

**MINUTES OF MEETING
FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICTS #1 & #2**

The Joint Board Meeting of the Board of Supervisors of the Fiddler's Creek Community Development District #1 and Fiddler's Creek Community Development District #2 was held on Wednesday, November 28, 2007 at 9:15 a.m., at the Fiddler's Creek Club and Spa, 3470 Club Center Drive, Naples, Florida 34114.

Present and constituting a quorum were:

For Fiddler's Creek #1:

Phillip Brougham	Chairman
Alexander Love	Vice Chairman
James Curland	Assistant Secretary
Peggy Schmitt	Assistant Secretary
James Robertson	Assistant Secretary

For Fiddler's Creek #2:

Clifford Olson	Chairman
James Robertson	Vice Chairman
Diane Matire	Assistant Secretary
Victoria DiNardo	Assistant Secretary
Gretchen Scott	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Terry Cole	District Engineer
Anthony Pires	District Counsel
Ron Albeit	Foundation Manager

FIRST ORDER OF BUSINESS:

Roll Call.

Mr. Adams called the meeting to order and called the roll.

FIDDLER'S CREEK C.D.D. #2 ITEMS:

SECOND ORDER OF BUSINESS: Oath of Office.

Mr. Adams stated as a result of the Landowners Election Meeting for Fiddler's Creek #2 held prior to this meeting, I will administer the Oath of Office to the newly elected Board members.

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Matire, Ms.DiNardo and Mr. Robertson. Mr. Adams also provided a separate package containing the Overview of District Responsibilities; the Guide to the Sunshine Amendment and Code of Ethics; Form 1-Statement of Financial Interests; Form 1X-Amendment to Form 1 and Form 1F-Final Statement of Financial Interests.

THIRD ORDER OF BUSINESS: Consideration of Resolution 2008-1.

Mr. Adams explained that Resolution 2008-1 is for the purpose of canvassing and certifying the Results of the Landowners Election for Fiddler's Creek #2.

On MOTION by Ms. DiNardo and seconded by Mr. Robertson with all in favor of approving Resolution 2008-1; canvassing and certifying the Results of the Landowners Election for Fiddler's Creek #2.

FOURTH ORDER OF BUSINESS: Consideration of Resolution 2008-2.

Mr. Adams stated Resolution 2008-2 is for the purpose of re-designating the Officers of Fiddler's Creek Community Development District #2.

The Board members would like to re-designate Mr. Robertson as Chairman and Mr. Olson as Vice Chairman.

On MOTION by Mr. Olson and seconded by Ms. DiNardo with all in favor of approving Resolution 2008-2; re-designating the Chairman and Vice Chairman as discussed.

FIFTH ORDER OF BUSINESS: Staff Reports.

- A. Attorney

Mr. Adams explained a protest received from X-Scapes of Naples regarding the Lakes and Wetlands and Landscaping bid; they were deemed non-responsive at the time. Your Attorney is recommending a protest hearing following the Rules of Procedure and the meeting is scheduled to be held on December 19, 2007. Both Districts would have a separate meeting time.

On MOTION by Ms. Matire and seconded by Ms. DiNardo with all in favor of setting the Protest Hearing for December 19, 2007 at 9:00 a.m. for the Lake & Wetland Hearing and 9:30 a.m. for Landscape Hearing for Fiddler's Creek #1.

B. Engineer

Mr. Cole presented one pay draw for Fiddler's Creek #2 for \$972,000.00 for various work areas in Phase 4, unit 2; Phase 5, unit 2; roadways, street lighting, water and sewer mains and drainage connections.

C. Manager

1. Mr. Adams provided the unaudited financial statements as of October 31, 2007.

SIXTH ORDER OF BUSINESS:

Supervisors' Requests & Audience Comments.

Mr. Robertson requested a revised Budget exhibit due to an error in the Fiddler's Creek #2 Budget reflecting the additional neighborhoods that were not listed.

Mr. Adams will make the corrections to the Budget as requested.

JOINT MEETING ITEMS:

SEVENTH ORDER OF BUSINESS:

Consideration of Proposal for Remote Access Program.

Mr. Adams provided a proposal for Remote Access Program from TEM for Championship Boulevard, within the Agenda Packages. The ultimate future goal of both Boards is to have this gate unmanned.

Mr. Adams explained how the Remote Access Program functions.

The Budgeted expense for both Districts was discussed; there has been a decrease in the initial projected costs.

Discussion followed regarding possible scenarios of difficulty in entering or exiting after hours.

Mr. Brougham commented there will be instances where there will be difficulties and inconveniences; there will never be a perfect system.

The savings to the District's by using an unmanned gate is \$75,000.00 annually.

Mr. Adams clarified the purpose of the unmanned gate system in providing more convenience for residents, guests, and vendors, etc.

Ms. Scott expressed her concern about traffic backups at the unmanned gate.

Mr. Albeit explained this system should alleviate that type of problem and stated there are proactive steps that will be taken if there are back ups; this is the next phase of the security process for the Districts.

Mr. Brougham encouraged the Board members to move ahead with this system.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor for Fiddler's Creek #1 approving the Remote Access Program as discussed in an amount not to exceed \$40,000.00

On MOTION by Mr. Robertson and seconded by Mr. Olson with all in favor for Fiddler's Creek #2 approving the Remote Access Program as discussed.

Mr. Adams stated with the additional small expenses, I would expect this not to exceed \$40,000.00; you will have some options regarding the financing, perhaps a shorter term lease.

Discussion followed regarding shortening the financing period and possible maintenance costs with the addition of requesting the preferred client agreement.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor for Fiddler's Creek #1 of authorizing Staff to negotiate payment of the Remote Access System with payment of the expense utilizing current year budget and surplus funds.

On MOTION by Mr. Olson and seconded by Mr. Robertson with all in favor for Fiddler's Creek #2 of authorizing Staff to negotiate payment of the Remote Access System with payment of the expense utilizing current year budget and surplus funds.

EIGHTH ORDER OF BUSINESS: Consideration of Post Orders.

Mr. Adams explained the revision to the Post Orders primarily pertains to rewording the non-resident Golf members.

Mr. Brougham explained the rewording of the Amendment; "non-resident Golf members will be issued a visitor's pass (printed with barcode), members will be asked to position the visitors pass on the vehicle's dash and advised they must use the visitor's pass at the pedestal reader for unrestricted ingress at the interior ingress lane closest to the Gatehouse at the Fiddler's Creek Parkway gate and the ingress lane at the Championship Drive gate. Unrestricted egress will be by using the pedestal readers located at all egress barrier gates. Optionally, non-resident Golf members may purchase a gate transmitter for unrestricted ingress through the resident lane at the Fiddler's Creek Parkway gate and the ingress lane at the Championship Lane. Unrestricted egress will be utilized by utilizing the gate transmitter at all secondary egress barrier gates."

On MOTION by Mr. Brougham and seconded by Mr. Robertson with all in favor for Fiddler's Creek #1; of approving the amendment to the Post Orders as discussed.

On MOTION by Mr. Olson and seconded by Ms. Scott with all in favor for Fiddler's Creek #2; of approving the amendment to the Post Orders as discussed.

NINTH ORDER OF BUSINESS: Approval of October 24, 2007 Meeting Minutes.

Mr. Adams invited the Board members to review and make corrections as needed to the meeting minutes.

Mr. Love requested that his comments regarding the process for obtaining maintenance proposals; the major portion of money discussed; and stated I want it on the record. Also, a comment was made regarding One Source and the securing of their Occupation License.

A. Attorney

Mr. Pires discussed the Protest Hearing for Lake and Wetlands contract to be scheduled for December 19th at 11:00 for approximately 15 minutes and suggested a two hour hearing for the Landscape Maintenance Protest Hearing. Mr. Pires stated that the hearings will be open to all who submitted a bid.

On MOTION by Mr. Brougham and seconded by Ms. Schmitt with all in favor of approving District Counsel's recommendation of setting the Protest Hearing for Lake & Wetlands for December 19th at 11:00 a.m., and the Landscape Maintenance Hearing for December 19th at 11:15 a.m.

Mr. Pires discussed the licensing and maintenance agreement for the gazebo and boardwalk; the document describes the parcel as provided by Mark Strain and Mr. Pires would also like to have photographs to attach to the exhibit. Otherwise, the document is ready for execution.

Mr. Pires stated that a second letter to Severn Trent has been composed and shared information regarding litigation and judgment in other cases against Severn Trent.

B. Engineer

Mr. Cole presented pay draw #17 for the Phase 4 Bond in the amount of \$539,000.00 for work in Phase 6, unit 1; consisting of water and sewer mains; clearing; excavation and storm drainage.

Mr. Cole discussed the milling and repaving of Championship Drive; there was more patching than anticipated, the costs was +\$24,000.00. The double line no passing on Championship Drive, with the signage, is estimated at \$13,000.00. Mr. Cole asked the Board for authorization up to an additional \$15,000.00 to cover this project.

Discussion followed regarding the necessity of the double lines and the addition of signage due to violators of the speed limits; the concern is that there are too many signs in the community. The Board decided to approve the double stripping with no signage.

On MOTION by Mr. Love and seconded by Ms. Schmitt with all in favor of approving the double stripping "no passing" zone on Championship Drive.

Mr. Cole discussed the upcoming Phase III irrigation restrictions in response to an email received from Mr. Brougham.

Mr. Brougham discussed the restricted hours of the irrigation system and whether there is sufficient pressure in the sprinkler heads for supplying adequate irrigation.

Mr. Adams clarified the restrictions under the current Phase II watering restrictions; which are intended to reduce usage by 30%.

Mr. Cole discussed the locations of the three pump houses; the design of the system to meet the requirements based on a four hour irrigation program and a minimum of 40 PSI. Phase III will reduce the usage by 45%.

Mr. Brougham stated my concern is that I am not getting full coverage and my neighbors are not getting full coverage.

Enforcement of the water restrictions; the necessity of compliance with the rules for the District and the possibility of shutting down the pump house to ensure compliance and avoid fines continued.

Mr. Pires commented that other communities are utilizing the shutting off of the irrigation valves to control usage; the District could implement a zoned irrigation schedule for residents to follow.

The District has ownership of the pump stations and distribution lines; the rights to the source are owned through the Consumptive Use Permit which is held by 951.

C. Manager

1. Unaudited financial statements as of October 31, 2007.

Mr. Brougham requested the True Up report for the last Fiscal Year.

Mr. Adams will send the report via email.

Further discussion/review of the financial statements followed.

Mr. Brougham updated the Board on the DOT Landscape Beautification Grant; it has been finalized and approved and submitted to DOT on time.

The Grant will be awarded in January in Orlando and Mr. Brougham will plan to be in attendance. The landscape architect cost was \$4,266.00.

2. Operations Report:

Ms. Crismond discussed the sign replacement project; it has been started and will include repositioning of the signs as discussed at the last meeting.

Ms. Crismond is researching the costs for an alternative to the pumps around the lake banks. The three year maintenance amount is \$38,033.00.

Ms. Crismond reported that a review of the lakes with Lake Masters took place on November 9th.

Littoral plantings are to begin in December around five or six lakes where the plantings had been damaged by Aquagenix.

Ms. Crismond stated I am waiting on one revision on the contractor's bid for tree replacement; I ask for approval today not to exceed \$10,175.00 which is the One Source bid.

Mr. Adams stated those are warranty, I am deducting the expense from some outstanding invoices.

Annuals have been installed, there will be some replaced in the entrance area to the east; fertilization began on Friday.

The Sheriff's patrol was noted recently after hours; the service is two patrols a month from 4:00 p.m. to 8:00 p.m.

Mr. Brougham discussed the lack of service available from the Sheriff's department.

Ms. Crismond stated FHP is more expensive but available.

Mr. Brougham discussed the issue with the Ficus trees and the need of trimming.

Mr. Adams presented the GPS reports and reviewed the information included in the report.

THIRTEENTH ORDER OF BUSINESS:

Supervisors Requests & Audience Comments.

Ms. Schmitt discussed the missing communities on the assessment report and requested confirmation from Alice Carlson that the three neighborhoods were added to the rolls.

Mr. Adams will email this confirmation to the Board members.

Ms. Schmitt asked if you could touch base with One Source regarding the closing the irrigation boxes; many of them are left opened. The blue reflectors on the streets were discussed, this is the responsibility of the Fire Department and will be brought to the attention of the Fire District.

Ms. Schmitt discussed the lots on Mahogany Bend, lots 12 and 14; there is overflowing trash receptacles.

Mr. Albeit will check on these areas since this is the responsibility of the Foundation.

Mr. Brougham discussed a house on Mahogany Drive that is overgrown.

Mr. Love asked Ms. Crismond if there was an update on the lift station on Mulberry?

Ms. Crismond stated they have not returned my call, I will follow up on that.

Mr. Love commented that One Source did not have an Occupational License posted on the website.

Mr. Adams stated they will have it today.

Mr. Curland discussed a portion of the sidewalk that is broken and in need of repair; and asked about the area on Club Center Drive that is in need of landscaping.

Mr. Adams stated this is under Developer control.

Also discussed was construction traffic going through the Cherry Oaks community.

Mr. Curland discussed the curb/ramp issue on Championship.

Mr. Brougham stated those were pending due to the uncertainty of Bond funds.

FOURTEENTH ORDER OF BUSINESS: Adjournment.

There being no further business, all were in agreement with adjournment.

**On MOTION by Mr. Brougham and seconded by Ms. Schmitt
with all in favor, the meeting was adjourned.**

For Fiddler's Creek #1:


Secretary/Assistant Secretary


Chairman/Vice Chairman

For Fiddler's Creek #2:


Secretary/Assistant Secretary


Chairman/Vice Chairman