

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

A Regular Meeting of the Board of Supervisors of the Fiddler's Creek Community Development District #1 was held on **Wednesday, March 27, 2013, at 8:00 a.m.**, at the **Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.**

Present at the meeting were:

Phil Brougham	Chair
Gerald Bergmoser	Vice Chair
James Curland	Assistant Secretary
Richard Peterson	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Terry Cole	District Engineer
Tony Pires	District Counsel
Ron Albeit	Foundation Manager
Tony DiNardo	Developer
Bill Reagan	FMS Bonds
Mike Williams (via telephone)	Akerman Senterfitt
Shannon Benedetti	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 8:02 a.m., and noted, for the record, that Supervisors Brougham, Bergmoser, Curland and Peterson were present, in person. Supervisor Slater was not present.

SECOND ORDER OF BUSINESS

Special Counsel Update: Bankruptcy Proceedings

There being nothing to report, the next item followed.

THIRD ORDER OF BUSINESS

Developer's Report/Update

Mr. DiNardo had nothing to report.

Mr. Brougham recalled Mr. DiNardo's recommendation, at the last meeting, for Mr. Adams to contact the bondholders' counsel regarding reimbursement of legal expenses. Mr. Adams indicated that no response was received. Mr. DiNardo asked Mr. Adams to forward a copy of his correspondence, so that he can follow up.

Mr. Brougham noted that the flag in the front of the community is a wonderful addition; the ceremony was great with a good turnout.

FOURTH ORDER OF BUSINESS

**Consideration of Certain Documents
Related to Effectuating a Change in
Trustee Service Provider**

****This item, previously the Sixth Order of Business, was presented out of order.****

Mr. Williams voiced his understanding that CDD #2 already took action in this matter and the documents for consideration today, by CDD #1, are essentially the same to change the trustee from U.S. Bank to Wilmington Trust.

Mr. DiNardo recalled that CDD #2's documents included a tri-party agreement and asked if CDD #1's documents include it, as well. Mr. Brougham replied affirmatively.

Referring to the Trustee Fee Comparison, located behind Tab 6, Mr. Brougham asked when the hourly rates take effect. Mr. Adams indicated that hourly rates will apply when extra work is necessary, for example, the extra work related to exchange bonds, a troubled or distressed bond deal, difficulties receiving revenues, etc., anything beyond what was originally contemplated. Regarding the high hourly rate, Mr. Adams explained that there is a tremendous amount of liability in dealing with the financial aspects of bond issues.

Mr. Curland questioned why the standard fees are identical on two (2) of the bond series. Mr. Adams indicated that they are the same because those fall below the minimum number when calculating the per-million number; therefore, it defers to the minimum.

Noting that the District is proceeding because it is dissatisfied with U.S. Bank, Mr. Curland asked what guarantees the District has to preclude a similar experience with Wilmington Trust. Mr. Adams acknowledged the difficulty in obtaining a guarantee against ever having conflicts with a service provider, which is why agreements contain a termination clause.

Mr. Adams pointed out that the difference with the current trustee involved loss of the relationship, as a result of the foreclosure and bankruptcy process. In response to Mr. Curland's

comments, Mr. Adams voiced his feeling that the District’s situation with U.S. Bank was very unique; however, going forward, he does not foresee similar circumstances.

Mr. Curland indicated that the District is still at odds with U.S. Bank regarding allocation of construction funds, which they used to support their legal expenses during the bankruptcy. Mr. Curland asked if the District gives up its rights to recoup those funds, by switching trustees. Mr. Adams replied no.

Mr. Brougham voiced his understanding that the current, outstanding request is to hold a vote of the majority of bondholders who paid the legal fees to reimburse the District those legal fees. He noted that, unlike CDD #2, CDD #1 has not filed suit to recoup the \$3 to \$4 million.

Mr. Adams pointed out that, for CDD #1, U.S. Bank’s use of construction funds was primarily to pay down principal.

Mr. Brougham questioned what CDD #1 wants from U.S. Bank. Mr. Adams indicated that the District wants to recover the funds that U.S. Bank used from the District’s debt service reserve accounts to pay their legal expenses, in addition to any revenue and prepayment accounts where funds were used.

On MOTION by Mr. Curland and seconded by Mr. Bergmoser, with all in favor, authorizing Staff and the Chair to execute all documents necessary to effectuate the transfer of trustee services, was approved.

FIFTH ORDER OF BUSINESS

Update/Consideration: Results of Discussions with Waste Management and Collier County Regarding Repaving of Certain Roadways as a Result of Recent Waste Management Oil Spill

******This item, previously the Seventh Order of Business, was presented out of order.******

Mr. Brougham indicated that he and Mr. Pires had communications with the adjustor for Waste Management (WM), along with Mr. Dan Rodriguez, Collier County Administrator for Solid Waste Management. After receiving no response, Mr. Brougham emailed Mr. Rodriguez advising him that WM spilled oil on the District’s roads and nothing has been done. Mr. Brougham asked Mr. Rodriguez to take action; the District wants a detailed estimate from WM, broken down by CDD #1 and CDD #2 roadways and Cherry Oaks Lane. The District wants the estimate to include full width milling and repaving of Cherry Oaks Trail, as well as sufficient

detail to compare their estimate to estimates prepared by the District Engineer. Mr. Brougham advised that a second estimate is being obtained from Collier County's asphalt contractor. The District also wants a written offer of settlement from WM, such that, if a monetary settlement is accepted, the District can hire its own contractor. Mr. Rodriguez notified Mr. Brougham that he communicated with the senior vice president of WM's southeastern region, who will contact the District today to resolve the matter.

Mr. Brougham wondered if the Board can take any action today.

Mr. Pires stated that he is not comfortable, as the numbers are extremely varied and there are no real figures. He recommended delaying a decision on this matter.

Mr. Cole advised that the District may be able to piggyback on the county's contract. He received a \$140,000 estimate from WM's contractor. Mr. Cole's initial estimate was approximately \$200,000 but he revised that estimate to \$169,000, based on the county contractor's numbers, including 20% markup.

Mr. Pires recommended that Mr. Cole include a comment on the document stating that it is based upon the county's piggyback contract.

Comparing numbers, Mr. Cole indicated that WM's amount is about \$20,000 below his estimate. Mr. Cole noted that there is approximately \$22,000 worth of work that was not initially identified at the time of inspection.

Mr. Brougham recommended holding a special meeting, once everyone is comfortable with the numbers, as he does not want to wait another month.

It was noted that Mr. Cole needs to correct the measurement type on his estimate to be in square yards.

Mr. Brougham noted that meetings regarding safety and logistics are necessary prior to commencing work.

Ms. Shannon Benedetti, a resident, asked about the status of Cherry Oaks Lane. Mr. Brougham advised that there is no dispute; Cherry Oaks Lane will be completely milled and repaved. Regarding Cherry Oaks Trail, Mr. Brougham indicated that the District wants the full width and length milled and repaved. He confirmed that the District will not allow only the damaged side to be repaved. Ms. Benedetti indicated that she had the Cherry Oaks Association's attorney, Mr. Richard Deboest, file paperwork. Mr. Pires asked that the attorney email the documents to him.

Mr. Albeit questioned if WM's \$149,000 quote is for only half the road. Mr. Brougham and Mr. Cole did not know. Mr. Cole stated that WM's quote only gave a number; it did not list the roads or the scope of work.

Mr. Brougham felt that the District must find a way to pay the difference, if all other sources to pay the repaving bill are exhausted.

SIXTH ORDER OF BUSINESS**Consideration of Certain Documents
Relating to Refinancing Series 1999
Bonds**

******This item, previously the Fourth Order of Business, was presented out of order.******

Mr. Bill Reagan, of FMS Bonds, recalled discussing refinancing the 1999 Series bonds a few months ago. He noted that, since the process began in November, a few basis points were lost; however, the savings is still very good. Mr. Reagan indicated that the deal has been a challenge, from a disclosure standpoint. He stated that trying to describe the bankruptcy proceedings involving both Districts was challenging. The time table calls for entering the market by the end of April and closing the transaction by May 15th.

Mr. Reagan indicated that there are a few items requiring caution. He recalled that, in November or December, the representative of the 2002 and 2005 bonds advised the District that they might go through a restructuring or exchange process; therefore, this matter needs to be clarified better within the District's offering document, to ensure proper disclosure.

Mr. Reagan pointed out that the savings are still solid, at 14% per unit, although it was at about 19%, at one point. He stated that excess cash is used to call the bonds; however, unbeknownst to himself and Management, some of the excess cash in the debt service reserve fund was used by the trustee. Mr. Reagan noted that part of the reason for slowing the current process is that he must know who the trustee is, so that they are accurate. He explained that all of the documents must be provided to U.S. Bank, as the current trustee, because they are the trustee during this phase of work. Mr. Reagan confirmed that U.S. Bank is aware of the District's efforts to change trustees.

Regarding the refinancing documents, Mr. Reagan recommended authorizing the Chair to enter the parameters, set a closing date and price the bonds. Mr. Brougham asked if the documents must still be finalized. Mr. Adams indicated that Resolution 2013-3 is in final form; some exhibits are in substantial form, requiring minor tweaking but no material changes.

Mr. Mike Williams, Bond Counsel, stated that the supplemental indenture, the escrow deposit agreement and the bond purchase contract are in final form, except for filling in the blanks. The preliminary offer document that will be used to market the bonds still needs minor work but is in good shape.

Mr. Williams explained that Resolution 2013-3 approves five (5) documents, including the supplemental trust indenture and the preliminary offering memorandum. Mr. Brougham asked the limits. Mr. Williams referred to Section 5, of Resolution 2013-3, and explained that the annual reduction in the assessment must be at least 10% for each year, the final maturity date cannot exceed the current maturity date of May 1, 2021 and the underwriting discounts will not exceed 2% par amount of the refunding bonds. Mr. Brougham referred to the 10% amount. Mr. Reagan stated that the 10% figure gives the District flexibility. Mr. Reagan indicated that he will present an offer to Mr. Brougham and, if the savings are less than 14%, it is Mr. Brougham's decision; however, savings of less than 10% cannot be accepted without the Board's approval.

Regarding the documents approved in Resolution 2013-3, Mr. Williams stated that it approves the continuing disclosure certificate and the escrow deposit agreement.

Mr. Bergmoser referred to Mr. Reagan's handout and the statement "use excess funds towards paying off old bonds and costs of issuance" and asked what excess funds it refers to. Mr. Reagan indicated that it refers to some of the funds in the reserve, as well as revenues that were built up, over time. Referring to the statement "optional redemption at par, no premium," Mr. Bergmoser asked on whose part is it optional. Mr. Reagan explained that a call date was given when the original bonds were issued, whereby, if the bonds are called prior to the call date, a premium of 1% or 2% must be paid. Mr. Reagan noted that the District passed the call date so no premium is involved.

On MOTION by Mr. Bergmoser and seconded by Mr. Peterson, with all in favor, Resolution 2013-3, Authorizing the Issuance of and Awarding the Sale of Its Not Exceeding \$6,500,000 Principal Amount Special Assessment Revenue Refunding Bonds, Series 2013 for the Principal Purpose of Refunding All of the Outstanding Special Assessment Revenue Bonds, Series 1999A and Series 1999B and approving certain related documents, was adopted.

Discussion ensued regarding timing of the new bond issue and the need for the trustee transfer to be completed. Regarding delays, Mr. Adams felt that the only thing that might hold things up is U.S. Bank's contention that they are owed outstanding trustee fees of less than \$10,000 and recommended paying those. It was agreed by the Board to pay the outstanding Trustee Fees due to U.S. Bank.

SEVENTH ORDER OF BUSINESS

**Presentation: Refunding 2006 Bonds
[FMS Bonds]**

******This item, previously the Fifth Order of Business, was presented out of order.******

Regarding the 2006 outstanding bonds, Mr. Reagan noted that refunding rarely happens when the interest rate is as close to 4%, as the 2006 bonds are. Currently, about \$3.4 million remains outstanding, with the final maturity in 2018, leaving only six (6) years. He noted that the community is essentially built out and recommended exploring options to have the bonds rated to realize further savings.

Mr. Reagan explained that when bonds are rated, the rating agency sometimes requires a higher than necessary debt service reserve fund (DSRF) than FMS Bonds would require to underwrite bonds. He pointed out that the requirement of an overfunded debt service reserve fund could result in the amount being over the 2006 bonds' current amount; therefore, refunding would not make sense. Mr. Reagan stated that the DSRF is currently \$352,000; FMS Bonds would market the bonds at a reduced DSRF of approximately \$100,000. Those excess funds would be used to reduce the bond size and pay costs of issuance. This scenario would result in tremendous savings to the District of approximately 18% per unit.

Mr. Reagan explained the process for obtaining a Standard & Poor's (S&P) rating.

Mr. Reagan estimated annual savings of approximately \$110,000.

Mr. Reagan asked the Board to authorize him to proceed in the same process as the last refunding.

On MOTION by Mr. Brougham and seconded by Mr. Peterson, with all in favor, authorizing FMS Bonds to proceed and explore the possibility of refunding the 2006 Series bonds, including the possibility of obtaining a rating, was approved.

EIGHTH ORDER OF BUSINESS

Update: Legal Description Boundary Amendment Communications/Activities

Mr. Pires indicated that he will follow up with Hole Montes and the attorney next week.

NINTH ORDER OF BUSINESS

Consideration of Agreements Related to Installation and Maintenance of the Main Entry Flagpole

- **Ratification of Temporary Agreement and Indemnification**
- **Consideration of License Agreement**

Mr. Pires voiced his opinion that the District Manager had authority to issue a right-of-way permit for installation of the flag, on the condition that the flagpole installer entered into an agreement indemnifying the District and holding it harmless. For long-term purposes, Mr. Pires recommended a license agreement. He stated that the terms and conditions will be much the same as the document within the agenda.

Mr. Brougham summarized that the flagpole is owned and insured by The Foundation, with the District named as an additional named insured; the agreement licenses them to have and maintain the item contained within the District's right-of-way. It was noted that the District will pay the lighting charges, as electrical services are tied to the District and it would cost more, administratively, to separate the costs and bill The Foundation, than the actual increase in electrical costs.

Discussion ensued regarding the status of the insurance documents. Mr. Brougham assured the Board that he will not sign the License Agreement until the insurance documents are attached.

On MOTION by Mr. Brougham and seconded by Mr. Bergmoser, with all in favor, ratifying the Temporary Agreement and Indemnification and authorizing the Chair to sign the License Agreement, as amended to define that the District will pay electrical costs, were approved.

TENTH ORDER OF BUSINESS

Approval of February 27, 2013 Regular Meeting Minutes

Mr. Brougham presented the February 27, 2013 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following change was made:

Lines 78 through 79: Delete "her. Mr. Curland was in favor of retaining"

Line 232: Change "District Counsel" to "attorney that handled that"

On MOTION by Mr. Peterson and seconded by Mr. Brougham, with all in favor, the February 27, 2013 Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Pires had nothing additional to report.

B. Engineer

Mr. Cole distributed the Phase 2 Lake Bank Erosion Plans, along with prices from Anchor Marine, who completed Phase 1. He advised that the unit prices remained the same. The total estimate is for 1,685 feet of Case 1-A and 2,440 feet of the Case 1-B types of repairs. Mr. Cole total cost is approximately \$170,000.

Mr. Cole indicated that he met with Mr. Pires regarding the project and recommended approval of the Phase 2 work, in the amount of \$168,345.

Mr. Brougham asked if the contractor can do something different this time to adequately tie down the UV sheets. Mr. Cole stated that they will use more ties to anchor the UV sheets. In response to Mr. Brougham's question, Mr. Cole indicated that the contractor will better anchor the Phase 1 UV sheets while completing Phase 2. Mr. Brougham noted that landscaping was removed during Phase 1. As there is a landscaping project beginning in May or June, Mr. Brougham suggested coordinating with Ms. Crismond to avoid installing new landscaping, only to have it removed. It was noted that Phase 2 will commence in April; therefore, there should be no conflicts.

Regarding the contract, Mr. Pires questioned whether the contractor will complete the sod and irrigation repairs or if the District will contract that work separately. Mr. Cole stated that the vendor will complete all of the work.

Referring to the maps, Mr. Cole confirmed that the areas to be completed are identified in blue and yellow; yellow is Case 1-A and blue is Case 1-B.

Mr. Cole advised that nearly all of the high priority areas were completed, with the medium and low priority areas to follow. In response to Mr. Brougham's question, Mr. Cole confirmed that the \$168,345 price is within the District's budget; \$200,000 is budgeted. Mr. Cole noted that there will be engineering and other fees.

Mr. Bergmoser voiced his concern that some repair areas are near the golf course. He contended that work cannot take place in those locations in April.

Mr. Cole stated that those areas can be coordinated with the contractor to be completed last.

On MOTION by Mr. Peterson and seconded by Mr. Curland, with all in favor, authorizing the Chair to execute the Phase 2 Lake Erosion Repairs contract with Anchor Marine, in a not-to-exceed amount of \$168,345, was approved.

Mr. Cole reported that he met with Mr. Pires regarding several issues. Regarding the lake conveyance and the South Florida Water Management District (SFWMD) permit conversions and transfers, Mr. Cole provided SFWMD with an update. SFWMD gave the District an extension to June 1 to respond; however, another extension is necessary. Mr. Cole indicated that all of CDD #2 conversion and transfer documents were submitted. Mr. Cole will work with Mr. Pires on additional documents to deed over the maintenance responsibility for certain plats that are not yet covered.

C. Manager

i. Approval of Unaudited Financial Statements as of February 28, 2013

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2013. He noted that assessment collections were at 78%. Interest earnings were at 154%.

Mr. Brougham referred to the balance sheet and noted that it shows \$814,000 in FineMark ICS. Mr. Adams replied affirmatively, stating that represents the District's Insured Cash Sweep (ICS) account at FineMark Bank. For Mr. Brougham's benefit, Mr. Adams

reiterated his explanations from previous meetings that the ICS funds are administered by FineMark Bank and spread across other banks, in order to maintain full FDIC coverage of all funds.

Recalling questions at the last meeting regarding the high access control repairs and maintenance gatehouse expenditures, Mr. Adams indicated that the cause was because the annual agreement fee with TEM was miscoded and should have been coded to rentals and leases. This issue was resolved by way of a transfer out and moved to the correct line item.

Mr. Adams indicated that operating supplies is at 70% and pointed out the offsetting revenue source for that expense, which is listed on Page 2, miscellaneous revenue.

Mr. Brougham asked if the District continues to hold payment to TruGreen. Mr. Adams advised that payments to TruGreen are current. In response to Mr. Brougham's question, Mr. Adams indicated that TruGreen continues to perform satisfactorily regarding the whitefly issue; however, Management will continue monthly tours with TruGreen to assess the situation, along with landscape maintenance, in general.

Mr. Brougham noted that ficus trees appear to be recovering and asked if that is a seasonal matter or if it is the result of the whitefly treatments. Mr. Adams stated that the growth is related to seasonal changes.

Mr. Curland pointed out assessment levy collections of 78%, which is higher than budget; however, expenditures are over budget. He wondered about the District having so much extra money, yet the expenditures are in a deficit.

Mr. Adams stated that the District's revenue to expenditures position is positive. He noted that it is typical for revenues to be ahead of expenditures this time of year because collections take place over six (6) months, with expenditures occurring over 12 months. Discussion ensued regarding collections levels. Mr. Adams speculated that many property owners may be choosing to pay later than usual.

ii. NEXT MEETING DATE: April 24, 2013 at 8:00 A.M.

The next meeting is scheduled for April 24, 2013 at 8:00 a.m.

D. Operations Manager

Ms. Crismond recalled that she was asked to obtain quotes to replace the entire precast concrete fencing buffer wall. The quote was \$352,000 to replace Championship Drive to Mahogany Bend. The cost to replace the walls on Mulberry is \$163,300. In response to Mr.

Brougham’s question, Ms. Crismond confirmed that she ordered the five (5) replacement panels, as directed by the Board at the last meeting.

Ms. Crismond reported that sidewalk repairs are necessary on Championship Drive. She will obtain cost estimates to have the issues repaired this month.

Regarding landscape renovation, Ms. Crismond advised that, once the plans are received from the landscape architect, she will obtain proposals.

In response to a question, Mr. Adams stated that no ficus trees were removed; the District wants to monitor recovery for a few months and evaluate replacement in June or July. Discussion ensued regarding the direction to take, should mature ficus trees need to be removed, and whether the entire tree canopy should be replaced.

THIRTEENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors’

Mr. Jesse Fritz, a resident, reported that the pond behind his home in the Montreaux community has become overgrown; he used to have waterfront property but feels that he no longer has it. Mr. Fritz indicated that many neighbors are also upset. He presented photographs of the conditions and asked the Board for assistance. Mr. Fritz explained that, until four (4) years ago, the water met the grass; however, now weeds and high grasses are growing a few feet from the grass line and got progressively worse over the past years. There is now approximately a 20’ jungle between the grass line and the water.

Based on the photographs presented, Mr. Brougham voiced his opinion that the littoral plants appear to be what the District intended. Mr. Fritz questioned the intention, noting that those plants did not exist during the first four (4) or the last eight (8) years. Mr. Brougham advised that, according to Staff, the District has not planted or caused the planting of any additional littoral plants. Mr. Fritz questioned what Mr. Brougham means by “additional.” Mr. Brougham stated that he means additional to what was originally planted. Mr. Fritz pointed out that, originally, no littorals were planted. A Board Member concurred with Mr. Fritz. Mr. Brougham questioned the comment. Mr. Albeit stated that he must check the original plans. Mr. Cole noted that the plants could have been grouped differently, at that time.

Regarding Mr. Fritz’s point, Mr. Brougham stated that the District will not debate when the plants were installed, as he finds it irrelevant, and advised that it is what it is. Mr. Fritz asked if the problem can be cleaned up. Mr. Brougham indicated that the District was told of Mr.

Fritz's direct request to LakeMasters to remove all littoral plants. Mr. Brougham advised Mr. Fritz that the District's contractors are paid to take direction from the District and suggested that Mr. Fritz should have come to the Board.

Mr. Brougham voiced his opinion that the plants in question are standard littoral plants that serve a significant benefit in maintaining water quality; this is good for the environment. His understanding is that a certain amount of shoreline must contain littorals and asked Management or Mr. Albeit to clarify the amount.

Mr. Adams explained the county and South Florida Water Management District's (SFWMD) requirements and noted that the intent is to develop a solid perimeter around the entire perimeter of the lake.

Mr. Brougham pointed out that not all Fiddler's Creek lakes and ponds have a solid perimeter. Mr. Adams agreed but specified that the lakes and ponds are shaped to support a full perimeter. In response to Mr. Brougham's question, Mr. Cole clarified that quantities required for a group of lakes can be placed in a single lake, as long as they are within a range.

Mr. Brougham asked if the premise is that all lakes were dug with the littoral shelf and seed planted. Mr. Cole advised that the premise is not necessarily true; littorals could have been clustered into certain lakes. Mr. Brougham pointed out that some lakes in the District have no littoral plants around them; however, Mr. Fritz's lake is almost solid, which he attributes to the successful and rapid growth of the seeding. Mr. Brougham speculated that the other lakes have few or no littorals.

Discussion ensued regarding the lakes that do not have littoral plants around the perimeter. Mr. Brougham advised that the tradeoff, for the lakes with no littorals, is that the District is spending \$200,000 per year on alternate measures to address lake bank erosion. In response to Mr. Brougham's explanation, Mr. Fritz questioned why the District would not invest in planting littorals on those lakes, rather than spending its money on the alternate option. Mr. Adams stated that the bank needed to be restored.

In response to Mr. Brougham's accusation of what Mr. Fritz wants, Mr. Fritz clarified that he wants to know if the District can control the littorals in the lake; he is not asking the District to remove them all. Mr. Brougham advised Mr. Fritz that the District will not remove all of the littoral plants but asked LakeMasters and Management how much could be removed. Mr. Adams further discussed the benefits of the littorals around Mr. Fritz's lake.

Mr. Fritz pointed out that he did not buy waterfront property in order to look at the littoral plants; it does not look nice.

Given Mr. Brougham and Mr. Adams' comments, an audience member reiterated the point that the District spent a large amount on erosion and further questioned why littorals were not installed around lakes that were developed earlier and have erosion issues. He noted that the comments do not add up.

Mr. Adams recalled that the District was permitted to take the required quantity covering a number of lakes and plant all in a single lake to meet certification requirements. It was suggested that plants be moved to other lakes, as the subject lake has its share. Mr. Adams stated that moving plants becomes a financial consideration, as it could lead to erosion issues on that lake.

Mr. Brougham reiterated his opinion that all lakes received the initial seeding, which was successful in some lakes and not in others. Mr. Adams recalled Mr. Cole's recent clarified of Mr. Brougham's premise that all lakes were seeded as incorrect. Mr. Brougham replied that, regardless, he feels that removing sections of littorals on the subject lake will not be beneficial.

Mr. Fritz questioned why the littorals were all put in that lake. Mr. Brougham dismissed Mr. Fritz's question. Another person pointed out that it is unfair that all of the other lakes and ponds are pristine. Mr. Adams recalled that part of the geotube erosion repair discussion touched upon installing littorals at a later time. Debate ensued between residents and Staff regarding whether the littorals on the subject lake are being maintained and/or to what degree maintenance is occurring.


The Board was in full agreement that nothing should be done to change the littoral conditions around the perimeter of the lake behind Mr. Fritz's home.

FOURTEENTH ORDER OF BUSINESS


Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Brougham and seconded by Mr. Bergmoser, with all in favor, the meeting adjourned.



Secretary/Assistant Secretary



Chair/Vice Chair