

**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, January 28, 2009 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
Victoria DiNardo	Assistant Secretary
Gretchen Scott	Assistant Secretary
Peggy Schmitt	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Carlo Zampogna	District Counsel
Terry Cole	District Engineer
Phil Brougham	Fiddler's Creek CDD #1

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at 9:00 a.m. Mr. Adams announced that Supervisors DiNardo, Scott and Robertson were present at Roll Call.

SECOND ORDER OF BUSINESS

**Discussion of Candidates to Fill
Unexpired Term of Supervisor Diane
Matire, (SEAT 1), Who Resigned
11/19/08; Term Expires 2009**

Mr. Adams advised that this term expires in November, 2009 and that the Board can appoint a replacement for the remainder of the unexpired term.

Mr. Robertson nominated Ms. Peggy Schmitt and stated that she had a distinguished history of serving on the CDD #1 Board. Ms. DiNardo seconded the motion.

On MOTION by Mr. Robertson and seconded by Ms. DiNardo, with all in favor of appointing Ms. Schmitt to fill Seat 1.

Led by Mr. Adams, Ms. Schmitt recited the Oath of Office. Mr. Adams stated that he was a Notary of the State of Florida and duly authorized to administer the Oath. He requested that Ms. Schmitt sign the Oath and said he will notarize the document and enter it into the public record. Mr. Adams reminded Ms. Schmitt that she is subject to the Sunshine Law regulations and requested that she file the Form 1 Statement of Financial Interests, with the Supervisor of Elections Office.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2009-2,
Amending the Post Orders of the District**

Mr. Adams presented Resolution 2009-2. He recalled that, at the previous meeting, the Board discussed and approved amendments to certain provisions within the document. Mr. Adams stated that this Resolution formalizes the approvals made at the previous meeting. Mr. Adams referred to Page 12 and indicated that the amendment was underlined.

Ms. Scott referred to Page 9 and questioned language stating residents are not allowed through the construction gate. She pointed out that the construction gate is now open to residents. Mr. Adams agreed and said it would be appropriate to strike this language.

Ms. Scott referred to Page 10 and questioned language stating, "Residents shall be given a courtesy call for all registered guests". She stated that this was not currently happening. Mr. Adams said the intent is to give residents a courtesy call, even though this is not currently happening. Mr. Robertson said he did not want to change the procedures outlined in the document. He suggested asking the subcontractor to act on this stipulation.

Mr. Brougham, Chairman of the CDD #1 Board, asked Mr. Adams to update the purpose statement within the Resolution itself. Mr. Adams stated that Staff had used a previous resolution format; however, language will be updated in the final version of the resolution.

Mr. Adams requested that the Board approve previously approved revisions, the new revision to Page 9 and the purpose statement within the Resolution.

On MOTION by Ms. Scott and seconded by Ms. DiNardo, with all in favor of adopting Resolution 2009-2, Amending the Post Orders of the District, as revised.

FOURTH ORDER OF BUSINESS

Approval of December 17, 2008 Regular Meeting Minutes

Corrections were provided to the minutes as follows:

Line 76: Replace "until" with "as long as".

On MOTION by Mr. Robertson and seconded by Ms. DiNardo, with all in favor of approving the December 17, 2008 Regular Meeting Minutes, as corrected.

FIFTH ORDER OF BUSINESS

Staff Reports

a. Attorney

There being no report, the next item followed.

b. Engineer

Mr. Robertson asked about the stop sign implementation at the circle. Mr. Cole said he checked with the developer's representative and these will be installed within the next month.

Mr. Cole presented Pay Draw #37 for the 2005 Series Bond, for approximately \$311,000. He explained that the majority of the work consisted of work related to Phase 5, Unit 2 and the construction entrance on Sandpiper Drive. He said this covered road work, street lighting, water mains, sewer mains, irrigation and the Phase 5, Unit 1 entrance fountain (Aviamar Fountain). Additionally, street lighting in Phase 4, Unit 3 was included, along with invoices for retainage related to previous work.

c. Manager

i. Unaudited Financial Statements as of December 31, 2008

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2008. He stated that the income and expenditures are within budget and that the District has received 59% of its on roll assessment levy to date.

Mr. Robertson asked Mr. Adams to address whether CDD #2 is in arrears on payments to CDD #1, as this issue keeps coming up. Mr. Adams advised that CDD #2 is still showing

\$66,882 due to CDD #1. He explained that the funds transfer was not yet posted; however, he would ensure funds are transferred later in the day.

ii. NEXT MEETING DATE: February 25, 2009, 9:00 A.M.

The next meeting is scheduled for February 25, 2009 at 9:00 a.m.

d. Operations Manager

Lake Maintenance: Ms. Crismond reported that the lake maintenance tour was recently completed. She said the lakes and littoral plantings are in very good condition. She advised that Staff will continue to conduct these tours every six (6) weeks.

Landscaping: Ms. Crismond reported that she continues to meet with the contractor weekly.

Irrigation Study: Ms. Crismond reported that Wesco Turf continues to review the as-built plans, along with Aqua-matic. She advised that Mr. Vajen will be meeting with Wesco Turf the following week to review their audit.

Sheriff Patrol Service: Ms. Crismond reported that, as of December, there were 13 stops, nine (9) of which were citations. She stated that seven (7) citations were issued for speeding and one (1) was issued for a stop sign violation. Ms. Crismond advised that as of January 12th, the patrol service is conducting weekly patrols.

Mr. Robertson asked Ms. Crismond to pay attention to ensure that the quality of landscape work in CDD #2 does not degrade, now that Tru Green is also working in CDD #1.

SIXTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

There being no requests or comments, the next item followed.

SEVENTH ORDER OF BUSINESS

Adjournment

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

The meeting was adjourned at 9:21 a.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman