

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

The Board of Supervisors of the Fiddler’s Creek Community Development District #1 held a Public Hearing and Regular Meeting on August 31, 2022 at 8:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114. Members of the public were able to participate in the meeting at 1-888-354-0094, Participant Passcode: 709 724 7992.

**Present at the meeting were:**

Robert Slater	Chair
Joseph Schmitt	Vice Chair
Frank Weinberg	Assistant Secretary
Torben Christensen	Assistant Secretary
Joseph Badessa	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Joe Parisi	Developer General Counsel
Ron Albeit	Foundation General Manager
Ed Jasiocki	Fiddler’s Creek Director of Safety
Darryll Adams	Foundation General Manager
Jody Benet	Fiddler’s Creek Irrigation Manager
Mason Maher	SOLitude Lake Management - Ops Mgr.
George Varianides	Resident/Montreux Board President
Alfred Noto	Resident/Montreux Board Vice President

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 8:00 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items (3 minutes per speaker)**

Resident and Montreux Board President George Varianides asked why the CDD considered a resident’s request to install a black shield on the street light at Championship Drive. In his opinion, doing so was a mistake as it diminished visibility and could potentially

cause accidents. Mrs. Adams stated a partial shield was installed. She will remind Bentley Electric to remove it.

Resident and Montreux Board Vice President Alfred Noto referred to Mrs. Adams' report at the last meeting and opined that the \$4,500 cost to replace the stop sign was too high. Mrs. Adams stated that she reported on two separate matters. The cost to replace the street light was approximately \$4,500, of which the CDD's insurance company reimbursed the CDD \$1,800, as the CDD was unable to collect from the driver responsible for the damage. The cost to repair the stop sign was approximately \$300 to \$500.

A resident stated that the missing Montreux Lane street sign has not been replaced yet.

**THIRD ORDER OF BUSINESS****Quality Control Lake Report - April 2022:  
*SOLitude Lake Management***

Mr. Maher presented the Quality Control Lake Report. He gave an overview of the CDD's New Account Manager's professional experience, whom he will introduce at the next meeting.

**FOURTH ORDER OF BUSINESS****Health, Safety and Environment Report****A. Irrigation and Pressure Cleaning Efforts: *Jose Castillo***

Mr. Darryll Adams gave a PowerPoint presentation.

Mr. Christensen asked why certain sprinklers were running during rainfall. Mr. Benet stated that some of the systems still operate on battery powered timers and must be turned off manually. They have not yet been wired to a clock. He discussed the protocol for monitoring and adjusting the systems that run on the central computer.

**B. Security and Safety Update: *Ed Jasiiecki***

Mr. Jasiiecki gave the monthly PowerPoint presentation and discussed the following:

- In an emergency, 911 should be called first, followed by calling Community Patrol to report the incident; as they are not emergency first responders.
- The two speed detection devices are still being used to identify speeders and other traffic infractions, which are then sent to the Fining Committee for Ms. Lord to prepare and send warning or appearance notices to the offenders.

Mr. Slater stated he observed State Troopers in the CDD. Mr. Jasiiecki stated he asked for an increased presence; although no formal agreement was executed. He noted that the average speed is 3.5 miles over the posted limit.

**FIFTH ORDER OF BUSINESS**

**Developer’s Report**

**A. Update: Status of Former Design Center**

Mr. Parisi reported the following:

- Architectural renderings of the Championship Drive gatehouse remodel will be completed next week and will be presented at the next meeting.
- The Construction Compound slab will be painted this Friday. Earth work on the foundation and underground utilities will commence in September.
- The Golf Clubhouse development began.
- The permit to excavate Lake 70-A was modified. The Golf Course Site Development Plans will be presented at the next meeting. The project is expected to be completed by November, 2023.

**B. New Irrigation Devices**

Mr. Parisi stated the Irrigation Group is discussing the new Baseline system with the other communities and is meeting regularly before presenting it to the villages.

**SIXTH ORDER OF BUSINESS**

**Engineer’s Report: *Hole Montes, Inc.***

Mr. Cole reported the following:

- Lake #2: Riprap was installed to repair the lake; sod is needed to complete the project.
- The sidewalk damaged by the water main break was repaired; sod is needed.
- Sidewalk inspections are underway. Several areas on Mulberry were identified where tree roots are damaging the asphalt, curbing, etc.

Discussion ensued regarding the CDD taking action to be reimbursed for repair costs, having language in the CDD Rule and documents to clarify the utility and drainage easement areas and the CDD having the roots trenched and cut.

Mr. Cole suggested having the contractor identify the reason for damage and provide a repair estimate for each address. Mr. Parisi suggested the CDD review the plat to determine

maintenance responsibilities. Mr. Pires will review it. He noted that the rule allows the CDD to allocate special assessments to recoup expenses. He will work with Mrs. Adams on the letter.

**On MOTION by Mr. Slater and seconded by Mr. Schmitt, with all in favor, authorizing Mrs. Adams to send a letter to the Mulberry HOA informing them of the HOA’s responsibility to notify homeowners of their responsibility for sidewalk repair and tree trimming costs, was approved.**

➤ Traffic Signal: Comments from the Florida Department of Transportation (FDOT) comments are pending.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2022/2023 Budget**

**A. Proof/Affidavit of Publication**

The proof of publication was included for informational purposes.

**B. Consideration of Resolution 2022-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams presented Resolution 2022-09 and noted the proposed Fiscal Year 2023 budget is the same version approved at the last meeting. Assessment levels decreased slightly compared to Fiscal Year 2022.

The following change would be made:

Page 5, “Water management-other contractual”: Change “Lakemasters Aquatic Weed Control, Inc.” to “SOLitude Lake Management”

**Mr. Adams opened the Public Hearing.**

No members of the public spoke.

**Mr. Adams closed the Public Hearing.**

Mr. Pires asked Mr. Adams and Mrs. Adams if emails, letters or faxes of any objections or comments were received. Mr. Adams and Mrs. Adam replied no.

**On MOTION by Mr. Schmitt and seconded by Mr. Weinberg, with all in favor, 2022-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams presented Resolution 2022-10.

**Mrs. Adams opened the Public Hearing.**

No members of the public spoke.

**Mrs. Adams closed the Public Hearing.**

Mr. Pires asked Mr. Adams and Mrs. Adams if any emails, letters or faxes of any objections or comments were received. Mr. Adams and Mrs. Adam replied no.

**On MOTION by Mr. Schmitt and seconded by Mr. Badessa, with all in favor, Resolution 2022-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Discussion: Agreement Approving and Providing for County Traffic Control Jurisdiction Over Roads Within the Subdivision**

- **Instructions for Submitting the Agreement for Traffic Control Jurisdiction Within Your Subdivision**

Mrs. Adams noted The Foundation asked for this item to be on the agenda.

Mr. Parisi noted the following:

**FIDDLER’S CREEK CDD #1**

**August 31, 2022**

- The Foundation responded to Commissioner LoCastro’s letter; a response is pending.
- The Foundation is following the same standards as similar communities.
- The Fining Committee is still sending warning letters.

Discussion ensued regarding the Agreement and the CDD’s participation. Mr. Pires stated that he reviewed the Agreement. The Board agreed with Mr. Parisi’s recommendation to not entertain the Agreement.

Mrs. Adams reminded the Board that the CDD had a contract agreement with the Sherriff’s Department, which became null and void due to the Marjorie Stoneman Douglas incident. This item will be removed from the agenda.

**TENTH ORDER OF BUSINESS**

**Update: Response from the County Attorney/Commissioner Regarding the Foundation’s Legal Authority to Issue Fines and Enforce its Covenants**

This item was addressed during the Ninth Order of Business.

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2022**

Mrs. Adams presented the Unaudited Financial Statements as of July 31, 2022. The Financial Highlight Report was distributed. Mr. Christensen noted a shortage in the assessment levy. Mr. Adams stated he will research it. The financials were accepted.

**TWELFTH ORDER OF BUSINESS**

**Approval of July 27, 2022 Regular Meeting Minutes**

Mrs. Adams presented the July 27, 2022 Regular Meeting Minutes. The following changes were made:

- Lines 30 and 44: Change “Zack” to “Jack”
- Line 65: Change “Mr.” to “Ms.”
- Line 86: Change “Jeff” to “Jesse”
- Line 92: Change “Pires” to “Parisi”
- Line 126” Change “Slater” to “Schmitt”

On MOTION by Mr. Weinberg and seconded by Mr. Badessa, with all in favor, the July 27, 2022 Regular Meeting Minutes, as amended, were approved.

**THIRTEENTH ORDER OF BUSINESS**

**Action/Agenda or Completed Items**

Items 3, 5, 6, 7 and 9 were completed.

Item 4: Change "IberiaBank" to "Horizon Bank"

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Woodward, Pires and Lombardo, P.A.***

There was no report.

**B. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: September 28, 2022 at 8:00 A.M.**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the September 28, 2022 meeting.

**C. Operations Manager: *Wrathell, Hunt and Associates, LLC***

The Field Operations Report was distributed. Mrs. Adams stated the contractor has indicated that they want to repair the Marsh Cove bridge in the dry season.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

There were no Supervisor's requests.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned at 8:58 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair