completed and the necessary sod replacement / seeding has been done. He stated that he observed the structures during the last heavy rainfall and they appeared to be functioning properly. Mr. White noted that another erosion issue has developed on the large lake with the rip rap bags. It was also stated that the repairs to the weir at the north end of Ballantrae Boulevard in Castleway have not been completed due to the amount of recent rainfall in the area. Mr. Flateau stated that Ms. Stewart has indicated that the high water level may prevent further damage until the repairs can be done this winter after the rainy season.

**NINTH ORDER OF BUSINESS**

**Other Staff Reports**

**A. District Counsel**

Mr. Robin was excused from the meeting as there was nothing new to present to the Board at this time. It was noted that he was available by phone if needed. A brief discussion ensued regarding whether or not the lawsuit has been filed and any statute of limitations that might be involved. It was noted that nothing has been filed to date.

**B. District Engineer**

Ms. Stewart was excused from the meeting as there was nothing new to present to the Board at this time. It was noted that she was available by phone if needed.

**C. Maintenance Supervisor**

A discussion was held regarding the cost of purchasing replacement tables for the clubhouse, replacing the lifting pavers on the main pool deck, and installing sod along the new sidewalk. The following Board actions were taken:

On a Motion by Mr. Levy, seconded by Ms. Battistoni, with all in favor, the Board of Supervisors approved the proposal from Sundeck Pavers in the amount of \$1,200.00 to repair the pavers at the main pool for Ballantrae Community Development District.

On a Motion by Mr. Levy, seconded by Mr. White, with four in favor and one abstaining (Kelly Moseley), the Board of Supervisors approved the proposal from Ameriscape USA totaling \$1,203.00 to install Bahia sod along the new sidewalk for Ballantrae Community Development District.

Mr. Hallberg was asked to contact the County regarding crosswalk signage.

On a Motion by Mr. Levy seconded by Ms. Moseley, with all in favor, the Board of Supervisors accepted the Operation and Maintenance Expenditures for June totaling \$71,918.37 as presented for Ballantrae Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2007/2008  
Financial Audit**

Mr. Hallberg briefly reviewed the Fiscal Year Financial Audit, stating that it was deemed to be a clean audit. Mr. Flateau asked that an electronic version of the audit be forwarded to him for posting on the District's website.

On a Motion by Mr. White seconded by Ms. Battistoni, with all in favor, the Board of Supervisors accepted the Fiscal Year 2007/2008 Financial Audit and authorized Staff to submit it to the appropriate governmental agencies for Ballantrae Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2009-06,  
Reappointing an Assistant Secretary**

On a Motion by Mr. Levy seconded by Mr. White, with all in favor, the Board of Supervisors approved Resolution 2009-06, appointing Matt Huber as Assistant Secretary in lieu of Nils Hallberg, effective immediately following the adjournment of the August 3, 2009 meeting, for Ballantrae Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposal from "A Total  
Solution, Inc." for Rear Pool Gate**

The Board decided to table this item until the costs of supplying the 120 volt dedicated circuit for the access control system and necessary electrical boxes could be ascertained.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Proposal for Zumba  
Class at Clubhouse**

Ms. Wells presented her proposal to offer Zumba Fitness classes at the clubhouse. Discussions were held regarding structure, fees, advertising and liability insurance. The following Board action was taken:

On a Motion by Mr. Levy seconded by Ms. Moseley, with all in favor, the Board of Supervisors authorized the Chairman to execute an agreement with Zumba Fitness to offer one hour classes for a three month trial period at the Clubhouse Tuesday Mornings at 10:00 a.m. and Saturday mornings at 9:00 a.m. (pending proof of insurance co-naming the District and determination of an appropriate fee structure based on residency being submitted prior to July 15, 2009) as discussed for Ballantrae Community Development District.

**D. District Manager**

Mr. Hallberg stated that he forwarded a contract to Saber Construction to repair a stress crack in the sidewalk in the second median along the main entrance to the District at a cost of \$645. A brief discussion ensued regarding the lack of an apparent cause of the damage. Mr. Hallberg stated that he asked to be present during the initial inspection before the actual repairs are completed

**TENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

The following Supervisor requests were discussed and resolved as follows:

Mr. Fletcher was asked to purchase a digital timer to control the pool music; volume and timing. He was also asked to purchase lids for the outside trashcans and to research the possibility of tapping into existing water lines in the area of the gazebo to provide a source of water to do the pressure washing as requested by a resident via email. It was stated that the music should be on from noon until 7:00 p.m. and the volume set at a moderate to low level.

The Board decided that individuals making comments during the meeting will be asked to state their name and address into the record.

A resident inquired about the possibility of reducing off-duty deputy hours and using the dollar savings to hire a pool attendant for six hours each weekend day. A brief discussion ensued.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Levy, seconded by Mr. White, 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

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Moseley Kelly Dannelle</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Ballantrae CDD</b>
MAILING ADDRESS <b>4055 Duke Firth St.</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <b>Land O'Lakes      Pasco</b>	NAME OF POLITICAL SUBDIVISION: <b>Ballantrae</b>
DATE ON WHICH VOTE OCCURRED <b>7/6/09</b>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

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### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Kelly Moseley, hereby disclose that on July 6<sup>th</sup>, 20 09.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, Michael Moseley, (Spouse);
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

\_\_\_\_\_  
Date Filed

Kelly Moseley  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.