

PANTHER TRACE II COMMUNITY DEVELOPMENT DISTRICT

May 26, 2009 Minutes of Meeting

Minutes of the Regular Meeting

The regular meeting of the Board of Supervisors for Panther Trace II Community Development District was held on Tuesday, May 26, 2009 at 1:00 p.m. at the office of District Management Services, LLC located at 2002 North Lois Avenue, Suite 507, Tampa, FL 33607.

1. CALL TO ORDER/ROLL CALL

Mr. Altman called the regular meeting of the Board of Supervisors of the Panther Trace II Community Development District to order on Tuesday, May 26, 2009 at 1:05 p.m.

Board Members Present and Constituting a Quorum:

Rick Mesard	Chairman
Maurice Pelaez	Vice Chairman
Ed Andrews	Supervisor

Staff Members Present:

Brian Lamb	District Manager, District Management Services, LLC
Peter Altman	District Manager, District Management Services, LLC
Kristen Brunelle	Assistant District Manager, District Management Services, LLC
Tony Canorro	Assistant District Manager, District Management Services, LLC <i>(joined meeting in progress)</i>
Mark Straley	District Counsel, Straley & Robin, P.A.

Audience Present:

Dennis Eckel

2. OLD BUSINESS

A. Consideration of Board Supervisor Resignations – Mike Noell and Chris Wainwright (Tab 1)

Mr. Altman stated that he received letters of resignation from Mike Noell (Seat 1) and Chris Wainwright (Seat 5). He asked for a motion to accept the resignations.

MOTION TO:	Accept the resignations of Mike Noell (Seat 1) and Chris Wainwright (Seat 5) from the Board of Supervisors.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 3/0 – Motion passed unanimously

B. Consideration of Board Supervisor Replacements

Mr. Altman asked if there were any nominations for replacement Supervisors. Mr. Pelaez nominated Dennis Eckel for Seat 5 with a term ending November 2011. Mr. Altman asked if there were any other nominations. There were none.

MOTION TO:	Appoint Dennis Eckel (Seat 5) to the Board of Supervisors.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 3/0 – Motion passed unanimously

Mr. Altman stated that Seat 1 with a term ending November 2009 will remain vacant.

C. Administer Oath of Office

Mr. Altman, a Notary Public in the State of Florida, administered the Oath of Office to Dennis Eckel. Mr. Eckel swore and affirmed to the Oath, and executed the Oath.

D. Consideration of Resolution 2009-01, Re-Designating Officers (Tab 2)

Mr. Altman stated that currently Rick Mesard is Chairman, Maurice Pelaez is Vice Chairman, and Ed Andrews is an Assistant Secretary. He stated that they could keep the officers the same and add Dennis Eckel as an Assistant Secretary.

MOTION TO:	Approve Resolution 2009-01, Re-Designating Rick Mesard as Chairman, Maurice Pelaez as Vice Chairman, Brian Lamb as Secretary, Steve Connolly as Treasurer, and Peter Altman, Ed Andrews, and Dennis Eckel as Assistant Secretaries.
MADE BY:	Supervisor Andrews
SECONDED BY:	Supervisor Mesard
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

3. BUSINESS ADMINISTRATION

A. Approval of Minutes of the Board of Supervisors Meeting on January 27, 2009 (Tab 3)

Mr. Altman reviewed the minutes from the meeting held on January 27, 2009. Discussion ensued regarding section 3C. Mr. Altman provided a brief status update on the delinquent assessments and stated that they would discuss this matter later in the meeting.

MOTION TO:	Approve the minutes of the Board of Supervisors meeting on January 27, 2009.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Mesard
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

B. Approval of Operation and Maintenance Expenditures for February, March, April, and May 2009
(Tab 4)

Items of discussion included:

- Clarification of services provided by Kevin O'Brien
- The need to research the different contracts with TECO to figure out why the monthly charges differ so much.
- Clarification of why Amaden Engineering, Inc. was utilized for a SWFWMD inspection rather than the District Engineer.
- Clarification on the invoices from MHD Communications to replace security cameras after damage done by Cornerstone during pressure washing. Invoice from Cornerstone from pressure washing was not paid due to the damage done to the cameras. Mr. Mesard asked what the cost of the pressure washing services was.

(Mr. Canorro joined the meeting in progress.)

- Mr. Canorro reviewed the proposal from Cornerstone to pressure wash the clubhouse.

MOTION TO:	Approve the Operation and Maintenance Expenditures for February, March, April, and May 2009.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

C. Approval of Series 2005 Construction Requisitions for February 2009 (Tab 5)

Mr. Altman briefly reviewed the construction requisitions for the Board. He asked if there were any questions. There were none.

MOTION TO:	Approve the Series 2005 Construction Requisitions February 2009.
MADE BY:	Supervisor Andrews
SECONDED BY:	Supervisor Pelaez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

4. BUSINESS ITEMS

A. Consideration of Resolution 2009-02, Amending Fiscal Year 2009 Budget (Tab 6)

Mr. Altman reviewed the amended Fiscal Year 2009 Budget for the Board. He stated this amended Budget would allow for some additional staffing regarding pool use and security patrol. Mr. Mesard asked why the actual expense for the Property and Casualty insurance is so much less than what was budgeted. Mr. Altman stated that they were able to find an alternative company to provide the same coverage at a lesser cost.

MOTION TO:	Approve Resolution 2009-02, Amending Fiscal Year 2009 Budget.
MADE BY:	Supervisor Mesard
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 - Motion passed unanimously

B. Presentation of Fiscal Year 2010 Proposed Budget (Tab 7)

Mr. Altman reviewed the proposed Fiscal Year 2009 Budget for the Board. Discussion ensued regarding whether the budget can be changed prior to or during the public hearing. Mr. Altman stated that once the Board approves the proposed budget and it is sent to Hillsborough County, the budget can be decreased but not increased. Mr. Altman recommended scheduling a budget workshop in the evening at the clubhouse and holding the public hearing at the clubhouse as well. The Board decided to hold a workshop in June in the evening at the clubhouse so that the residents can provide their input on the budget and hold the public hearing on July 28, 2009 at 1:00 p.m. at the clubhouse.

C. Consideration of Resolution 2009-03, Approving Fiscal Year 2010 Proposed Budget and Setting the Public Hearing (Tab 8)

MOTION TO:	Approve Resolution 2009-03, Approving Fiscal Year 2010 Proposed Budget and Set the Public Hearing for July 28, 2009 at 1:00 p.m. at the Panther Trace II Clubhouse located at 11518 Newgate Crest Drive, Riverview, FL 33569.
MADE BY:	Supervisor Andrews
SECONDED BY:	Supervisor Pelaez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

D. Consideration of Proposals from Cleaning Service (Tab 9)

Ms. Brunelle stated that currently ProForce USA cleans the clubhouse one time per week at a rate of \$500 per month. She stated that based on the high usage of the clubhouse she requested a proposal to increase the service to two times per week. Ms. Brunelle stated that she also received a proposal from Coverall Health Based Cleaning System to provide cleaning services. She briefly reviewed the proposals received from ProForce USA and Coverall Health Based Cleaning System. After a brief discussion, the Board decided to increase the cleaning to two times per week and continue utilizing the current provider, ProForce USA.

MOTION TO:	Approve the increase of cleaning service to two times per week and continue services with ProForce USA at a cost of \$900 per month.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

E. Consideration of Extending Audit Contract with Stuart Angelo & Company, P.A. for Fiscal Year 2008 Financial Audit (Tab 10)

Mr. Altman stated that the Board selected Stuart Angelo & Company, P.A. to prepare their Financial Audit through the Request for Proposal process several years ago. He stated that they Board can extend the contract for the Fiscal Year 2008 Financial Audit at a rate not-to-exceed \$10,000.

MOTION TO:	Approve extending the contract with Stuart Angelo & Company, P.A. for Fiscal Year 2008 Financial Audit at a rate not-to-exceed \$10,000.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

F. Audit Committee Selection and Setting the Date for the Audit Committee Meeting for the Fiscal Year 2009 Financial Audit (Tab 11)

Mr. Altman stated that the Board will need to appoint an Audit Committee and do the Request for Proposals process for the preparation of the Fiscal Year 2009 Financial Audit. He stated that the Board could select the entire Board as the Audit Committee and set the meeting for July 28, 2009 at 1:00 p.m.

MOTION TO:	Select the Board as the Audit Committee and Set the Audit Committee meeting for July 28, 2009 at 1:00 p.m. at the Panther Trace II Clubhouse located at 11518 Newgate Crest Drive, Riverview, FL 33569.
MADE BY:	Supervisor Pelaez
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

G. Consideration of Resolution 2009-04, Extending the Terms of the Supervisors (Tab 12)

Mr. Altman stated that currently Seat 1 which is vacant, Seat 2 held by Ed Andrews, and Seat 3 held by Maurice Pelaez have terms expiring in November 2009 and Seat 4 held by Rick Mesard and Seat 5 held by Dennis Eckel have terms expiring in November 2011. He stated that in order to coincide with the General Elections held on even years, they will need to extend the terms by one year to expire in 2010 and 2012 respectively. Mr. Altman stated that in 2009, two seats will be elected on the General Election by the registered voters of the District and one seat will be elected via a Landowner Election elected by the landowners within the District. He asked if there were any questions. General discussion ensued.

MOTION TO:	Approve Resolution 2009-04, Extending the Terms of the Supervisors.
MADE BY:	Supervisor Andrews
SECONDED BY:	Supervisor Pelaez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

H. Discussion Regarding District Facility Rental Policy

Mr. Altman presented an update on the Community Workshop that was held on April 23, 2009 including the recent security concerns and the rental policies for clubhouse events. He stated should the Board request a change in the fees for the rental of the clubhouse, a public hearing needs to be advertised and held. Mr. Lamb reviewed the history of the Panther Trace I and Panther Trace II CDD facility policies, rules and rental fees. Discussion ensued regarding implementing interim rules for the rental policies.

MOTION TO:	Authorize District Management to implement interim District facility rental policies and make recommendations to the Board at the next meeting.
MADE BY:	Supervisor Mesard
SECONDED BY:	Supervisor Andrews
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/0 – Motion passed unanimously

I. General Matters of the District

No further matters were presented.

5. STAFF REPORTS

A. District Counsel
No report.

B. District Engineer
Not present.

C. District Manager
1. Report on Community Workshop (Tab 13)

Mr. Altman stated there have been many resident volunteers for services including security, newsletter, and input on the rules and policies.

A resident of Panther Trace II CDD stated that she attended a Panther Trace I CDD Board meeting last month. She stated a motion was passed which enforces the use of the amenities, including the possibility of a photo I.D. badge. The resident stated that, in her opinion, there is a need for an agreement which includes the exception of Panther Trace II CDD residents issued the photo I.D. badges for the use of Panther Trace I CDD amenities. Mr. Andrews stated that while Panther Trace I CDD can't prohibit anyone from using their amenities, they are able to charge a non resident fee. Discussion ensued regarding a joint use agreement. Mr. Altman stated he would update the Panther Trace I CDD Board members regarding this agreement. Mr. Mesard requested District Management make recommendations regarding possible future actions to be taken between Panther Trace I and Panther Trace II CDD's.

2. Financial Statements-Month Ended January 31, 2009; February 28, 2009; March 31, 2009
(Tab 13i)

Mr. Altman presented the financial statements to the Board. Mr. Mesard requested a staff summary report regarding the lenders' meeting their obligations, how payments were made under the agreements, and where the statements reveal that payment was received. Mr. Mesard also inquired about the status of the 2008 taxes, and if they have been paid by the banks or by the property owner. He also inquired on the status of the May 1, 2009 payment.

Mr. Andrews stated that regarding the November 1, 2008 delinquency, the lenders received copies of the demand letters that were sent and cured the defaults. He stated on May 1, 2009 there was another debt service payment required which the banks did not take care of; therefore, more demand letters need to be sent out. Mr. Pelaez inquired about the status of the foreclosure process, and what further actions the District should take regarding the bond payment that was due May 1, 2009. Mr. Lamb stated the next action taken is a demand letter for the B bonds. He stated there is sufficient revenue to meet the payments from the long term debt services for the A bonds. Mr. Mesard asked if the banks have been contacted regarding the default on the payment. Mr. Mesard also inquired about the ownership of the properties in order to enforce the foreclosure. Mr. Mesard stated he would like to see on the statements where the money went; as well as any included specific amounts for reimbursing the Counsel. Mr. Andrews stated that the District was reimbursed for the Counsel fees.

MOTION TO:	Authorize District Counsel to send demand letters, with a 20 day cure period, and should the lenders choose not to cure, authorize District Counsel to file a foreclosure at the end of 20 days; and if the lenders elect to cure, the District will enter into an agreement to include real estate taxes.
MADE BY:	Supervisor Andrews
SECONDED BY:	Supervisor Pelaez
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 3/0 – Motion passed unanimously

Mr. Straley explained the one year waiting period regarding the Statutes with the foreclosure process.

3. Registered Voter Count (Tab 13ii)

Mr. Altman stated that as of April 15, 2009, there are 582 registered voters within the District.

4. Operations Report (Tab 13iii)

6. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

There were no further Supervisor requests or audience comments.

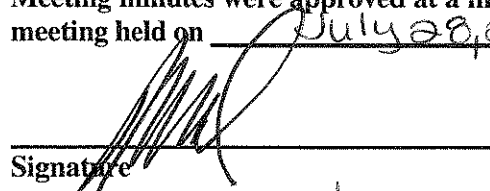
7. ADJOURNMENT

MOTION TO:	Adjourn the meeting of the Panther Trace II Community Development District.
MADE BY:	Supervisor Andrews
SECONDED BY:	Supervisor Mesard
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 3/0 – 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.

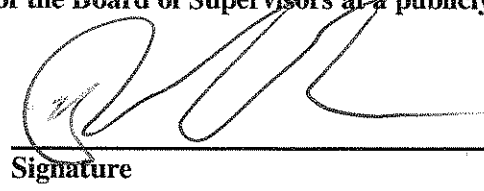
Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on July 28, 2009



Signature
Rick Mesard

Printed Name

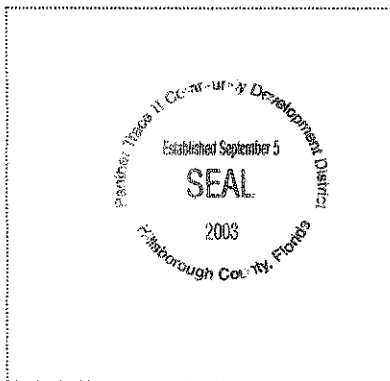
Title:
 Chairman
 Vice Chairman



Signature
Brian Lamb

Printed Name

Title:
 Secretary
 Assistant Secretary



Recorded by Records Administrator



Signature

07/29/09

Date