

PANTHER TRACE COMMUNITY DEVELOPMENT DISTRICT

January 22, 2009 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, January 22, 2009, 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, January 22, 2009, at 6:50 p.m.

Board Members Present and Constituting a Quorum:

Donna Lee Burke	Chairman
Megan Jones	Vice Chairman
Ken Roberts	Supervisor
Dennis Stevens	Supervisor
Michael Staubitz	Supervisor

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Tony Canorro	Representative, District Management Services, LLC

Audience Members Present:

Residents

2. PLEDGE OF ALLEGIANCE

Mr. Altman led the Pledge of Allegiance.

3. ADMINISTER OATH OF OFFICE

Mr. Altman stated that Michael Staubitz, who was elected via the Landowner Election on November 25, 2008, took his Oath of Office prior to the onset of the meeting.

4. BUSINESS ADMINISTRATION

A. Consideration of Resolution 2009-02, Re-Designation of Officers (Tab 1)

Mr. Altman asked if there were any nominations for the position of Chairman. Ms. Jones nominated Donna Lee Burke for Chairman. Mr. Altman asked if there were any other nominations. There were none. Mr. Roberts seconded the nomination.

Mr. Altman asked if there were any nominations for the position of Vice Chairman. Mr. Roberts nominated Megan Jones for Vice Chairman. Mr. Altman asked if there were any other nominations. There were none. Mr. Altman asked for a motion to adopt Resolution 2009-02, Re-Designating Officers.

MOTION TO:	Approve Resolution 2009-02, Re-Designating Donna Lee Burke as Chairman, Megan Jones as Vice Chairman, Brian Lamb as Secretary, Steve Connolly as Treasurer, and Ken Roberts, Dennis Stevens, Michael Staubitz, and Peter Altman as Assistant Secretaries.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Jones
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

B. Presentation of Minutes of the Landowners Meeting on November 25, 2008 (Tab 2)

Mr. Altman stated that these were for informational purposes only and no motion was necessary to approve. He briefly reviewed the minutes for the Board. Ms. Burke stated that the signature block needs to be removed from the minutes if the Board is not approving the minutes. Mr. Altman stated that he would have it removed accordingly.

C. Consideration of Minutes of the Board of Supervisors Meetings on November 25, 2008 (Tab 3)

Mr. Altman asked if there were any additions, deletions, or corrections to the minutes. There were none.

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on November 25, 2008.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Roberts
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

D. Consideration of Operations and Maintenance Expenditures December 2008 and January 2009 (Tab 4)

Mr. Canorro stated that the four invoices from Cornerstone Hardscapes, Inc. and Cornerstone Tree Farm, Inc. were Panther Trace II CDD expenses and will be removed.

Items of discussion were:

- Confirmation that the invoice from A Paradise Look wasn't a duplicate
- Clarification of invoice for the re-drilling of door by Carl's Lock and Key Co.
- Past due account status with Brinks Home Security
- Need for better long distance phone service
- Notice of default, non-payment, violation of Ordinance #03-07 from Hillsborough County Water Resource Services

- High amount of sprinkler heads replaced on a weekly basis and finding a more cost effective way of replacing them
- Need for vendors being more aware of where they are parking their vehicles to prevent damage to the landscape and sprinkler heads
- Performance pay of \$3,395.94 for December for Raymow being withheld
- Use of the Ford Ranger that was leased for the previous onsite Field Manager

MOTION TO:	Approve the Operations and Maintenance Expenditures – December 2008 (with the removal of the Cornerstone Hardscapes, Inc. and Cornerstone Tree Farm, Inc. invoices) and January (with the removal of the Performance Payment of \$3,395.94 for Raymow Enterprises, Inc.).
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

5. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

Mr. Altman asked if there were any audience comments.

Items of discussion included:

- Flyer that was distributed to the residents regarding crime in the community
- Neighborhood watch program
- Lack of policing and zoning powers for the CDD
- Patrolling by off duty Sheriff Officers
- Deed restrictions regulating solicitors

Mr. Altman asked if there were any Supervisor requests.

Items of discussion included:

- Clarification on the duties including voting powers of the Board of Supervisors.
- Applying for a grant sponsored by Johnson & Johnson as part of a health and safety initiative for sponsorship of a canopy shade over the playground structure. The Board agreed to apply for the grant provided that the shade maintains the architectural integrity of the current structure. Ms. Jones to work on the application.
- Mr. Roberts's displeasure with Ms. Burke and DMS for not coming before the Board to get authorization to put up the fence adjacent to 11101 Rodeo Lane. Mr. Altman stated that the Board could opt to not accept any donations or placement of any structure without a policy in place. Kaseam Wallace, the resident who donated the fencing, stated that he is willing to pay 50% of the cost to install the fencing on the back entrance to create uniformity. Mr. Wallace explained his reasons for requesting to donate the fence to the CDD. Mr. Roberts stated that Mr.

Wallace followed the correct procedures. He stated that his issue was that the correct procedure was not followed by the Chairman and District Manager. General discussion ensued. Ms. Burke stated that the Field Manager spoke to each of the Board members after the November meeting in regards to the request to get their thoughts on what they can do to resolve the issue. She stated that Mr. Canorro was directed to seek advice from District Counsel on whether it should be done as an encroachment or a donation. Ms. Burke stated that District Counsel advised the Board that it should be dealt with as a donation to the District. She stated that Mr. Canorro took steps to expediently handle the issue based on the direction from District Counsel and the Chairman because of the cancellation of the December meeting. Ms. Burke stated that the decision was subject to come back before the Board at this meeting to be ratified by consensus of the Board. She stated that they need to deal with whether the Board is going to ratify this action taken and what needs to be done to make it the most aesthetically pleasing and for the benefit of the entire community based on the concerns expressed by Mr. Roberts. Mr. Roberts clarified that management acted without formal approval and DMS agreed that the situation would not occur again. Mr. Roberts stated that the point is that the item was on the agenda for the December meeting. He stated that because the December meeting was cancelled, the matter should have waited until the January meeting due to the fact that it was not an emergency matter. Mr. Roberts asked Mr. Wallace if they had waited the extra item, would it have affected anything. Mr. Wallace stated that he was willing to wait and that he indicated no sense of urgency in his email request.

- Mr. Roberts requested that they not change any more meeting dates to accommodate one or more Board members schedules. He stated that if they have a quorum of three Board members, the meeting should be held as scheduled at the beginning of the Fiscal Year. Mr. Altman stated that one of the first business items that the Board was to approve after the Elections was a resolution to appoint the Officers. He stated that a request was made to have all five Board members present in order to seat the Officers. Mr. Altman stated that they will not cancel any meetings going forward if a quorum is established.

6. STAFF REPORTS

A. District Counsel

Not present.

B. District Engineer

Not present.

C. District Manager

1. Financial Statements, Month Ended October 31, 2008 and November 30, 2008 (Tab 5)
2. Managers Report (Tab 5i)

Mr. Canorro reviewed the Managers Report for the Board. General discussion ensued.

3. Recreation Facility Managers Report (Tab 5ii)

7. OLD BUSINESS

A. Consideration of Resolution 2009-04, Authorization of Spending Limits (Tab 6)

After a discussion, this item was tabled for consideration in order to allow the Board more time to review the resolution.

B. Consideration of Encroachment Request (Tab 7)

Mr. Canorro reviewed the request for the Board. Ms. Burke stated that the Board has adopted a policy of allowing residents to apply for encroachment in the landscape buffers. She stated that because the request is in a landscape buffer and easement they may have to get permitting from the County before they can consider the encroachment. After further discussion, the Board decided to deny the request.

MOTION TO:	Deny the request from the resident at 11132 Rodeo Lane to purchase a portion of the landscape buffer and place a fence on the eastern boundary of their property.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

C. Consideration of Art Classes at Clubhouse Proposal (Tab 8)

Ms. Burke stated that the Board approved this item at the November meeting and asked DMS to come back with a proposal for a uniform policy for the vendors. Mr. Altman stated that the Board can set the fees and policy during the public hearing that they will be setting for the recreational facilities.

D. Acceptance of Fence Donation (Tab 9)

The Board heard from Mr. Wallace regarding why they should approve the fence donation. Ms. Jones stated that the Board had previously made a decision to utilize six foot white PVC fence in an unsightly area near the front entrance when the Townhomes. Ms. Burke stated that the Developer contributed one third of the cost of the fence. Ms. Jones stated that the approval was based on aesthetic reasons. She stated that when they have discussed improving different areas of the community, the area in question has always been an area that needs to be improved upon. Mr. Roberts recommended that they leave the fence as is until next month and revisit the matter after reviewing with District Counsel and come up with other alternatives.

MOTION TO:	Leave the fence in place as is, investigate options, and revisit at the next meeting after reviewing with District Counsel to set precedence.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Stevens
DISCUSSION:	Ms. Burke stated that she does not feel that it is fair to make Mr. Wallace wait until next month. She stated that she does feel that they should consider how to make it work for the best of the community and understand the ramifications and should seek advice from District Counsel and District Manager. Ms. Jones stated that they had a request six months ago where they did not make a decision expeditiously and the homeowner took matters into their own hands as a result. General discussion ensued.
RESULT:	Called to Vote: Motion PASSED 3/2 - Motion passed (Supervisor Jones and Supervisor Lee Burke opposed)

8. BUSINESS ITEMS

A. Setting the Public Hearing Date for the Rule Amendment and Fee Adjustment for Recreational Facilities (Tab 10)

Ms. Jones requested that someone go through the release of liabilities and ensure that they apply to the actual usage.

MOTION TO:	Set the Public Hearing on the Rule Amendment and Fee Adjustment for the Recreational Facilities for February 24, 2009 at 6:30 p.m. at the Panther Trace Clubhouse located at 12515 Bramfield Avenue, Riverview, FL 33579.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Jones
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion passed unanimously

B. Consideration of WillPower USA Boot Camp Proposal (Tab 11)

Ms. Burke stated that the Certificate of Insurance from the vendor needs to be issued to the District with the CDD named as an additional insured and needs to be current. The Board tabled this item for consideration to seek further information.

C. General Matters of the District

No further matters were presented.

9. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS ON AGENDA ITEMS

Mr. Altman asked if there were any audience comments. There were none.

10. ADJOURNMENT

MOTION TO:	Adjourn the regular Panther Trace Community Development District meeting.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Stevens
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - 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 _____.

Signature

Signature

Printed Name

Printed Name

Title:

- Chairman**
- Vice Chairman**

Title:

- Secretary**
- Assistant Secretary**



Recorded by Records Administrator

Signature

Date