

## **MINUTES OF MEETING**

### ***BALLENTRAE HILLSBOROUGH COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING***

***Tuesday, January 8, 2019 at 6:30 p.m.***

***Ballentrae Clubhouse***

***11864 Thicket Wood Drive***

***Riverview FL 33579***

Board Members present at roll call:

Amanda Cruz	Board Member
Michael Cole	Board Member
Robin Larson	Board Member
Shamekia Keaton	Board Member

Also Present:

Jennifer Robertson	Excelsior Community Management LLC
Patricia Cartwright	Excelsior Community Management LLC
Lakeisha Nixon	Resident
Jenny Owens	Resident
Cherie Sheriff	Resident
Patricia Williams	Resident
Willie Reynolds	Resident
Kelli Reynolds	Resident
Melana Williams	Resident
Richard Haussling	Resident
Beverly Nastasia	Resident
Ken Nastasia	Resident
Emmit Walthah	Resident
Linda Nespeca	Resident
Shannon Bowers	Resident
Trevor Persenaire	Resident
Harland Henry	Resident
Jarvis Davis	Resident
Norda Davis	Resident
Gary Mulhearn	Resident

### **FIRST ORDER OF BUSINESS**

### **Call to Order and Roll Call**

The meeting was called to order. The Board Members and staff in attendance are outlined above.

## **SECOND ORDER OF BUSINESS**

### **Public Comment Period**

Ms. Robertson explained that this comment period is for anything related to the items currently listed on the agenda that the residents that are here tonight would like to discuss. She explained at the end of the meeting there will be a second open forum where any topic can be discussed whether it was on the agenda or not. She asked if there are any public comments to please raise your hand and state their name and address for the record.

There were no comments during this portion of the meeting.

## **THIRD ORDER OF BUSINESS**

### **Consideration of minutes from the October 4, 2018 Auditor selection Committee and Board of Supervisors meeting, October 16, 2018 Continued Board of supervisor's meeting, November 13, 2018 Landowners' and Board of Supervisors Meeting, December 4, 2018 Board of Supervisors Meeting**

No changes were made to the October 4, 2018 Auditor Selection Committee Meeting. Changes were based on Board of Supervisors Feedback to the minutes from October 4, 2018 Board of Supervisors Meeting, November 13, 2018 Landowners Meeting and Board of Supervisors Meeting & December 4, 2018, Board of Supervisors Meeting. The minutes from the October 16, 2018 Continued Board of Supervisor's meeting were tabled.

On MOTION by Mr. Cole, seconded by Mrs. Cruz, with all in favor, the Board approved changes made to minutes.

## **FOURTH ORDER OF BUSINESS**

### **Consideration of Proposal for Janitorial services from Excelsior Community Management, LLC**

Ms. Robertson explained currently Ballentrae doesn't have janitorial services being provided. Pet waste stations are being emptied by the landscapers on a sporadic schedule, even though the stations are used regularly.

Mr. Cole asked if Ms. Robertson knows the current line item and amount being paid for cleaning services. She did not. Mr. Cole & Mrs. Cruz discussed that in addition to the fee Ballentrae was also having to pay for the supplies, approx. \$180 every one-two weeks for the 3-day service, to which Ms. Robertson mentioned the ECM proposal was all inclusive. Ms. Keaton stated she would like to review the budget before deciding. Mrs. Cruz said Ted

Swanson had said it would be included in their fees and they would come out weekly, and every other week in the winter and would adjust if necessary. Ms. Larson said they would come out weekly to clean the dog waste stations. Ms. Robertson said weekly isn't enough, Ballentrae needs at the waste stations emptied at least three times a week. She will ask him if he would do that for no additional charge as part of his contract but suspects that answer to be "no".

Mr. Cole states that currently for the 2019 adopted budget there is \$9,000 in clubhouse cleaning and upgrades and that there is a line item on the budget currently for cleaning at \$750 a month. Mrs. Cruz and Mr. Cole discussed they were currently paying \$180 a week plus additional for all supplies for 3 times a week cleaning. ECM would come 3 times a week as well and supplies are included. Ms. Robertson explains that ECMs proposal also included cleaning up common areas.

Supervisors all agree they want to confirm current budget and actual amount being spent on current services. Mr. Cole asks about ECM coming on trash days to bring totes up and down for garbage trucks, Ms. Robertson responds that every time ECM is in the community to perform duties, they will take the trash with them to be disposed of offsite.

Ms. Larson questions additional charges for ECM cleaning up after clubhouse rentals, Ms. Robertson explains that if the person who rented the clubhouse doesn't clean up after themselves, they should be responsible for the additional fees.

It is confirmed Ballentrae is currently paying \$180 every two weeks by Ms. Keaton. She suggests tabling approval of ECM's proposal until they can acquire more proposals. Mr. Cole asks for a proposal of ECM coming twice a week. Ms. Robertson suggests finding out the actual scope of work they are paying for now to make sure they are doing a fair comparison of the proposals.

Ms. Keaton and Mr. Cole voice concern that its truly unknown what was being done vs what was being paid for with previous managements cleaning company. Ms. Keaton also voices concern about quickly making decisions on large budget items.

Mrs. Cruz asked for an updated proposal from ECM and a couple more from other companies as well. All agreed.

## **FIFTH ORDER OF BUSINESS**

### **Consideration of change in District Council**

Mrs. Cruz states she has personally spoken with all three companies who gave proposals for Council. From her observance, Bush Ross is a bigger firm in Tampa, Persson, Cohen & Mooney does Strictly District & Government type Management in Lakewood Ranch, PettitWorrell is a man named Biff who comes recommended by a resident who does



specialize in District Counsel or practice full time. Ms. Larson points out he comes at a discounted rate.

Mr. Cole asks about hourly rates. Ms. Larson states Biff was \$175 per hour, Persson was \$281 and Bush Ross is a tiered price. Ms. Robertson points out it will be a blended rate of \$260 for Bush Ross. Mrs. Cruz recommends either Bush Ross or Persson, Cohen & Mooney because they have teams, so someone is always available. A resident mentions Cohen specializes in CDD and Mrs. Cruz agrees and says this team from Bush Ross does also. Mr. Cole asks if Fishkind has worked with any of these counsels, Mrs. Cruz assumes its possible, but Ms. Robertson points out Bush Ross has never worked with Fishkind. Ms. Larson likes Bush Ross, Mrs. Cruz is agreeing to either Bush Ross or Persson, Cohen & Mooney.

On MOTION by Mr. Cole, seconded by Ms. Larson, with all in favor, the Board approved Changing District Counsel to the services of Bush Ross.

#### **SIXTH ORDER OF BUSINESS**

#### **Ratification of agreement between The District and Excelsior Community Management LLC**

Ms. Robertson states that Mrs. Cruz pointed out that this was in the November 13<sup>th</sup> meeting and doesn't need to be discussed.

Mr. Cole asks if a final contract has been seen yet. Mrs. Cruz says yes, and Jason Walters has approved it.

Ms. Robertson asks that if anyone sees things on social media that need to be reported to the manager please redirect them to the ECM office. Even if it is after hours or on Weekends. Ms. Cruz reported a pool issue on December 31, 2018 and ECM was able to have repairs completed same day. Ms. Cruz suggests putting something in the windows of the clubhouse to alert residents of the ECM contact information. Similar to the one at the bulletin board. She will also post it on the unofficial Facebook page.

Mr. Cole asks what the process is for key fobs. Ms. Robertson explains that residents can call the ECM office. Their residency will be confirmed, and an appointment will be scheduled for an ECM employee to deliver it to the resident at their home so the fob can be tested before it is handed over. Mr. Cole asks about the cost of key fobs. Mrs. Cruz states yes, \$10 for additional and \$30 for replacement. Mr. Cole asks how many active key fobs there are. Ms. Robertson says that ECM is working on going through the system because fobs were not previously assigned to addresses. There are a lot that are not assigned and in the future that is going to have to be cleared up. Ms. Larson asks is the fobs are

tracked. Ms. Robertson explains a query can be run to see which fobs were used when. The fobs are also set on time parameters from dawn to dusk except for Board members who will have unlimited access in case of emergency. Vendors will be on a looser time schedule than residents but will not have unlimited access.

Ms. Robertson says Ken is working on getting the website set up with emails and passwords for the Board. Mrs. Cruz asks if it is possible to set up a form or something similar to have residents be able to opt in to receiving emails. Ms. Robertson is unfamiliar with the current website provider but ECMs website provider does offer that and she will do research into it.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Agreement for Pool Deck Repair**

Tabled Pending review of emails between Ken and Mrs. Cruz.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Agreement for Clubhouse Mold Remediation by Paul Davis Restoration**

Tabled until Ken returns with proposal.

**NINTH ORDER OF BUSINESS**

**Ratification of Agreement for the Interior Clubhouse Painting by Dynamic Painting**

Mrs. Cruz stated the coverage was upped because the scope of work changed because of the baseboards. Ms. Robertson states that this is only the agreement to have Dynamic complete the work not to make payment currently.

On MOTION by Mrs. Cruz, seconded by Mr. Cole, with all in favor, the Board approved the Agreement for the Interior Clubhouse Painting by Dynamic Painting.



**TENTH ORDER OF BUSINESS**

**Ratification of Agreement for the Baseboard change in the Clubhouse to 3 ¼ PVC White Colonial Base Molding. Materials and Labor NTE \$500 by ECM**

Ms. Robertson explains this is not an invoice only to clarify the change.

On MOTION by Mrs. Cruz, seconded by Mr. Cole, with all in favor, the Board approved changing of the Clubhouse base board by ECM NTE \$500.

**ELEVENTH ORDER OF BUSINESS**

**Ratification of Payment Authorization No. 158**

Ms. Robertson states payment for No. 158 was approved previously but Hopping Green invoice was outstanding. Mrs. Cruz wanted to review it. Mrs. Cruz approved to pay the invoice.

**TWELFTH ORDER OF BUSINESS**

**Request for payment Authorization No. 159**

There are several invoices to review. Two are for Fishkind. Mr. Cole asks if Horner treats the ponds. Ms. Robertson says this is not an invoice for pond maintenance. Aquatic Systems treats the ponds. Horner keeps invasive species from encroaching on the conservation areas only per Ms. Robertson. She explains both these things can be carried out by one company. Mr. Cole asks for the contracts for both companies and proposals from both for handling ponds & conservation areas. Ms. Robertson agrees to request them for the next meeting.

Mr. Reynolds asks if mosquito maintenance is in the scope of work for Aquatics. Ms. Robertson will check for next meeting. He also asks about gates to prevent the wildlife from entering which Ms. Robertson is also looking into.

**Payment of Navitas Credit Invoice**

Mr. Cole asks what the invoice for Navitas Credit is for. Ms. Robertson says it is for the playground contract. Mr. Cole says this is the first time he has ever seen it. Ms. Keaton asks what exactly it is for. From the looks of it, Ms. Robertson thinks its an installment plan for the equipment. Invoice is tabled.

### Payment of Premier Epoxy Invoice

Ms. Robertson updates that they are going to come back and fill in the crack between January 16<sup>th</sup> and February 1<sup>st</sup>, 2019. Mr. Cole mentions there is a spot by the door as well. Ms. Robertson asks to see it because it wasn't included in the conversation with Premier Epoxy.

On MOTION by Mrs. Cruz, seconded by Ms. Keaton, with all in favor, the Board authorized payment of Premier Epoxy Invoice pending repair work and walkthrough.

### Horner Environmental Invoice

Ms. Keaton confirms that Ms. Robertson will be pulling their contract to review their scope of work. Ms. Larson, questions having someone sign off on the work preformed day of to which Ms. Robertson explains going forward Matt has agreed to call the day before so she can get with him on any issues and walk the property with him to go over problem areas.

### Swanson and Son Invoice

Mrs. Cruz would like to know how many bags Ballentrae is going through. Mr. Cole thought they were included but Ms. Robertson explained, they did have some on hand but those have run out. ECM buys dog waste bags in bulk allowing for a lower price. Mrs. Cruz and Ms. Keaton are interested in a quote. Ms. Robertson will work on that when a janitorial vendor is agreed on. Mr. Cole expresses concern that Swanson and Son is not holding up the standards they promised over the last three months. A homeowner suggests a 30-day notice for their services. Mr. Cole & Mrs. Cruz agree on obtaining proposals from ECM recommended vendors.

On MOTION by Mrs. Cruz, seconded by Mr. Cole, with all in favor, the Board authorized payment of Swanson and Sons Invoices.

### Robin Larson Reimbursement

On MOTION by Mrs. Cruz, seconded by Mr. Cole, with all in favor, the Board authorized payment of Robin Larson.

### Fishkind November and December Invoices

Ms. Robertson notes that the December invoice is significantly higher then the November one. She suggests paying the November one as a show of good faith and request the necessary items for the December invoice. Mr. Cole is reluctant to pay either invoice because of Fishkind not fulfilling their duties.



On MOTION by Mrs. Cruz, seconded by Ms. Keaton, with all in favor, the Board authorized payment of Premiere Epoxy, Horner Environmental, Swanson and Son, Robin Larson's reimbursement and the November Fishkind Invoice.

Landmark invoice for \$300 for Board meeting on 11/13/18. Amanda told Jen to call and see if they will cut that bill in half since the Engineer was only on the phone for the first half of the meeting.

#### **THIRTEENTH ORDER OF BUSINESS**

#### **Request for Proposal for the Position of District Engineer**

Ms. Robertson is going to start working on this for the next meeting or the one following. She asks if there are any recommendations from the Board. If not, she will reach out to ECM recommended vendors for proposals. Ms. Larson asks if a newspaper post will be made. Ms. Robertson confirms.

#### **FOURTEENTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **District Manager-**

Clubhouse Punch List: Floor crack to be repaired by Premier Epoxy. Paint touch up with final walk through, two window valances to be replaced and the leaking soap dispenser in the women's bathroom, replacement has been ordered. The soap staining will be taken care of when a janitorial staff is hired. Shoe mold was installed. Inventory items in storage to be looked at offline. Pavers on pool deck to be monitored.

Bond Call: Ms. Robertson explains the CDD was funded with bonds and there has been a recall on two of the bonds. Total amount is unknown currently, but Ken & Amber are working on it, but it is due February 1<sup>st</sup>, 2019. Right, it looks like one for \$5,000 and another for almost the same.

Mrs. Cruz explains that Amber is already in the process of figuring out which bonds are callable, and which are not. They won't be able to tell when or if they will be called but can do their best to prepare.

Clubhouse Rentals: Ms. Robertson noted that the newspaper posting for the rules change Regarding clubhouse rentals was dated for January 8, 2018 so a new post must be made. There is a pending reservation, so she asks for clarification on what the Board has been doing up until now.

Mrs. Cruz wants it noted that advertising fees should be deducted from what Ballentrae owes to Fishkind due to their mistake in newspaper posts causing multiple expenses.



Mrs. Cruz brings up that Harland knows most about the clubhouse rental process. Multiple residents discuss the non-refundable rental fee and the refundable deposit. Mr. Cole states that the fees are based on the amount of people. Ms. Robertson said she will come back to this later to work out specifics.

Proposals for Next Meeting: Painting on exterior of clubhouse, repair, pressure clean, and repaint exterior wall. Ballentrae letters came down and are going back up on Thursday. They were formally only glued on, they will be screwed so they do not come off. Mrs. Cruz wants to have pool deck pressure washed as well. Ms. Robertson notes that until the finances are revealed, focus needs to be on large issues like mildew on pool deck, and the exterior wall repairs.

Ms. Robertson states that's all she has for this meeting.

## **FIFTEENTH ORDER OF BUSINESS**

## **Supervisor Requests and Audience Comments**

Mrs. Cruz asks the Board if they have anything additional to add.

Ms. Keaton wants the fence on Rhodine to be investigated for repairs. Mr. Cole asks that the pool rules are checked to make sure they say no lifeguard on duty. Mrs. Cruz agrees she would like that added if it isn't already.

Mrs. Cruz opens the floor. She asks that before a resident speaks, they state their name and address.

Harland Henry 12342 Ballentrae Forest Drive – On Janitorial services he wants to make sure there will be a bid process. The pool cleaning and arrangement of chairs wasn't discussed. Mention was made of the attorneys. He recommends they give a presentation to the Board. Facebook being used as a method of communication for the community isn't enough. There needs to be email, letters, every resident must be notified at least 2 weeks in advance of any meeting. There is no post on the bulletin board about this meeting. No emails or fliers. Four of his neighbors didn't know about the meeting. The sidewalk and reconstruction of playground was retrofitted by Lennar as a donation to the community when the problem happened with the house built next to it. Kimberly and Dexter took control of key fob system in July and screwed it up. County has required since January no swimming and no fishing signs for all ponds and it wasn't done. The county has come twice stating that the CDD is liable.

Mrs. Cruz responds that Ms. Robertson was asked for more janitorial bids. Each attorney did submit a presentation via printout. Ms. Robertson also said she would investigate the email mailing list via the website. This meeting is on the website and in the newspaper,

which meets legal requirements. Some research must be done to see if the wildlife signs were ordered and if so, why they weren't installed.

Willie Reynolds 12512 Ballentrae Forest Drive - asks how we can enforce people not fishing in the ponds. Ms. Robertson Says that if you call the ECM office, we can have someone come out to ask them to leave. If they do not live in the community, they can be addressed as trespassers. He also wants to know if key fobs are active. Mrs. Cruz responds yes for the pool, no for the clubhouse.

Beverly Nastasia 12511 Ballentrae Forest Drive- The teenagers that get off the bus are throwing trash on ground and filling the dog waste station. Can an extra trash can be added?

Ms. Robertson again mentions that until Ballentrae has janitorial services they can't decide. Mrs. Cruz agrees to table it until the janitorial begins.

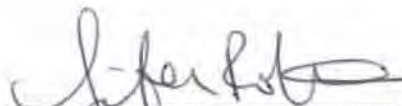
Mr. Cole asks how to investigate litigation against Fishkind. Ms. Robertson suggests asking Bush Ross for options.

#### **SIXTEENTH ORDER OF BUSINESS**


#### **Adjournment**

There were no other questions or comments.

ON MOTION by Ms. Cruz, seconded by Mr. Cole, with all in favor, the Board adjourned the January 8, 2019 Board of Supervisor's Meeting for the Ballentrae Hillsborough Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman