

Summary of July 23, 2008 Regular Meeting and Public Hearing of the Board of Supervisors of the Fiddler's Creek Community Development District #1

The Regular Meeting of the Board of Supervisors of the Fiddler's Creek Community Development District #1 was called to order at 10:05 am on Wednesday, July 23, 2008. Board Members present at the meeting included Chairman Phillip Brougham, Vice Chairman Alexander Love, Assistant Secretary Peggy Schmitt and Assistant Secretary James Robertson, while Assistant Secretary James Curland attended via telephone.

The first item on the Agenda was the presentation of the District Engineer Report, which was given by Terry Cole of Hole Montes. Mr. Cole presented the Board with information regarding various projects still underway as well as amounts for Pay Draw requests that have been reviewed and approved by the Engineer.

The second item on the Agenda was the Public Hearing to hear objections or comments with regards to the proposed Amendment to the Rules of Procedure. There was a brief discussion outlining the general changes that were made to the document, and no public comment. A motion to approve Resolution 2008-6, amending the Rules of Procedure of the District was made by Chairman Brougham and seconded by Vice Chairman Love. The vote was unanimous in favor of the motion to approve.

The third item of business on the Agenda was a continued discussion of the Proposed Budget for the Fiscal Year 2009 (October 1, 2008 – September 30, 2009). A brief discussion was held by Board Members and staff highlighting revisions that were made to the Draft Budget as a result of direction from previous meetings, with additional revisions being proposed. After discussion of the proposed budget the Board was asked to consider voting on and approving a not-to-exceed amount for the Fiscal Year 2009 assessments, for the purposes of noticing residents throughout the District. A motion was made by Assistant Secretary Robertson and seconded by Chairman Brougham to approve a not-to-exceed amount of 1% above the final draft budget amount (after minor revisions have been made pursuant to Board direction) for purposes of noticing. The motion carried unanimously.

The fourth item on the Agenda was the presentation of the results of the July 2008 Access Control Test. Staff presented the Board with a report detailing how this particular access test was carried out and that it was the conclusion of staff that the guards at the main gate acted in accordance with the District Post Orders for Access into the Community. After brief discussion of the test, a motion was made by Chairman Brougham and seconded by Vice Chairman Love to contract with an outside consultant to perform similar Access Control Tests, as approved by the Board previously, in the future. The motion carried with a vote of 3-2, with Assistant Secretaries Curland and Robertson dissenting.

The fifth item for discussion was a discussion of the Irrigation Study proposals that were previously requested by the Board. Proposals from Entrix Water Solutions and Wesco Turf were presented to the Board to perform a detailed study of the irrigation system within Fiddler's Creek to determine water quality, quantity and flow parameters present

within the system in an effort to prepare a maintenance program to alleviate the reported problems with snails and snail brine within portions of the system. Discussion ensued on the topic of the scope of the study and the cost associated with the two proposals presented, and as a result of the discussion, a motion was made by Chairman Brougham and seconded by Assistant Secretary Schmitt to defer a decision on this item to the next Board meeting in order to explore other avenues that may be available to accomplish the goal of the proposed study. This course of action would include Staff obtaining proposals for the installation of Blow-Off Valves throughout the system, additional filtering of the irrigation water from the source and providing water samples to the University of Florida for analysis of the type of snail and organisms that are present. This motion carried unanimously.

The next item on the Agenda was the approval of the June 25, 2008 Joint Board Meeting Minutes. Motion for approval of the minutes as amended during the course of the discussion was made by Chairman Brougham and seconded by Assistant Secretary Love. The motion carried unanimously.

The next item on the Agenda was the presentation of staff reports by the District Council, District Manager and Operations Manager. The District Council had no report to present at this meeting. The District Manager presented the Board with a copy of the Unaudited Financial Statements as of June 30th as well as a copy of the Continuing Disclosure Report for April 1, 2008 through June 30, 2008. During presentation of the Financial Statements discussion ensued regarding some missing payments. Through the efforts of both District Management and the Developer's Representatives and employees, agreements were reached for the payment in full of outstanding balances and for a procedure to ensure that assessments are billed and paid on a timely basis moving forward. The Operations Manager presented the Board with her report detailing the status of various maintenance projects that are on-going throughout the district. At this time, a discussion was held regarding the Landscape Maintenance Contract with One Source and the apparent defects in workmanship. A motion was made by Chairman Brougham and seconded by Vice Chairman Love to have District Staff issue a Defective Work Order, pursuant to the terms of the contract, to One Source putting them on notice that defective work is occurring throughout the District. The motion carried by a vote of 4-1, with Assistant Secretary Robertson dissenting.

There being no other business at this time for the Board to consider, a motion to adjourn the meeting was made by Chairman Brougham and seconded by Assistant Secretary Schmitt. All were in favor of the motion and the meeting adjourned at 12:40pm.