

# PANTHER TRACE COMMUNITY DEVELOPMENT DISTRICT

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March 24, 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, March 24, 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, March 24, 2009, at 6:30 p.m.

Board Members Present and Constituting a Quorum:

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

Staff Members Present:

Peter Altman	District Manager, District Management Services, LLC
Brian Lamb	District Manager, District Management Services, LLC
Tony Canorro	Assistant District Manager, District Management Services, LLC
Monica Vitale	Recreation Manager

Audience Members Present:

Residents

### **2. PLEDGE OF ALLEGIANCE**

Mr. Altman led the Pledge of Allegiance.

### **3. BUSINESS ADMINISTRATION**

A. Consideration of Minutes of the Board of Supervisors Meetings on February 24, 2009 (Tab 1)

MOTION TO:	Approve the Minutes of the Board of Supervisors Meeting on February 24, 2009.
MADE BY:	Supervisor Staubitz
SECONDED BY:	Supervisor Roberts
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

B. Consideration of Operations and Maintenance Expenditures March 2009 (Tab 2)

Items of discussion were:

- Megan Jones was not in attendance at the February 24, 2009 meeting but was paid. Decision was made paid to not pay Ms. Jones for her attendance at the meeting today to even out the payment.
- Ms. Burke stated that she lost check #6855 and requested that it be reissued.
- Clarification on the invoice from Pool Time for pool drain covers
- Clarification of charges from WilsonMiller, Inc. related to 301 widening
- Discussion regarding the charges from Verizon for phone service. DMS to negotiate a bundle package for phone and internet services and possibly release Brighthouse.
- Request DMS to work with MHD to investigate the possibility of a TV channel where clubhouse parties could be monitored closed circuit from computers with authorized passwords. District Counsel to research the legalities.

MOTION TO:	Approve the Operations and Maintenance Expenditures – March 2009 (subject to the exceptions as noted).
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Jones
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

**4. STAFF REPORTS**

A. District Counsel

Not present.

B. District Engineer

Not present.

C. District Manager

1. Financial Statements, Month Ended January 31, 2009 (Tab 3)

Mr. Altman provided an update on the outstanding checks and vouchers.

2. Managers Report (Tab 3i)

Ms. Burke stated that the pruning on the Stratford bed outside the clubhouse is not sufficient to facilitate the up-lighting of the entry monument. Mr. Canorro reviewed a proposal from Raymow to provide water on pocket parks and high visibility areas and provide water on the boulevard from March to May. After a discussion, it was decided that Mr. Canorro would coordinate with Raymow to have water trucking on a "per trip" basis from April through June based on weekly weather patterns. Mr. Canorro stated that included behind the Manager's Report is a proposal for the entry monument and foam mantle at the cabana repairs. He stated that the proposed amount is too high and he will be collecting more proposals. Ms. Burke stated that there is \$6,400 left in the budget for the monuments but there may be some work needed on the Stratford sign. General discussion ensued regarding the necessary repairs.

### 3. Recreation Facility Managers Report (Tab 3ii)

Ms. Vitale stated that she received a phone call from a non-resident requesting to reserve the clubhouse for April 3<sup>rd</sup>. She stated that during the course of her conversation with the non-resident, she realized that that it was a mother making a reservation for her teenager daughter to have a party. Ms. Vitale stated that she explained to the mother very clearly that she would have to be at the event the entire time but that the mother brushed her off. She stated that she was looking for direction or authorization to require that they pay to have an off duty Sheriff Officer at the event. Ms. Vitale stated that her past experience is that teen parties have been uncontrolled. Ms. Burke asked if it is within their authority, without having dealt with that at a public hearing, to make that a condition of the teen parties. She asked if they have the right to refuse a rental reservation. Mr. Lamb stated that the way the rules currently stand if they agree to adhere to the clubhouse rules and sign the agreement; they can not refuse the reservation or charge them for additional services. He stated that if they agree to the reservation and the renter agrees to have an adult present and they find within the first half an hour that there is no adult present and there is a Sheriff present for normal patrol, they can shut the party down because they are not adhering to the rules in the agreement. Ms. Vitale asked that they make sure they have patrols that night. Mr. Altman stated that if the officers are called into action then the \$250 security deposit will be withheld.

Ms. Burke commended Ms. Vitale for passing her property management exam and receiving her CAM license.

### 4. Marketing Flags

Mr. Altman stated that if the Board feels that the marketing flags are obtrusive and wants District Management to have them remove, then they have the ability to terminate the agreement or courtesy that has been provided to the home builder. He stated that to the degree that the community build out is an asset to the community, then they possibly should allow the flags to remain. Ms. Burke stated that the marketing has gotten a little carried away and they need to set a boundary. She stated that the banners at the front entrance are understandable because of the high visibility. Ms. Burke stated that the flags on the boulevard by the builders are torn and are not aesthetically pleasing and there is signage pointing out where the model homes are. Mr. Lamb stated that the Board could request District Management to in writing have the builder remove the marketing flags and temporary signage from the boulevard as soon as possible. Discussion ensued regarding whether there was an agreement in place with the builders.

MOTION TO:	Direct District Management Services, LLC to send a letter to the builder requesting that they remove all marketing flags and non-permanent signage from the boulevard as soon as possible.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Roberts
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

## 5. BUSINESS ITEMS

### A. Discussion Regarding Rodeo Lane Entry Improvements (Tab 4)

The Board discussed the available options, which would be the best quality and most aesthetic, and the funding available to utilize for the improvements.

<b>MOTION TO:</b>	Install fence of similar construction and length on the North side of Rodeo Lane with a creeping fig to cover the fence (on both sides of Rodeo Lane) at a cost of \$2,750.
<b>MADE BY:</b>	Supervisor Roberts
<b>SECONDED BY:</b>	Supervisor Staubitz
<b>DISCUSSION:</b>	Mr. Staubitz stated that he is ambivalent to the situation. He stated that he doesn't like fences but if the Board feels that it will add aesthetics to the community he will vote with the Board. Mr. Staubitz stated that he doesn't feel the first fence should have been installed in the first place.
<b>RESULT:</b>	Called to Vote: Motion PASSED 3/1 - Motion passed (Supervisor Staubitz opposed)

### B. Consideration of Decision HR Revised Agreement (Tab 5)

Mr. Altman stated that there was a request for him to go back and get the signed contract from Decision HR. He stated that it appears that they have been operating under a contract without identifying a sum. Mr. Altman stated that they are able to negotiate the fees with Decision HR. He stated that looking at the cost comparison they will see that the leasing companies have a computed rate that sometimes is not the actual rate for the worker compensation code that is in place. Mr. Altman stated that is a result of them blending to be more competitive in some markets. He stated that they have reduced their workers compensation rates to the actual rates for the job codes. Mr. Altman stated that they were previously charging a 10% administrative fee and have reduced it to 6%. He stated that the changes to the contract result in a \$2,236 total annual savings to the District. Ms. Jones stated that Decision HR removes employees from payroll on a regular basis if they are seasonal or on vacation and then add them back on. She asked if they are being recharged to put those employees back on the payroll. Ms. Burke stated that she is not comfortable with not knowing what the job codes stand for. She stated that Decision HR has been overcharging the District for five years and she has no reason to trust them now. Ms. Burke stated because they are concerned that the District may take their business elsewhere, they are using codes that they established back when they had Jim Callahan working and who worked in a completely different capacity. She stated that they now primarily have just office staff and event coordinators so the job codes may need to change. Mr. Altman stated that provided the review of the job codes provides an accurate description of the jobs and the risks involved in those jobs and that the rate that they are paying was the actual rate not an up charged rate or blended rate. Ms. Burke asked for the few employees that the District has if it is worth paying out this amount of money per month to Decision HR to write checks or could they amend the contract with DMS for these services. Mr. Altman stated that if there is an injury claim from an employee it could cause the District to utilize the services of District Counsel as well as others in dealing with the situation. Mr. Altman stated that if they have Decision HR the claim would be processed and handled by their in house counsel. He stated that if an employee is full time then that employee would have access to benefit plans through Decision HR. Ms. Burke asked if DMS would be willing to take on the role at a competitive rate. Mr. Altman replied affirmatively.

Ms. Burke stated that prior to approving the agreement from Decision HR she would like to see what DMS can offer to the District. She stated that there are options out there in combination with doing in house payroll and accounting programs that will also allow the District to utilize automated check payments as well as to be able to accept credit cards for rentals.

Mr. Altman stated that because they don't have a signed contract and a mandatory contract length, he recommended that they go month to month with Decision HR while DMS prepares a proposal for the services. He stated that they also could look at a less expensive payroll service. No Board action was taken at this time.

C. Consideration of Extending Audit Contract for Fiscal Year 2008 Financial Audit (Tab 6)

Mr. Altman stated that the Fiscal Year 2008 Financial Audit needs to be prepared and the District has the ability to extend the current contract with Grau & Associates for \$10,100. Discussion ensued regarding the competitiveness of the price from Grau & Associates and the quality of service received in the past. Mr. Altman stated that \$9,800 is budgeted for the audit. He stated that they could negotiate with Grau to stay within the budgeted amount.

MOTION TO:	Authorize District Management to engage the services of Grau & Associates for the Fiscal Year 2008 Audit at a cost not to exceed \$10,100 but to try and negotiate the best price possible within their budget.
MADE BY:	Supervisor Roberts
SECONDED BY:	Supervisor Staubitz
DISCUSSION:	None further.
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion passed unanimously

D. Fiscal Year 2010 Budget Timeline (Tab 7)

Mr. Altman stated that the proposed Fiscal Year 2010 Budget will be presented at the April 28, 2009 meeting. He stated that a budget workshop will be held at the May 26, 2009 meeting.

Mr. Roberts stated that the way they currently allocate the assessments is unfair to the larger lots. He stated they need to level out the operation and maintenance assessments. Mr. Roberts stated that there is no need to for a homeowner in a 70' lot to be assessed more for the use of the clubhouse and common areas. He stated that the different lot sizes do not necessarily equate to use of the facilities. Mr. Roberts stated that he would like to see the Board change the allocation. He reviewed a spreadsheet he prepared showing the allocation of the assessments and how it should change. Mr. Altman stated that if they increase the assessment of any homeowner, they will have to send a notice and advertise the public hearing on special assessments. He stated that they do need to have a public hearing for the budget in July. Mr. Altman stated that if there are going to be any increases in the assessments it will need to be determined prior to June 23, 2009. Discussion ensued regarding the benefits of the different allocation methodology. Mr. Lamb stated that at the next meeting they can provide the history of the debt apportionment and operation and maintenance apportionment and then they can go through the different scenarios available to the District. Mr. Roberts stated that he would like to meet with Mr. Altman to run through the numbers with him.

E. General Matters of the District  
No further matters were presented.

## 6. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

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

## 7. ADJOURNMENT

MOTION TO:	Adjourn the regular Panther Trace Community Development District meeting.
MADE BY:	Supervisor Jones
SECONDED BY:	Supervisor Staubitz
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 April 28, 2009



Signature

Donnahe Adams Burke

Printed Name

Title:

- Chairman  
 Vice Chairman



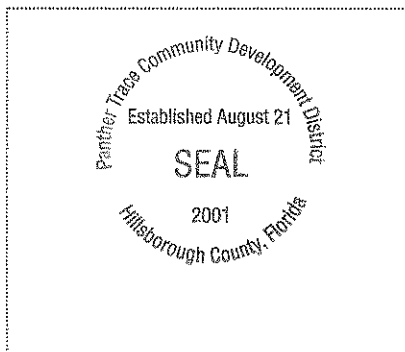
Signature

PETER A. ALTMAN

Printed Name

Title:

- Secretary  
 Assistant Secretary



Recorded by Records Administrator



Signature

7/29/09

Date