

**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 #1 was held on **Wednesday, May 28, 2008 at 10:30 a.m.**, at the **Fiddler's Creek Club and Spa, 3470 Club Center Blvd., Naples, Florida 34114.**

Present at the meeting were:

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

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Matt Morris	Client Services Manager
Terry Cole	District Engineer
Anthony Pires	District Counsel
Tony Grau (via telephone)	Auditor, Grau & Associates
Michelle Blackstock (via telephone)	Auditor, Grau & Associates

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:30 a.m. and announced that all Supervisors were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Engineer's Report

Mr. Cole presented the following pay draw:

Draw # 23, 2005 Series Bond, approximately \$253,000, primarily for clearing work. Mr. Cole stated much of this work was accomplished south of the lower portion of the golf course. Staff expects most of the remaining work to be completed within the next few weeks.

Mr. Brougham asked about the timeline for regular inspections of this area. Mr. Cole stated this area will be monitored annually with the most intense efforts in the first year.

Mr. Brougham spoke of a program to be instituted where developments will need to re-certify stormwater management systems and infrastructure. He asked whether this is coming up for either of the two districts. Mr. Cole said he was not sure of the exact timing. He advised that the county is still developing this program, which it plans to implement over the next three years. He said his firm can coordinate with the District on this at the appropriate time. Mr. Brougham requested that staff stay updated on this issue.

A question was raised about work being done at the back gate, off Championship Drive. Mr. Cole stated this work is related to the master pump station for Collier County.

A question was raised about whether there are specific criteria for installing final roadway surfacing. The concern was raised that a final layer is in place on Campanella behind the fountain area, yet no houses are present and construction traffic will affect the road as building occurs. Mr. Cole said he does not know the details of this but will check on this.

Mr. Brougham requested to address Item 7 at this time while Mr. Cole was present.

THIRD ORDER OF BUSINESS

Consideration and Acceptance of the Audited Financial Report for the Fiscal Year Ended September 30, 2007, Prepared by Grau & Associates

Tony Grau and Michelle Blackstock of Grau & Associates called in at 11:00 a.m., to present the audit for Fiscal Year ended September 30, 2007. Mr. Grau summarized the layout of the audit report while Board members referred to their copies.

Mr. Brougham asked whether the term "Unrestricted", under Financial Highlights, refers to General Fund 1. Mr. Grau responded affirmatively.

Mr. Brougham referred to page 8, to Assets under the "General Fund" column, to the amount of \$75,032 due from developer. He stated there have been questions and confusion because of monies received from the developer after the close of the fiscal year. Mr. Brougham raised concern that the Board cannot look at a financial report for any given month that reflects receipt of monies from the developer. Mr. Grau stated that sometimes it is difficult to provide a monthly report of all the accruals and receivables relevant to developer payments. Mr. Brougham

stated he is uncomfortable that the Board cannot point to a monthly financial operating revenue and expense report that shows receipt of these monies. Mr. Grau continued with a page by page overview of the audit report.

Mr. Pires advised that it is important to have the audit stipulate Fiddler's Creek CDD #1 throughout and not the word "District." He also advised that Fiddler's Creek CDD #2 uses the Arabic numeral and not a Roman numeral. He also stated that both districts are distinct and separate legal entities and units of local government, and neither one is subordinate to the other. Mr. Pires stated the audit should reflect that both districts are separate from a legal perspective. Mr. Grau agreed that both districts are separate entities however where transactions are concerned, they are related because they have the same developer. Mr. Pires voiced concern about the term "common Board members" and advised that this be stricken. Mr. Adams stated he will go over corrections with Mr. Grau off line. Mr. Pires referred to page 22, requested correcting "lot owners" to "property owners." Mr. Curland referred to two non compliance items on pages 27 and 28 that were reported to management under separate cover. He asked why these letters were not included in the report for the Board to address. Mr. Grau advised the letter is on page 29 and that relevant findings are reported on page 30.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2008-3
Accepting the Audited Financial Report
for the Fiscal Year Ended September 30,
2007, Prepared by Grau & Associates**

**On MOTION by Mr. Brougham and seconded by Mr. Love, all
voted in favor of approving Resolution 2008-3, accepting the
audited Financial Report for the Fiscal Year Ended September
30, 2007, subject to corrections as provided by Mr. Pires and
Mr. Adams.**

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2008-4
Approving the District's Proposed Budget
for Fiscal Year 2009 and Setting a Public
Hearing Thereon Pursuant to Florida
Law**

Mr. Adams stated that this resolution presents the draft budget and is submitted for the purpose of establishing a public hearing. He advised that the public hearing is currently

scheduled for August 27, 2008 at 10:30 a.m. at this location. The resolution also authorizes staff to transmit the draft budget to Collier County and to advertise the public hearing. Mr. Adams stated that he wished to delve into further details of the draft budget primarily during the June meeting as modifications will be made. He added that the June meeting is scheduled to be a joint meeting between both districts.

On MOTION by Mr. Love and seconded by Mr. Brougham, all voted in favor of approving Resolution 2008-4, and setting the public hearing for August 27, 2008 at 10:30 a.m. at this location.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2008-5,
Placing Special District Candidates on
General Election Ballot**

Mr. Adams advised that this resolution will bring the District in line with the legal responsibility to disclose general election seats and the process candidates should follow. He stated that this year, Seats 3, 4 and 5 are up for General Election. The qualifying period which confers with the Supervisor of Elections Office is from June 16 at noon through June 20 at noon. He advised that the General Election will be November 4, 2008. Mr. Adams said the District is required to file this with the State. He added that the State takes the responsibility of advertisement in the local newspaper. Mr. Pires advised staff to run a separate advertisement for the District. The Board agreed with Mr. Pires' opinion.

On MOTION by Mr. Love and seconded by Mr. Brougham, all voted in favor of authorizing staff to advertise separately for general election seats.

On MOTION by Mr. Brougham and seconded by Mr. Curland, all voted in favor of adopting Resolution 2008-5 as drafted.

SEVENTH ORDER OF BUSINESS

Discussion: Irrigation Supply System

[This item was discussed out of sequence.]

Mr. Brougham spoke of irrigation clogs and failures in various communities in the District. He felt it was incumbent upon both Districts to explore whether the irrigation system is adequately filtered by having an outside party conduct an irrigation analysis and provide recommendations. Mr. Adams stated the District is responsible for volume, pressure and water quality. He explained that with groundwater systems, the water is not as of as high a quality as that of potable water. He stated fine debris and microorganisms sometimes come through the system. He added that the filter on the pump station is designed to remove sand sized material; however staff is observing snail brine or eggs making it through the filter system and getting into the main line downstream of the pump station. Mr. Adams recalled that last year a recirculation pump was installed to super chlorinate the wet wells where the pumps draw water. He added that some areas using blow off valves had fewer problems. Mr. Adams said management wished to consult a third party who specializes in water quality, filtering devices and chemical treatments to analyze the entire system and identify options and costs to address this. Mr. Brougham asked that this analysis be done comprehensively throughout neighborhoods. Mr. Adams stated staff is trying to identify this problem at the source and stressed that water quality is the biggest concern.

Mr. Brougham advised residents in attendance, that an audit report will be called in at 11:00 a.m., and that discussion may take some time. He gave residents an option to comment on this issue at this time.

Ms. McNeal, a resident, asked if staff expects to have this study done in a year. Mr. Adams responded he expected to do this within 60 days. Ms. McNeal requested having someone from Wesco help refine the programming, as this made a huge difference last October. Mr. Adams said staff can look into this. He added one future measure being considered is installation of a chart recorder in the pump station that will track both pressure and volume over 24 hours.

Mr. Brougham requested that staff send out communication advising of the upcoming water quality study. He also asked staff to provide the RFP or specs to Boards of both districts.

On MOTION by Mr. Brougham and seconded by Mr. Love, all voted in favor of authorizing staff to proceed with retaining an outside Irrigation Water Quality professional, with costs to be shared with Fiddler's Creek 2.

EIGHTH ORDER OF BUSINESS

Discussion: Access Testing Procedures

Mr. Adams deferred to Mr. Morris. Mr. Morris summarized a general outline of access testing procedures to be done on a quarterly basis.

NINTH ORDER OF BUSINESS

Approval of April 23, 2008 Joint Board Meeting Minutes

Corrections to the minutes were provided as follows:

Lines 51 and 54: Change "Via Mar" to "Aviamar".

Lines 118 and 123: Change "Montreaux" to "Montreux".

Line 121: Change "Bonita" to "Veneta".

Line 221-231: Refer to Mr. Love's original letter to fill in missing content.

Mr. Brougham requested that Mr. Adams meet with his controller to discuss a method of reflecting revenue receipts from the developer.

On MOTION by Ms. Schmitt and seconded by Mr. Brougham, all were in favor of approving the April 23, 2008 minutes as corrected.

TENTH ORDER OF BUSINESS

Staff Reports

a) Attorney

Mr. Pires advised that Section 190, subsection 3d, Florida Statutes stipulates: "The District shall publish a notice of the qualifying period set by the Supervisor of Elections for each election at least two weeks prior to the start of the qualifying period."

With regard to the Rules of Procedure, Mr. Pires requested that the Board and staff reach a consensus during the July meeting with regard to publishing a Notice of Intent to engage in rule making, to amend the existing rules of the District and to set a public hearing in July.

Mr. Brougham requested that Mr. Pires prepare an abstract for the Board to look at in July that highlights substantive changes. Mr. Pires agreed to this request.

b) Manager

i. Unaudited Financials as of April 30, 2008

Mr. Adams presented the financial statements as of April 30, 2008.

ii. Notice from Collier County Supervisor of Elections showing that 818 Qualified Electors Reside in District as of April 15, 2008

Mr. Adams advised that management has received the annual report from the Supervisor of Elections indicating there are 818 qualified electors living within the boundaries of the District. This is provided for informational purposes only.

c) Operations Manager

Ms. Crismond provided the following updates:

Entry Fountain: The entry monument fountains are up and running. Mr. Curland commented that plants in front of these fountains are located on a berm, but the roadway is below the level of the fountains. As a result it is hard to see the entry monument fountain when driving by. It was suggested to take the berm down in June and place plants on lower levels where they are more visible.

Lake Fountains: A tune up of the fountains is scheduled to begin the week of May 26 for a total cost of \$11,100. This will be performed by Aquamatic and includes cleaning, painting, replacement of bulbs, sealing of gaskets and inspecting of all cables. This should take approximately four weeks to complete.

Lake Maintenance: Management continues to tour with Lake Masters with Supervisor DiNardo of CDD 2. Minimal grass work and algae were noted.

Mr. Brougham referred to an article in the *PUD Quarterly* regarding lake banks entitled, "A Solution to Barren Lake Banks" referring to a solution put in at Cedar Hammock. The solution was perennial rye grass along the perimeter of the lake where limestone is exposed. He asked if the developer or District would have any objections to individual HOAs choosing to plant perennial grass along their own lake banks. Mr. Adams said this should not affect the District; however the HOA would need to oversee this and not allow the grass to get to the edge of the lake where germinating grass is being sprayed.

Discussion ensued briefly on this topic.

Landscaping: The plant replacements and pine straw work will be completed this month.

Lift Station: The lift station gates on Mulberry are scheduled to go in Thursday.

Watering: Crews have been concentrating on hot spots in the community and are performing wet checks daily.

Tree Trimming: Ms. Crismond said she is putting together a proposal for tree trimming to be done along with tree trimming in District 2.

Irrigation Pump Stations: The wet wells were inspected and cleaned on May 2. She advised that the underwater camera provided by Extreme Divers showed no debris in the wells. Both CDD #1 and #2 contractors continue to flush the system twice per week.

Sidewalks: Pressure cleaning of sidewalks throughout the community will be completed within the next few weeks. Ms. Crismond stated she has obtained pricing from South Florida Excavations and this information is attached to the report.

Mr. Brougham commented that he has not seen the rubber pads placed on the handicap ramps along sidewalks for handicapped individuals. He recalled that these were to be put in at all crosswalks except for those at Championship Drive.

Sidewalk Repairs: Repairs are being done at Fiddler's Creek Parkway, Bellagio and the area over at the gatehouse.

Sheriff's Patrol: As of May 20, there were 4 details, 14 written warnings, and 8 citations. All were for Stop signs except for two written for speeding.

Mr. Brougham raised concern about a line of sight problem, coming out of Cascada looking to the right, coming over the hill. Ms. Crismond stated that tall plants in the median were cut back.

Mr. Brougham raised concern about a line of sight problem, coming out of Mallards, at the exit closest to the gate, looking to the left down Fiddler's Creek Parkway. He stated that one has to get their vehicle out into the roadway to see down to the left toward the gatehouse.

Ms. Crismond stated she had met with the contractor to identify areas in the community where these issues can be corrected.

A comment was made that a street sweeper has not been seen in months. Ms. Crismond advised this is done every Friday.

ELEVENTH ORDER OF BUSINESS

Audience Requests	Comments/	Supervisors'
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Mr. Fulker thanked the Board for proceeding with the investigation of the irrigation system.

Mr. Charbonneau said installation and testing of access controls was completed.

Mr. Brougham advised that Mr. O’Hye has filed for one of the Supervisor seats up for election.

Mr. Love commented that pavers on Mulberry, at the entrance, are broken and in poor shape. Ms. Crismond advised staff will address this.

Mr. Brougham reminded Mr. Pires that the Board needs the deed transfers between Gulf Bay Development and the CDD.

Mr. Brougham advised Ms. Crismond of a dead palm behind 8525 Peppertree.

Mr. Brougham advised that sea grapes grow in summer and are usually trimmed in the spring/early summer. He asked that Ms. Crismond provide an update on this work next month.

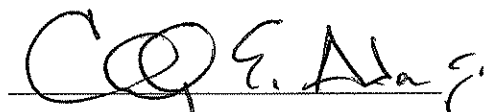
Mr. Brougham asked if the Championship gate house alarm has been addressed. He said the building cannot connect to ADT because the telephone line was removed. It was stated that there is a functioning audible alarm system within the gate house. It was also stated that cameras are in place monitoring the whole building. It was requested that staff look into this further.

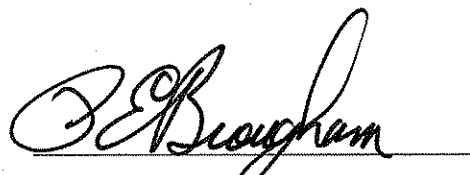
TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Brougham and seconded by Mr. Curland, all were in favor of adjourning.

There being no further business to discuss, the meeting was adjourned at 12:23 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman