

# PANTHER TRACE COMMUNITY DEVELOPMENT DISTRICT

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November 25, 2008 Minutes of Meeting

## *Minutes of the Regular Meeting*

The regular meeting of the Board of Supervisors for Panther Trace Community Development District was held on Tuesday, November 25, 2008, at 6:30 p.m. at the Panther Trace Clubhouse, located at 12515 Bramfield Avenue, Riverview, Florida 33579.

### **1. CALL TO ORDER/ROLL CALL**

Mr. Altman called the regular meeting of the Board of Supervisors of the Panther Trace Community Development District to order on Tuesday, November 25, 2008, at 6:50 p.m.

Board Members Present and Constituting a Quorum:

Donna Lee Burke	Chairman
Megan Jones	Vice Chairman ( <i>joined meeting in progress</i> )
Ken Roberts	Supervisor
Dennis Stevens	Supervisor

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Brian Lamb	District Management Services, LLC
Tony Canorro	District Management Services, LLC
John Vericker	District Counsel, Straley & Robin, P.A.
Monica Vitale	Recreation Manager

Audience Members Present:

Grant Christ	Raymow, Inc.
Residents	

### **2. ADMINISTER OATH OF OFFICE**

Mr. Altman stated that Ken Roberts and Dennis Stevens, who were elected via the General Election on November 4, 2008, have both taken their Oath of Office and have been sworn into their new positions. He stated that Michael Staubitz, who was elected at the Landowner Election held prior to the onset of the meeting, is not in attendance; therefore, he will administer the Oath of Office to Mr. Staubitz at the next meeting.

### **3. PLEDGE OF ALLEGIANCE**

Mr. Altman led the Pledge of Allegiance.

### **4. BUSINESS ADMINISTRATION**

#### A. Consideration of Resolution 2009-01, Canvassing and Certifying Election Results (Tab 1)

Mr. Altman stated that the Landowner Election was held prior to the onset of the meeting and the results were as follows: Michael Staubitz received 7 votes and Paul Langlois received 3 votes. He stated that based on the votes cast, Mr. Staubitz will fill the position of Board Supervisor for a four year term.

MOTION TO:	Approve Resolution 2009-01, Canvassing and Certifying Election Results.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

B. Consideration of Resolution 2009-02, Re-Designation of Officers (Tab 2)

The Board decided to table this item until all Board members are present.

MOTION TO:	Table the consideration of Resolution 2009-02, Re-Designation of Officers.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

C. Consideration of Minutes of the Board of Supervisors Meetings on October 28, 2008 (Tab 3)

Ms. Burke stated that on page six in the second paragraph; it should reflect Ms. Berberat not Ms. Burke.

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on October 28, 2008 (as amended).
MADE BY:	Supervisor Stevens
SECONDED BY:	Supervisor Roberts
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

D. Consideration of Operations and Maintenance Expenditures November 2008 (Tab 3i)

Items of discussion were:

- Clarification of \$300 charge from Cornerstone Hardscapes, Inc. on invoice #958.
- Cleaning fee for the grill from Brandon Rental. The grill was returned dirty, so the deposit will not be reimbursed.
- Whether there will be any more invoices from Luke Brothers for services.
- Clarification of invoice from PC/Nametag, Inc.

No invoices were removed from consideration.

MOTION TO:	Approve the Operations and Maintenance Expenditures -- November 2008 (\$64,368.32).
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

## 5. STAFF REPORTS

### A. District Counsel

Mr. Vericker provided an update on the recent awarding of the landscape maintenance contract.

### B. District Engineer

Not present.

### C. District Manager

1. Financial Statements, Month Ended September 30, 2008 (Tab 4)
2. Adopted Fiscal Year 2009 Budget (Tab 4i)

## 6. BUSINESS ITEMS

### A. Review of OLM Inspection Report (Tab 7)

Mr. Christ, a representative of Raymow, provided a brief overview of the services that Raymow will be providing to the District and reviewed the report for the Board. General discussion ensued.

### B. Consideration of Raymow Landscaping Proposals (Tab 8)

Mr. Altman stated that when they add up the line items for landscaping on the Fiscal Year 2009 Budget, they are currently \$5,000 over the total budgeted amount. He stated that the budget was established based on the previous contract. Mr. Altman recommended that they may need to reduce other line items in order to fund the landscaping. He stated that there is \$15,000 budgeted for miscellaneous landscaping and \$15,000 for the plant replacement program that could be utilized. Mr. Altman stated that they needed to prioritize the landscaping projects that they would like to do.

Ms. Burke recommended that they prioritize the replacement of the dead or dying plant material. She stated that she would like to see a proposal that includes the removal of the lava rock from the island on Navigation Drive, as well as the seeded area on the multi purpose field. General discussion ensued.

MOTION TO:	Approve proposal 1195 from Raymow to remove and dispose of the dead sycamore tree in the center island and replace with a 12' sycamore tree at a cost of \$458.75.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

MOTION TO:	Approve proposal 1186 from Raymow to install a 25 gallon ligustrum tree in the small park area on Adventure Park Drive at a cost of \$251.25.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

After further discussion, the Board decided not to move forward with proposal 1194 at this time. Mr. Canorro distributed two additional proposals to the Board from Raymow. The Board decided not to approve the additional proposals at this time. Mr. Altman stated that these proposals will be included on the next agenda with additional information.

Ms. Burke asked what they are going to do in regard to replacing the plants in the butterfly garden that were damaged by the previous landscaper. Mr. Christ stated that OLM directed them to cut back the plants to see if they will rejuvenate. Mr. Canorro stated that he will work with Raymow and Hillsborough County to get grants for the butterfly garden.

Mr. Christ stated that poinsettias were planted in several areas and asked the Board if they would like additional poinsettias planted in other areas. He suggested several areas where poinsettias could be planted. The Board requested that Raymow submit a proposal for the additional poinsettias.

#### C. Consideration of Volleyball Court Repair Proposals (Tab 11)

Discussion ensued regarding where the funds to repair the court would come from.

Mr. Roberts recommended tabling the consideration of any resolutions or the approval of expenditures until all Board members are present.

### 7. STAFF REPORTS CONTINUED

#### A. District Manager

##### 3. Managers Report (Tab 4ii)

Mr. Canorro reviewed the report for the Board.

4. Recreation Facility Managers Report (Tab 4iii)

Ms. Vitale reviewed the report for the Board.

**8. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS ON AGENDA ITEMS**

Mr. Altman asked if there were any audience comments.

Items of discussion included:

- Monitoring of the service provided by the new landscape maintenance company
- Upcoming events

**9. OLD BUSINESS**

A. Consideration of Resolution 2009-04, Authorization of Spending Limits (Tab 5)

The Board tabled the consideration of this item.

**10. BUSINESS ITEMS CONTINUED**

A. Public Hearing on Rule Amendment for Recreation and Clubhouse

1. Open Public Hearing

Mr. Altman asked for a motion to open the public hearing.

MOTION TO:	Open the public hearing on Rule Amendment for Recreation and Clubhouse.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

2. Public Comment & Testimony

Mr. Altman asked if there was any public comment or testimony. There was none.

3. Consideration of Resolution 2009-03, Adopting Amendment to Recreation and Clubhouse Rules (Tab 6)

The Board tabled the consideration of this item.

4. Continue Public Hearing

Mr. Altman asked for a motion to continue the public hearing to December 16, 2008 at 6:30 p.m.

MOTION TO:	Continue public hearing on Rule Amendment for Recreation and Clubhouse to December 16, 2008 at 6:30 p.m. at the Panther Trace Clubhouse located at 12515 Bramfield Avenue, Riverview, FL 33569.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

B. Consideration of Resolution 2009-05, Amending Fiscal Year 2008 Operating Budget (Tab 9)

Mr. Altman stated that the resolution is required by the auditors. He stated that in the process of the audit there is a requirement that expenses do not exceed revenue. Mr. Altman stated that there were funds left over from the \$150,000 gazebo project that was not completed in Fiscal Year 2007. He stated that the funds were used in Fiscal Year 2008, so they need to increase the budget to allow for the use of those funds. Mr. Altman stated that because of the delay in completing the audit in Fiscal Year 2007, there were expenditures for two audits in Fiscal Year 2008. He stated that they had to identify the expense in the budget so the funds can be used. Mr. Altman stated that he could provide a follow up identifying the line items that were changed.

MOTION TO:	Approve Resolution 2009-05, Amending Fiscal Year 2008 Operating Budget.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion passed unanimously

C. Review of Series 2007 Arbitrage Report (Tab 10)

Mr. Altman stated that the report indicates that the District did not earn more interest on the funds than the bond funds remaining. The Board accepted the report as presented.

D. Consideration of Holiday Lighting Proposals (Tab 12)

Mr. Altman stated that the Board previously approved the expenditure at an amount not-to-exceed \$3,000, so no Board action was necessary on this item.

E. Consideration of Art Classes at Clubhouse Proposal (Tab 13)

After a brief discussion, the Board decided, for now, to approve the art class being held in the clubhouse without a fee for up to seven people, and then District Staff will reevaluate and decide on an appropriate amount to charge per class.

MOTION TO:	Approve the art class in the clubhouse without fees for up to seven people then reevaluate and decide on an appropriate amount to charge per class.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

Discussion ensued regarding being consistent and fair with the policy for the fees for activities at the clubhouse, as well as a nominal fee to be paid to the District for the use of the facilities.

F. Consideration of Basketball Camp Proposal (Tab 14)

Mr. Altman stated that at the previous meeting, the Board inquired if there would be ball court and athletic field usage agreements and rules. He distributed drafts of the agreements to the Board.

After a brief discussion, the Board requested that the District Manager and Ms. Vitale speak to the vendor to obtain more information and negotiate a nominal fee to the District.

*(Ms. Jones joined the meeting in progress.)*

G. Consideration of Request for Clubhouse Rental Deposit Refund (Tab 15)

Mr. Altman stated that the clubhouse rules up for Board approval at the next Board meeting are going to be more specific so that situations such as these do not happen in the future. He reviewed the situation and statements made by the parties involved. Ms. Burke stated that the church went out of their way to accommodate Ms. Sessum's request to enter the facilities early in order to decorate. She stated that after checking the Hillsborough County Property Appraiser records, it was discovered that Ms. Sessum is not a resident of Panther Trace and obtained the resident rate for the rental by falsifying information. Ms. Burke stated that in the future, any time an exception to the agreement is made, it is documented in writing. After further discussion, the Board decided to deny the request for the refund.

MOTION TO:	Deny the request for the clubhouse rental deposit refund.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

H. General Matters of the District

No further matters were presented.

### 11. ADJOURNMENT

MOTION TO:	Adjourn the regular Panther Trace Community Development District meeting at 8:41 p.m.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Roberts
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

*\*These minutes were done in summary format.*

*\* Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that 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.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on January 22, 2009

  
\_\_\_\_\_  
Signature

Donna Lee Adams Burke  
Printed Name


Title:  
 Chairman  
 Vice Chairman

  
\_\_\_\_\_  
Signature

Peter Altman  
Printed Name

Title:  
 Secretary  
 Assistant Secretary



Recorded by Records Administrator  
  
\_\_\_\_\_  
Signature

01/27/09  
\_\_\_\_\_  
Date