

**MINUTES OF MEETING
FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1**

The regular meeting of the Board of Supervisors of the Fiddler's Creek Community Development District was held on Wednesday, July 25, 2007 at 10:00 a.m., at the Fiddler's Creek Club and Spa, 3470 Club Center Drive, Naples, Florida 34114.

Present and constituting a quorum were:

Phillip Brougham (via telephone)	Chairman
James Robertson	Assistant Chairperson
Peggy Schmitt	Assistant Secretary
Alexander Love	Assistant Secretary
James Curland	Assistant Secretary

Also present were:

Corinne Norton	Assistant Regional Manager
Chuck Adams	District Manager
Anthony Pires	District Counsel
Terry Cole	District Engineer
Ron Albeit	Foundation Manager

FIRST ORDER OF BUSINESS:

Roll Call

Ms. Norton called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS:

Engineer's Report

Mr. Cole stated I do not have any draws to present to the Board today. Chuck Adams and I had some discussions over the last month in regard to the Bond balances and I wanted to summarize those balances. We have worked with Mark Strain to acquire retainage invoices from contractors in order to close out a couple of these Bonds. Bond #1 was refinanced and the funds remaining are \$5, 480.00 left; the 1996 Bond was closed out.

Mr. Adams clarified it was left over "cost of issuance" dollars that were not utilized.

Mr. Brougham stated was that the Bond that had a \$90,000.00 surplus or balance that led to all these discussions? Where did that go?

Mr. Adams stated that was drawn down in late April through draw #37 and that is where the confusion was with my discussion with Bank of America regarding the funding/final payment of the '96 bond. The money actually came out of the '99 bond, and it was replenished with interest. The total draw amount was approximately \$107,000.00, the remaining \$5,400.00 is carried as "cost of issuance" dollars that are available in the '06 construction fund, and it will be completely zeroed out at that point.

Mr. Cole discussed the Phase 3 Bond stating Mark Strain is working with the contractors in order to close that one out. Phase 4 Bond/2005 has about 10.3 million dollars in it and we have ongoing construction continuing with that. Hopefully in the next few months Bonds 1 and 3 will be closed out and Bond 4 will be the only one remaining.

Mr. Brougham asked Mr. Cole if all the invoices were in and paid for the bench project.

Mr. Cole answered, no, we had paid about \$3,300.00 and they still need to bill for the other 90%. They will come out of Bond 3/2002.

Mr. Brougham discussed the sidewalk ramps along Championship and the probability of delaying any further work until the ongoing construction is completed.

Mr. Adams agreed, stating Staff would recommend waiting until the Developer finishes with his original construction program.

Mr. Cole had no further report and no draws to present.

THIRD ORDER OF BUSINESS:

**Continued Discussion of Proposed Budget
for Fiscal Year 2008**

Mr. Adams stated you have received the updated version of the Proposed Budget for Fiscal Year 2008 containing some of the recommendations of the Security Cost Sharing Committee; spreading the costs of the Access Control Program on a per unit basis; as well as the Irrigation Supply Services, the per unit assessment for Fiddler's Creek #2 the assessment is \$1,492.00 and for Fiddler's Creek #1 it is \$1,494.00 including the assessment for Wilma.

Mr. Brougham questioned whether Fiddler's #1 will be the contract administrator?

Mr. Adams stated the two Districts will pay their proportionate share of all expenses as they come through and the invoices will be run separately. Mr. Adams requested that Mr. Curland address the Board concerning the Security Cost Sharing Committee's recommendations.

Mr. Curland stated the Committee met yesterday and the recommendation of the Committee is that the Championship Gate should remain "manned" for at least this next fiscal year, due to the transition of the management of the security system we are putting in place now. The costs per ERU would be approximately \$26.00 or a total cost of \$75,000.00 for the manned system.

Mr. Adams clarified the gate would be manned six days a week, from 6:00 a.m. to 6:00 p.m.; the \$75,000.00 personnel cost; at the same time implement the remote access program; which is a benefit for the after hours.

Mr. Brougham commented that the contract with the security provider (Gulf Bay) should have the flexibility to allow for the transition from the manned gate to the unmanned gate and does not lock the District into a lump sum.

Mr. Adams stated the contract provide a lump sum but also provides an hourly and allows you to augment the service as necessary.

Mr. Robertson stated Gulf Bay is represented on the sub-committee and they are aware of the program and agree with it 100%.

Mr. Adams stated the contract expires November 30th, so you will see bids coming through in October. Bids are going to be released in the next month on the Lake and Wetland maintenance and then proceeding through landscaping and the security. We will have them to present at your October meeting for consideration and award, and then the new contracts will start December 1st.

Mr. Brougham requested that copies of the bid proposals be made available to the Board.

Mr. Adams stated we will make sure you have them.

Mr. Adams reviewed the process used for bid proposals as required by Florida Statutes.

Ms. Schmitt commented on the advantages of the bar code system that was discussed at the last meeting; and the possibility of implementing this system during the transition period from the manned to unmanned gate.

Mr. Adams discussed the difficulty with implementing a new system during the fall/winter season and encouraged the Board to look to implementing the system next spring/summer.

Mr. Brougham agreed, stating that at the last meeting we discussed waiting until after season. Mr. Curland commented that many seasonal residents use rental cars and the

inconvenience for access for those residents since they do not have an attached "clicker". Mr. Love state that to extent all issues are worked out – look possibility of unmanning gate ASAP.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor of approving the Subcommittee's recommendation to continue with a manned gate at Championship for the next Fiscal Year as discussed.

Mr. Adams further stated, the plan is to have the inter-local agreement on your next Agenda.

Mr. Brougham questioned the contingency fund regarding the funds needed for the TRIM noticing.

Mr. Adams stated I will ask you to approve me increasing the per unit assessment by 5% and include that in the contingency line item for the mailing of the notices.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor of authorizing Staff to set a 5% cap to provide for TRIM noticing requirements.

Mr. Brougham stated I am concerned about the 80 ERU's that have disappeared from Fiddler's Creek #1 and at the current assessment rate that is around \$90,000.00 less revenue; and that is a significant number. Can you, Chuck, or the attorney shed some light on this?

Mr. Adams replied the ERU reduction is actually in the off-roll or the direct bill side of the assessments. The platted units are per the property appraiser's records, and those are your on-roll and fixed. The other component is a "planned" or off-roll number that is controlled by the Developer and the market, and what he plans to construct.

FOURTH ORDER OF BUSINESS:

Consideration/Discussion of non-resident Golf Members

Mr. Brougham stated this is a proposal/recommendation by me to the Board with respect to the members of the Rookery and the non-resident members of the Creek course, that we provide them with the option of having the current, non-expiring Guest pass, or to purchase at our cost, a "clicker" for around \$30.00, and utilize the "clicker" as a resident would to enter and

exit the premises to go to the Golf courses. The first issue is portability and once you give someone a "clicker" they can pass it all over Collier County and the same thing with the Guest Pass. Rookery members have expressed dissatisfaction with the Guests Passes and requested the "clicker" option. I wanted to bring this up to the Board, get your comments and see what your opinions are.

Ms. Schmitt stated I think we are already doing this with non-resident golf members at Fiddler's. I know people who don't live here who are members of the golf course and that is how they get in and out, they have "clickers".

Mr. Albeit concurred that this system is being used.

Mr. Robertson commented this issue needs to be placed on the Agenda for C.D.D. #2 for their consideration for any issue relative to security or irrigation.

On MOTION by Mr. Love and seconded by Mr. Brougham with all in favor of approving non-resident Golf members to purchase "clickers" for access to the Golf courses.

FIFTH ORDER OF BUSINESS:

Discussion/Consideration of Surge Protection Proposals

Ms. Norton presented two proposals for surge protection, one from Best Electric and Lightning Protection Systems, stating they are very similar in their qualifications, they are both licensed, the equipment is UL listed. The price difference is approximately \$1,000.00. Staff recommends Best Electric based on their past experience and background, their proposal is in the amount of \$18,940.00.

Discussion followed regarding the advantage of leasing the equipment versus purchasing the equipment.

Mr. Curland questioned would this be shared with C.D.D. #2?

Mr. Adams stated yes, this would be a shared expense program.

On MOTION by Mr. Brougham and seconded by Mr .Curland with all in favor of awarding the Surge Protection contract to Best Electric in the amount of \$18,940.00 as submitted.

SIXTH ORDER OF BUSINESS:

**Approval of June 24, 2007
Meeting Minutes.**

**On MOTION by Mr. Love and seconded by Mr. Robertson
with all in favor of approving the June 24, 2007 Meeting
Minutes as amended.**

SEVENTH ORDER OF BUSINESS:

Other Business

There being no Other Business, the next item followed.

EIGHTH ORDER OF BUSINESS:

Staff Reports

A. Attorney

Mr. Pires stated I have reviewed with Terry Cole the reports that Chuck prepared regarding the remaining funds in the various debt funds for Capital expenditures. I am also working with Chuck and Terry on resolving a question as to a back-up or prior payment for the landscape restoration so we are on our way to resolving that issue.

Mr. Pires will provide a memo for the next meeting regarding the legal interest issue in conveyances and ownership.

B. Manager

Ms. Norton provided the unaudited financials as of June 30, 2007.

Mr. Brougham questioned Mr. Adams regarding the \$87,762.00 in Miscellaneous Income on last month's report; did that get re-booked to Capital Projects?

Mr. Adams stated yes, that was re-booked into the 2/02 fund.

Mr. Brougham requested that the reconciliation reflect the actual transactions that went into the account in a given month, rather than changing the entries.

Mr. Adams agreed with this suggestion.

NINTH ORDER OF BUSINESS:

Supervisors Request and Audience Comments

Mr. Robertson stated I have a follow-up to last month's item that was raised by an audience member with regard to our police security cruisers not being utilized properly. I have done the following research and I found that since the second new cruiser was added in November, the total mileage for the two is about 52,000 miles; 27,500 on the 2007 cruiser and 25,000 on the 2004 cruiser. That comes out to the road control vehicles putting on about 100 miles per shift on each cruiser. It does end up at the front gate guard post primarily during rush hour when extra manning is needed. It would appear that they are not parked somewhere, they are being used to the almost the maximum possible.

Ms. Schmitt replied they are being parked, people see them parked.

Mr. Albeit questioned where are we on the GPS system? That would give you a very detailed report.

Mr. Adams stated I believe they have been installed; it was approved about a year and a half or two years ago. This will be shared with C.D.D. #2 also.

Mr. Adams discussed the technology used for the GPS system.

Mr. Albeit stated we saw a demonstration on this at Pelican Landing and it was outstanding.

Mr. Brougham questioned the use of the three security vehicles.

Mr. Albeit responded that vehicle nos. 2 and 3 are used primarily for roving security; vehicle no. 1 is for Mike's use.

Mr. Brougham commented on the Budget, the cost allocated for Parks and Recreation repairs and maintenance being only \$500.00, and the possibility of increasing this due to the Boardwalk repair report.

Mr. Adams stated I would recommend increasing that amount to \$2,500.00.

Mr. Curland questioned whether the lake landscaping between Mulberry and Deer Crossing, is that to be completed this season?

Mr. Adams answered, to be done in the next thirty days.

Mr. Adams responded to a question by Mr. Love regarding the hedges on Mulberry, stating they have been redressed them on both ends.

Mr. Brougham questioned whether Mr. Casey has done anything regarding the dead Sabal Palms at Mulberry and Fiddler's Creek Parkway, on the Pepper Tree berm?

Mr. Adams stated yes, One Source will be taking care of those in the next week.

Mr. Brougham asked, do you have an update on the Emergency Preparedness Plan?

Mr. Adams answered I have a copy of it, I think you and I need to have a dialogue on updating it. I presented it to Fiddler's Creek #2 Board as well and they like it, so I plan to augment it prior to the August meeting.

Mr. Brougham asked has Bob had an opportunity to inspect Championship Drive, specifically on the areas that are deteriorating.

Mr. Adams answered he is working on getting a proposal for the different approaches.

Discussion followed regarding the different options for repair; re-milling, resurfacing, re-striping, seal coating or micro-paving.

Mr. Adams shared that Mr. Casey will be leaving our firm, related to the serious health issues he has been dealing with and the stress has taken its toll. We are in transition, if you have any concerns or comments, please try to bring them through Corinne at this point and I will manage with her.

Ms. Schmitt commented on some dead trees and whether they would be covered under the one year warranty.

Mr. Adams stated yes, they are under a one year warranty.

Audience Comments:

A resident questioned Public access to the community and the recent difficulties experienced with contractors/vendors access.

Mr. Adams stated the Public has access to the community, construction has access off of US 41, but vendors should be able to access through the main entrance.

Mr. Albeit responded, we will follow up with the guards on this.

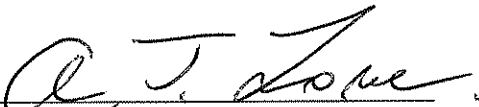
Also mentioned were street lights that were not functioning on Club Center.

TENTH ORDER OF BUSINESS:

Adjournment

There being no further business, the meeting was adjourned.

**On MOTION by Mr. Love and seconded by Ms. Schmitt with
all in favor of adjournment.**


Secretary/Assistant Secretary


Chairman/Vice Chairman