

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

FISHHAWK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Fishhawk Community Development District was held on **Monday, November 21, 2005 at 1:04 p.m.** at the Fishhawk Ranch Clubhouse, located at 5721 Osprey Ridge Drive, Lithia, Florida 33547.

Present and constituting a quorum:

Kary Andrews	Board Supervisor, Vice Chairman
Bill Jacobsen	Board Supervisor, Assistant Secretary
Cliff Roberts	Board Supervisor, Assistant Secretary

Also present were:

Debby Bayne	District Manager, Rizzetta & Company, Inc.
Pete Williams	District Manager, Rizzetta & Company, Inc.
Kristen Brunelle	Representative, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Brickleyer, Smolker & Bolves, P.A.
Amanda King	Fishhawk Amenities Director
Jackie May	Fishhawk Resident Services Coordinator
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Bayne called the meeting to order and read the roll call. She stated that the first item on the agenda was the consideration of appointing a replacement Board Supervisor, but wanted to wait for the Chairman to arrive before they moved forward with this item.

SECOND ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting on October 17, 2005

Ms. Bayne stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting on October 17, 2005. She asked if there were any questions, additions, deletions or corrections. There was a question concerning Ms. Andrews' appointment to the Vice Chairman seat. It was clarified that this was done some time ago. There was a discussion concerning this topic. Hearing none, she asked for a motion to approve.

On a Motion by Ms. Andrews, seconded by Mr. Roberts, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on October 17, 2005 for Fishhawk Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for November**

Ms. Bayne stated that the next item on the agenda was the consideration of the Operation and Maintenance expenditures for November, for the period of October 1 – October 31, totaling \$104,828.35. She asked if there were any questions. Mr. Jacobsen had a few questions about invoices stemming from the janitorial supplies, false alarm, workers' compensation, insurance policy renewal, mailbox and signage replacement, and repairing locks to restrooms. Mr. Roberts asked about getting a copy of the insurance policy. Ms. Bayne stated that she would see about getting a copy sent to him. Ms. Andrews asked, in order to expedite the meetings, if there was a way to get copies of the invoices to Mr. Jacobsen to review prior to the meetings and set up a time that he can meet with Ms. King to review invoices that he may have questions about. Mr. Williams stated that they can forward copies of the invoices to him. After some discussion, it was decided to give all Board Supervisors copies of the monthly invoices. Mr. Jacobsen asked about any reserve funds. Mr. Williams stated that the District currently does not have reserve funds. Ms. Bayne asked if there were any other questions. Hearing none, she asked for a motion to approve.

On a Motion by Ms. Andrews, seconded by Mr. Roberts, the Board of Supervisors approved the Operation and Maintenance Expenditures for November for Fishhawk Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2006-01,
Designating Time, Date and Location of
Meetings for the Balance of Fiscal Year
2005/2006**

Ms. Bayne stated that the next item on the agenda was the consideration of Resolution 2006-01, designating time, date and location of meetings for the balance of Fiscal Year 2005/2006. She stated that at the Fishhawk II CDD meeting that morning, their meeting time was changed to 2:30 p.m. of the 3rd Monday of each month at the Palmetto Club, starting in January. She then asked the Board if they would like to discuss meeting at a new time as well. Ms. Andrews proposed that the Board meet at 3:30 p.m. on the 3rd Monday of each month. She also stated that the December meeting would be held at the Fishhawk Ranch Clubhouse, but from January onward the Board meetings would be held at the Palmetto Club. There was a discussion about moving the meeting from the Fishhawk Ranch Clubhouse to the Palmetto Club, and Mr. Williams stated that the reason the District was considering moving the meetings to the Palmetto Club was due to fact that the Palmetto Club can accommodate a larger group of people. A motion was made, but did not pass, due to the disagreement on the meeting location. Upon further discussion, it was decided to keep the meetings at the Clubhouse.

On a Motion by Mr. Jacobsen, seconded by Mr. Roberts, the Board of Supervisors approved Resolution 2006-01, Designating Time, Date and Location of Meetings for the Balance of Fiscal Year 2005/2006 as the 3rd Monday of each month at 3:30 p.m. at the Fishhawk Ranch Clubhouse, located at 5721 Osprey Ridge Drive, Lithia, Florida 33547 for Fishhawk Community Development District.

Ms. Andrews stated that she would like to revisit this item at the next Board meeting in December. There was a discussion concerning the differentiation between Fishhawk CDD and Fishhawk CDD II.

FIFTH ORDER OF BUSINESS

Consideration of Proposals from Larkin Contracting, Inc.

Ms. Bayne stated that the next item on the agenda was the consideration of proposals from Larkin Contracting, Inc. Mr. Williams reviewed the proposals, stating that these are repairs to the storm water drainage facilities located in Phase I park site. He stated that this matter was brought to the District's attention by SWFWMD in a recent inspection, and has been reviewed by the District Engineer as part of the ongoing annual inspection. He recommended that the Board approve the proposal for the repairs. Ms. Bayne stated that this was a one-time fee of \$7,889. Ms. Bayne asked if there were any questions. Mr. Roberts asked if the District Engineer submitted a written report on this issue. Mr. Williams stated that they had not, but were present during the actual inspection, along with Larkin Contracting (who were already onsite in Fishhawk II) and confirmed that repairs needed to be made to the drainage facilities. Ms. Andrews stated that she may have a copy of the letter from the District Engineer stating that the repairs need to be made. Mr. Roberts asked if the District Engineer reviewed the bid cost to make sure it fell within District guidelines. Mr. Williams stated that Larkin would have submitted the actual scope of work. Ms. Bayne asked if there were any other questions. Hearing none, she asked for a motion to approve.

On a Motion by Mr. Roberts, seconded by Ms. Andrews, the Board of Supervisors approved the proposal from Larkin Contracting, Inc. (\$7,889.00) for Fishhawk Community Development District.

Ms. Andrews commented on Mr. Roberts's question regarding the cost, stating that Larkin was the original company who installed the drainage facility in Phase I, and this was why they were called to make the repairs. Mr. Williams pointed out that these issues occur, especially following heavy storms, and must be periodically maintained. There was a brief discussion concerning this issue.

SIXTH ORDER OF BUSINESS

Consideration of Appointing a Replacement Board Supervisor

Ms. Bayne stated that she was going back to a prior agenda item, consideration of appointing a replacement Board Supervisor.

Ms. Bayne stated that she had emailed four resumes to the Board two days ago, and distributed the resumes under separate cover before the meeting, and asked the Board to either review and discuss them now or table it again to the next meeting. It was agreed to review and discuss the resumes at this meeting. Ms. Bayne stated that she received resumes from Terrie Morrison, Kirby Lester, Willard McKeith, and Albert Herzog. Ms. Morrison and Mr. McKeith were in attendance, and were given a chance to introduce themselves to the Board. After the introductions, Ms. Andrews asked if all the candidates were contacted. Ms. Bayne stated that she had contacted all the candidates and either emailed them or left messages on their contact phone. Mr. Roberts stated that one of the candidates had attended the last few meetings. Ms. Bayne asked if the Board wanted time to consider the candidates and postpone their decision until their next meeting. Following a brief discussion, Willard McKeith was nominated to be the replacement Supervisor. Ms. Bayne asked if there were any other nominations. Hearing none, she asked for a motion to approve.

On a Motion by Mr. Jacobsen, seconded by Mr. Roberts, the Board of Supervisors appointed Willard McKeith as Board Supervisor for Fishhawk Community Development District.

SEVENTH ORDER OF BUSINESS

**Administer Oath of Office to Newly
Elected Supervisors**

Ms. Bayne, a Notary Public in the State of Florida, administered the oath of office to the newly elected Board Supervisor. Mr. McKeith raised his right hand and swore and affirmed to the oath.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel
No report.

B. District Engineer
No report.

C. District Manager
Ms. Bayne stated that the District has received a notice from the Hillsborough County Deputy Services stated that the off-duty deputy rates have increased by \$6/hr., taking the rate from \$26/hr. to \$32/hr., and \$38/hr. for holidays. She stated that she will be working with the deputy coordinator for the area to decrease coverage to stay within the budget. Mr. Williams agreed with Ms. Bayne that the District should work to keep the costs within the budget's parameters. He also stated that this was the first rate increase in a long time, and was due to the rising cost of fuel and other administrative costs. He elaborated further.

NINTH ORDER OF BUSINESS

**Audience Comments and Supervisor
Requests**

Ms. Bayne stated that the next order of business was audience comments and Supervisor requests. She stated that there were audience members present. She asked if there were any Supervisor requests. There were none. She asked if there were any audience comments.

An audience member asked about the possibility of additional tennis courts being added to the District. Mr. Williams stated that for the addition of tennis courts, the District would have to consider funding avenues to build new tennis facilities. He stated that a project of this nature would be considered as a capital improvement and would be outside of the normal operation and maintenance procedures. He stated that once a funding source has been determined (which at this time would only happen via special assessments against the residents), financing would need to be established by timelines (one-three years or more) depending upon the type of facility needed. He elaborated further on this topic.

The audience member informed the Board of the potential problem with some of the residents who use the basketball courts, adjacent to the current tennis courts, and the use of profanity on the courts during the games. He stated that this problem was causing some of the parents to voice their concerns, and wanted to find a solution to this problem swiftly. There was a general discussion on this topic.

Mr. Roberts asked about the refinancing of the bonds and if the funds have been completely expended. Mr. Williams stated that it had not, but based on the allocation for certain criteria, there will be some funds left over for other projects. He stated that it probably wouldn't be enough to build a new basketball court, if it were moved. He elaborated further on this topic. Mr. Roberts requested that a report on this matter be presented to the Board at December's meeting. It was stated that one of the more serious matters that must be addressed along this topic is the trail connector, which contains potential wetland which could change the cost. Mr. Williams stated that the potential wetland could significantly change the cost, and because the current projection could be off considerably, he wanted to make sure that this was settled. He stated that if the District had to go through the wetlands, there could be some mitigation on the area. Mr. Jacobsen stated that he believed that TECO was going to take care of the connector. Mr. Williams stated that TECO gave the District an easement to go through the land. Ms. Andrews stated that this was what was taking so long for the project to be completed, because the District was asking permission to use Tampa Electric Company's property and meet their specifications. There was a general discussion concerning this topic.

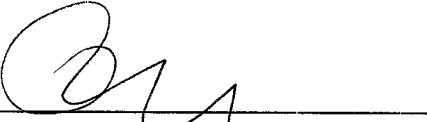
Mr. Roberts asked about the use of the parks that are connected to the new schools being built and if there was something that could be done about keeping the parks open once the school has closed for the day. He wanted to find out whose jurisdiction this falls under – the District or the County. Mr. Williams explained that the District would have to enter into an inter-local agreement with the County on this matter, unlike with the skate park, which is County property that has been leased back to the District. There was further discussion on this topic.

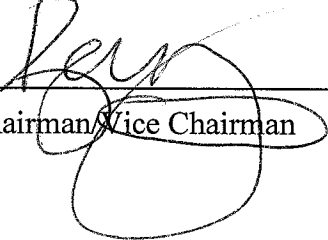
TENTH ORDER OF BUSINESS

Adjournment

Ms. Bayne stated that there were no other items on the agenda and asked for a motion to adjourn the meeting.

On a Motion by Ms. Andrews, seconded by Mr. Roberts, with all in favor, the Board adjourned the meeting at 2:10 p.m. for Fishhawk Community Development District


Secretary/Assistant Secretary


Chairman/Vice Chairman