

**MINUTES OF MEETING  
FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2**

The Regular Meeting of the Board of Supervisors of the Fiddler's Creek Community Development District #2 was held on **Wednesday, October 22, 2008 at 9:00 a.m.**, at the **Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.**

**Present at the meeting were:**

James Robertson	Chairman
Manuel Correia	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
Mike Preslo (via telephone)	Auditor
Ron Albeit	Fiddler's Creek Foundation

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:00 a.m., and announced that all Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Consideration and Acceptance of the Audited Basic Financial Statements for the Fiscal Year Ended September 30, 2007, Prepared by Keefe, McCullough & Co., LLP**

Mr. Adams introduced Mike Preslo, auditor with Keefe, McCullough & Co., LLP, to present the Audit for Fiscal Year 2007.

Mr. Preslo referred the Board to their copies of the Audit Report and briefly summarized the findings.

Ms. Scott referred to Note 7, on Page 23, which stated, "All members of the Board are affiliated with the Developer." She stated that this is not correct. Mr. Adams advised that only Ms. Matire was affiliated with the Developer.

Mr. Pires commented that Note 2, on Page 16 stated, "Assessments are Ad Valorem on all platted lots"; however, assessments are made on all lots whether they are platted, or not. Mr. Adams clarified that the tax bill was used for platted lots and direct billing was used for non-platted properties. Mr. Preslo agreed to modify language to clarify this and to add a sentence stating "non-platted lots are directly billed to the Developer." The Board requested that Mr. Adams work with Mr. Preslo on the exact wording of the language to be adjusted.

Mr. Albeit asked why it took one (1) year to have the Audit completed. Mr. Preslo said he was involved in the reviewing portion of the Audit and will have to consult the individuals in charge of the Audit to answer this question. Mr. Adams pointed out that by law, the Audit must be completed within one (1) year from when the budget year ends; therefore, this audit is within the confines of the law. He added that there are a limited number of firms providing these specialty audits for governmental entities.

Ms. Scott asked whether Mr. Preslo could agree to a June 30 deadline for next year's Audit. Mr. Preslo said he would formally put this date into the firm's schedule and saw no problem with meeting this deadline.

Mr. Robertson asked for an explanation of the change in assets referred to in the Audit Report. Mr. Adams explained that the District received an additional \$17 million in Bond proceeds. This meant the District has also taken on the long term debt associated with these proceeds, as the fixed asset has depreciation posted against it. He pointed out that the District will be in a negative net asset situation for an extended period until the later portion of the debt retirement program.

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2009-1,  
Accepting the Audited Basic Financial  
Statements for the Fiscal Year Ended  
September 30, 2007, Prepared by Keefe,  
McCullough & Co., LLP**

**On MOTION by Mr. Robertson and seconded by Ms. DiNardo, with all in favor of adopting Resolution 2009-1, accepting the 2007 Audit, as modified.**

**FOURTH ORDER OF BUSINESS**

**Approval of September 24, 2008 Regular Meeting Minutes**

Corrections were provided to the minutes as follows:

Lines 46 and 73: Change "Vinetta" to "Veneta".

**On MOTION by Mr. Robertson and seconded by Ms. DiNardo, with all in favor of approving the September 24, 2008 Regular Meeting Minutes, as corrected.**

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**a. Attorney**

Mr. Pires said it was discovered that no written agreement was in place to reflect the Developer's role in managing the construction of the District's facilities. He requested that the Board authorize staff to prepare and execute a contract stipulating a 4% maximum management fee for the Developer for managing, overseeing and staffing the construction project for work attributed to the District. Mr. Pires recommended using the same format as the agreement being used by CDD #1.

**On MOTION by Ms. DiNardo and seconded by Mr. Robertson, with all in favor of authorizing staff to create a Construction Management Agreement and authorizing the Staff and Attorney to execute the Agreement.**

**b. Engineer**

Mr. Cole presented a pay draw for \$128,000 for the 2003 Bond. He explained that these charges were related to old invoices that were never processed through the CDD; these charges applied to road work, lake excavation and landscape planting.

Mr. Cole recalled a previous question about whether Tract D within Phase 5, Unit 1 is a CDD area. He said he went back and checked and discovered this is a CDD area.

Mr. Cole recalled previous discussion about the addition of stop signs at the intersection of Campanile Circle and Museo Circle. He advised that the engineering firm had submitted a request to the County. Mr. Cole said this should be approved shortly and by the end of the year, the stop signs should be installed.

**c. Manager**

**i. Unaudited Financial Statements as of September 30, 2008**

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2008.

**ii. NEXT MEETING DATE: November 19, 2008, 9:00 A.M.**

Mr. Adams advised that the next meeting will be held November 19<sup>th</sup> at 9 a.m.

**d. Operations Manager**

**Littoral:** Ms. Crismond reported that littoral plantings were completed last Friday. She stated that staff, Ms. DiNardo and the golf course superintendent would be touring the lakes the following Wednesday.

**Landscaping:** Ms. Crismond advised that the palm trimming and pine straw installation project will be completed in November.

**Patrol Services:** Ms. Crismond advised that the Sheriff's Department patrol services would begin again in October.

**Gate House Testing:** Ms. Crismond advised that the third quarter testing of the gate house has not yet been scheduled.

Mr. Robertson thanked Ms. DiNardo for her efforts in working with Ms. Crismond on a weekly basis. Ms. DiNardo commended staff and the contractor for their work and said this was a very cooperative working relationship.

**SIXTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors'**

Mr. Robertson distributed a handout to Board members. He recalled discussion at the previous meeting about the Sandpiper gate and a resident's comments that this would not save the residents any mileage. Mr. Robertson said he went out with the chief security officer and

took measurements. He reported that the average miles saved in using the Sandpiper gate, rather than the front gate, is seven (7) miles. He stated that residents are overwhelmingly in favor of opening the Sandpiper gate on time by November 1. Mr. Adams said this schedule is somewhat backed up and that the opening is anticipated for December 1.

A Board member congratulated Mr. Brougham and said it was good to see the fountains working in CDD #1.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Robertson and seconded by Ms. DiNardo, with all in favor of adjourning the meeting.**

The meeting was adjourned at 9:45 a.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman