
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 9, 2012 at 6:32 p.m.** at the Ballantrae Community Center, located at 17611 Mentmore Boulevard, Land O'Lakes, and FL 34638.

Present and constituting a quorum:

James Flateau	Board Supervisor, Chairman
Amanda Battistoni	Board Supervisor, Vice Chairman
Jenny Williams	Board Supervisor, Assistant Secretary <i>(via speakerphone)</i>
Rich Levy	Board Supervisor, Assistant Secretary
Steve White	Board Supervisor, Assistant Secretary <i>(via speakerphone)</i>

Also present were:

Scott Brizendine	District Manager, Rizzetta & Company, Inc.
Bill Fletcher	Field Manager
Renee Frith	Representative, Cornerstone
Jon Souers	Representative, Cornerstone
Chris Wallace	Representative, Cornerstone
Chris MsGuirt	Representative, Cornerstone
Tom Rohrer	Representative, OLM <i>(via speakerphone)</i>
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Discussion with Cornerstone and OLM

Mr. Flateau stated that the purpose of inviting OLM and Cornerstone to attend tonight's meeting is to ensure that everyone is on the same page and working together to bring the community up to the standard's that the Board is looking for in terms of landscape maintenance.

Ms. Battistoni expressed concerns with the scoring sheet that is being used by OLM and its effectiveness and whether the system is working for the District. She stated that she has always had concerns with the scope of service provided by OLM because the vendor is not provided with detailed specifications, like for example being evaluated based on specific methods of pruning. She explained that on one hand it appears that the focus on the part of the landscaper is on the items noted on the score sheet, rather than the big picture to avoid losing points for repeats items the next month. On the other hand, the contractor isn't graded severely enough for other issues. She explained that the grading sheet is subjective in that the vendor may only lose a portion of the points when a section of edging isn't done if other sections have been, even though it is the same section that is being missed month after month and the vendor has been reminded of the need to do it.

Mr. Rohrer, from OLM, stated that they use the same program all over the country and it is not designed to tell the contractors when to fertilize or what types of fertilizer to use; the contractors are the experts. OLM is the oversight to ensure that the community looks good, the little details are not being missed and the landscaper is responding to the pesticide and fertilization needs throughout the community. He stated that while certain aspects of the inspection are subjective, such as is the grass green enough or the flowers vibrant enough, when it comes to weeds or edging—the work has either been completed or it hasn't. He stated that the contract does call for hand pruning, but conceded that the District was in very bad shape when Cornerstone took over and the pruning process would have taken more man hours than it normally should have had it been handled correctly by the previous landscaper. He acknowledged that there were numerous irrigation issues that had to be addressed, as well.

Mr. Souers of Cornerstone acknowledged that the contract calls for hand pruning one time a year, but it is usually done in the fall and they did not anticipate having to come in and do it at the onset. He stated that they have worked with OLM on other projects and overall do not have an issue with the score sheet or the findings noted during the June inspection. However, he does feel that the sheer magnitude of the issues that they inherited when they took over the property and restrictions on when certain treatments can be used should be considered when evaluating the condition of the property every month. He estimated that it will take up to a year before everything can be fully addressed in regards to fertilization, pesticide treatments and weed control as they have to work around life cycles and the legal restrictions regulating the use of certain products. Mr. Souers stated that Cornerstone is committed to giving the Board what it wants, which is why they have allowed the project to run over budget to address the hand pruning and irrigation repairs that were needed. He admitted that better attention needs to be paid to the detail work during the process to curtail the number of repetitive deficiencies. Mr. Rohrer stated that OLM has agreed to work with Cornerstone on the hand pruning issue due to the condition of the shrubs and trees when they took over and will be allowing some machine pruning. He indicated that he is confident that Cornerstone can get the job done and estimated that it will take about six months before the community looks really good. A question was raised regarding whether the District would be withholding the June performance payment based on discussions this evening and the Board stated that they would be.

A brief discussion ensued regarding whether additional crew training is needed and concerns with the number of ant hills. Ms. Frith stated that she would work with the crew to ensure that the edging, trimming, and trash removal is being done going forward. She noted that trash issues can be difficult to address as there is no guarantee that someone won't throw an item out ten minutes after crews have gone through and cleaned it up and they are not on property everyday. It was decided to apply Top Choice in areas where fire ants are a major issue for residents using the common areas. A resident noted that her fence was damaged by one of the mowers and Mr. Souers stated that he would have someone inspect the fence and have it repaired if the fault was theirs. He also noted that his crews do not trim along fences that abut common areas, but do mow as close as possible.

The Board confirmed the date and time for inspections through December, as well as which Board member would be participating each month. They asked that a copy of the schedule be provided to District Management for distribution to the Board.

Mr. Brizendine asked for direction from the Board regarding paying the 25% performance payment for the June. He explained that he paid the base payment in order to meet the 30 day requirement. The Board concurred that the payment should be withheld as it is part of their contract. Mr. Flateau noted that no Board action was needed since Staff was adhering to the terms of the contract. A request was made that Mr. Brizendine follow-up with Cornerstone to let them no that the performance payment was withheld.

THIRD ORDER OF BUSINESS

District Counsel and District Engineer Reports

A. District Counsel

Mr. Flateau noted that there is nothing new to report on the pond bank repairs as the pond is now full of water and the repairs can not be completed at this time. He confirmed that the authorization letters were obtained and filed from the Moseleys and Rapaports to address the short term access to the ponds, but the matter of obtaining easements that would grant indefinite access to the ponds has not been completed.

Mr. Brizendine stated that when he met with Cornerstone to evaluate the situation it was noted that the area between the two houses is very narrow, so they are considering a alternative access route. This would mean obtaining permission from the rancher to utilize their gate to gain access. Mr. Flateau stated that this might not be a good long term solution as the District does not own the property and once Bexley Ranch is developed there will be homes there.

B. District Engineer

Mr. Flateau reviewed the updates from Ms. Stewart, stating that according to all of the maps she has of the pond along Braemar, Glenapp, and Barnwell it does not have a littoral shelf so if the growth extends beyond ten to twenty feet it will need to be removed. Ms. Stewart will be having a member of her firm investigate further and then get with Mr. Smith to discuss the matter.

The matter of the SWFWMD permit transferring the clubhouse facility's stormwater management system to an operational phase is in the hands of District Counsel now as SWFWMD seems to believe that the permit is associated with HOA.

Mr. Flateau informed the Board that the proposal from Cornerstone for the production of new skimmers totaling \$650, relates to an error that Ms. Stewart made involving the dimensions of the drainage structure and she will be providing free engineering services to offset that expense.

Mr. Smith has confirmed that the littoral shelves have been planted with the exception of the pond in Straiton and the transfer of plants along the pond slopes is to occur this week. Mr. Flateau stated that the owner of the property that will be the Shoppes of Ballantrae has no objections to the District doing anything to that pond that will be beneficial as long as it generates no expense to them.

FOURTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meetings held on June 4, 2012

Mr. Flateau requested various changes be made to the minutes. Mr. Brizendine stated that he would have the revisions made as discussed. He noted that going forward the draft minutes would include line numbers for ease of review.

On a Motion by Mr. White, seconded by Mr. Levy, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisor's meeting held on June 4, 2012 as amended for Ballantrae Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for May

Mr. Brizendine responded to a question regarding the invoice for geoweb from Geo-Point stating that it relates to one of the pond bank repairs that was approved last month. Mr. Fletcher confirmed that the invoice for the swipe cards is for 100 cards.

On a Motion by Ms. Battistoni, seconded by Mr. White, with all in favor, the Board of Supervisors accepted the Operation and Maintenance Expenditures paid for the period of May 1-31, 2012 totaling \$61,840.98 for Ballantrae Community Development District.

SIXTH ORDER OF BUSINESS

Further Discussion Regarding Security Cameras

Mr. Brizendine stated that DCSI did perform a test of the wireless system and found no issues with the signal reaching the clubhouse. However they did not make a disc of the recordings.

The Board requested that a night test be conducted with the same equipment that the Board is considering purchasing at Castleway and Straiton on an evening between July 31st and August 3rd so the Board has the information prior to the August meeting. A brief discussion ensued regarding how law enforcement might utilize the information garnered from the cameras in helping to solve crimes throughout the community.

A brief discussion ensued regarding having both Mr. Flateau and Mr. White attend the test given that Mr. White has the technical expertise and Mr. Flateau has a number of logistical questions he would like to have addressed.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal for Holiday Lighting

A brief discussion ensued regarding how much was spent last year, where and how much money for lights was budgeted for this year, and what if any changes should be made. It was decided to accept the proposal as presented and not add additional lighting this year..

On a Motion by Mr. White, seconded by Ms. Williams, with all in favor, the Board of Supervisors approved the proposal for holiday lighting from Trimmers Holiday Décor in the amount of \$9,000 for Ballantrae Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2012-03, Adopting a Policy Regarding Trespassing

Mr. Flateau stated the he received a phone call from the sheriff's office informing him that trespass resolutions need to be approved annually. He stated that he asked that the updated resolution include all District owned property rather than just the park area. Mr. Flateau explained that the original resolution states that it will be in effect until repealed; therefore he would like a motion to repeal the old resolution.

On a Motion by Ms. Battistoni, seconded by Mr. Levy, with all in favor, the Board of Supervisors repealed resolution 2009-02 that was approved on December 1, 2008 for Ballantrae Community Development District.

On a Motion by Mr. White, seconded by Ms. Williams, with all in favor, the Board of Supervisors approved Resolution 2012-03, adopting a policy regarding trespassing for Ballantrae Community Development District.

NINTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

Mr. Fletcher requested authorization to purchase a floor buffer for the clubhouse at a cost of \$499. A brief discussion ensued regarding the amount of money that has been spent to rent this equipment and whether it would still be utilized if the room were to sound proofed at a future date.

On a Motion by Ms. Battistoni, seconded by Mr. Levy, with all in favor, the Board of Supervisors approved the purchase of a floor buffer for the clubhouse at a cost of \$499 for Ballantrae Community Development District.

Mr. Fletcher led discussions regarding an issue with the sidewalk north of Castleway that develops a raised area during the evening. It was noted that a proposal was obtained from Central Concrete Products in the amount of \$1,250 to address the fact that there is no expansion joint in that stretch of sidewalk.

On a Motion by Ms. Battistoni, seconded by Mr. Levy, with all in favor, the Board of Supervisors approved the proposal from Central Concrete Products in the amount of \$1,250 to repair the sidewalk on the north end of Castleway for Ballantrae Community Development District.

B. District Manager

Mr. Brizendine stated that the District has now collected in excess of 100% of the assessments placed on the tax roll and continues to trend towards being under budget at the end of the fiscal year. Mr. White asked for clarification on the year to date and budget variances showing under the capital improvement, park development and capital reserve line items. Mr. Brizendine stated that some of the variance relates to the ADA compliance work that was done, but he would follow-up with him on the details. He reminded the Board that the public hearing on next year's budget is scheduled for August 6th.

TENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Williams stated that the top of the boundary wall behind her home was not painted. Mr. Brizendine stated that Certa Pro has not completed the project yet, but he will ensure that they go back and paint the top of the wall. He confirmed that he will be doing a final inspection once the project is complete. Mr. Brizendine stated that he has done a preliminary inspection and provided Certa Pro with a few other areas that need to be touched up.

Mr. Flateau stated that in following up with the County on the towing issue, he was told that the only time they will call for a vehicle to be towed is if it is prohibiting emergency vehicle access. However, State law requires that HOA's enforce their deed restrictions and covenants and Ballantrae declarations say that there is no parking in the right-of-ways over night, so it is essentially an HOA issue. A brief discussion ensued regarding concerns with parking during parties and overnight parking in the clubhouse parking lot. The Board indicated that it would like to post signs and authorize the HOA to tow vehicles in the clubhouse parking lot between 10:00 p.m. and 7:00 a.m. Mr. Flateau stated that the next step is for him to meet with the Ballantrae and Straiton HOA Presidents and the towing company to finalize the verbiage and placement of the required signs. He stated that this will alleviate the need to have Cornerstone do any type of landscaping in the right-of-way areas.

Mr. Flateau led discussions regarding how he would like to see the surplus monies totaling \$163,800 showing from the fiscal year 2010/2011 audit distributed. He stated that he would like to see those funds incorporated into the 2012/2013 budget so that residents can see where that money went. Mr. White objected to making any changes to budget based on regulations that state that the budget can not be increased once submitted to the County. Mr. Flateau stated he is not suggesting increasing the assessments and that is where the restriction lies. He explained that by including the surplus monies as carry forward funds and distributing the same amount under expenses the assessment levels would remain the same. Mr. Flateau recommended that the following amendments be made to the budget: \$28,000 added to a video surveillance line item under security and then the annual maintenance contract becomes a regular budget item, \$5,650 for the pond bank repair behind the Moseley/Rapaport homes be moved to the asset reserve study since the timing of the repairs depends on water levels, placing \$10,000 in a holiday lighting line item rather than placing it in the asset reserve account, renaming the Capital Improvement line item to Contingency Fund, and placing the balance of the funds in the Park Development Fund.

Mr. White expressed concern with not returning the money to the residents and continually rolling over these funds similar to keeping a slush fund. He recommended that the Trim Contingency be deducted from the budget and the assessment levels be brought down to the level of what is being spent. Mr. Levy stated that he feels the \$10.00 or what ever the amount ends up being would better serve the community than it would the individual landowner. Ms. Battistoni opinioned that she would prefer to hold assessments the same and not risk having to increase them next year to improve the amenities. Ms. Williams expressed concern with issuing any refunds, and Mr. White explained that he is not recommending that a refund be paid out, but rather doing a way with the \$150,000 slush fund that rolls over every year and assessing landowners based on what is actually being spent. Further discussion ensued regarding whether doing so would essentially curtail any growth in the Park Development Fund, with opposing opinions being expressed.

On a Motion by Mr. Levy, seconded by Ms. Battistoni, with four in favor and one against (Steve White), the Board of Supervisors approved the amendments to the budget allocating the \$163,800 as discussed for Ballantrae Community Development District.

Mr. Brizendine informed the Board that he had received the renewal application from PACA and inquired if there was nay interested in renewing the membership for another year. The Board indicated that it would like to renew the membership.

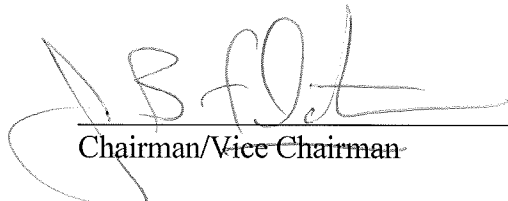
ELEVENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Levy, seconded by Ms. Williams, with all in favor, the Board of Supervisors adjourned the meeting at 9:24 p.m. for Ballantrae Community Development District.



Assistant Secretary



Chairman/Vice Chairman