
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 the 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, August 17, 2009 at 4:30 p.m.** at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Willard McKeith	Board Supervisor, Vice Chairman
Terrie Morrison	Board Supervisor, Assistant Secretary
Patricia Roberts	Board Supervisor, Assistant Secretary
Cliff Roberts	Board Supervisor, Assistant Secretary

Also present were:

Eric Dailey	District Manager, Rizzetta & Company, Inc.
Samantha Carlson	Representative, Rizzetta & Company, Inc.
Theron Miller	Community Assoc. Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Tim Plate	District Engineer, Heidt & Associates, Inc.
Holly Quigley	Community Director
Rachel Welborn	Resident Services Coordinator
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Dailey called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors meeting on July 20, 2009

<p>On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors meeting on July 20, 2009 for Fishhawk Community Development District.</p>
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THIRD ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for
August 2009**

It was stated that the District would be credited for an invoice from Brandon Lock & Safe, Inc. and from Rexel, Inc. as they should've been billed to Fishhawk II.

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for August 2009 (totaling \$86,119.22) for Fishhawk Community Development District.

FOURTH ORDER OF BUSINESS

**Presentation of Shared Costs and
Reimbursements Spreadsheet**

Mr. Dailey presented the CDD I and CDD II shared costs and reimbursements spreadsheet for informational purposes.

FIFTH ORDER OF BUSINESS

**Consideration of Series 2004
Construction Requisitions #41 and #42**

On a Motion by Mr. McKeith, seconded by Ms. Morrison, with all in favor, the Board of Supervisors ratified the Series 2004 Construction Requisitions #41 and #42 for Fishhawk Community Development District.

SIXTH ORDER OF BUSINESS

Presentation of District Engineer Report

Mr. Plate discussed the following items:

1. Update on nature trail crossing stating; submitted addendum extending bid due date to September 9, 2009; a second mandatory pre-bid meeting will be held to allow more interested parties to bid as there were only two bidders at the first meeting.
2. In doing stormwater system inspections as required by SWFWMD, it was determined that various repairs needed to be made to certain areas in the system. Mr. Plate presented a proposal from Central Concrete to make these repairs. He stated that there were a total of 4-5 corrections that needed to be made prior to him certifying the inspections.

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the proposals from Central Concrete for all repairs associated with the SWFWMD inspections in the amount of \$10,000 for Fishhawk Community Development District.

3. Mr. Plate presented a map of the District in draft form and stated that there were three areas that needed to be corrected as they were listed as being privately owned but should be publicly owned. He stated that a final version of the map will be available soon and given to the Board.

SEVENTH ORDER OF BUSINESS

**Public Hearing on Fiscal Year 2009/2010
Final Budget**

On a Motion by Mr. Roberts, seconded by Ms. Roberts, with all in favor, the Board of Supervisors opened the Public Hearing on the Fiscal Year 2009/2010 Final Budget for Fishhawk Community Development District.

Mr. Dailey stated that the hearing was duly advertised in the local newspaper and that there were audience members present. Mr. Dailey explained that currently the facility staffing is covered by the HOA; however the CDD will assume the contract at the September meeting and that it was included in the budget for fiscal year 2009/2010. Mr. Dailey reviewed the additions to the budget for the audience and explained that the budget increase this year was \$50 per household or 6.6%.

Mr. Dailey asked if there were any Supervisor questions or comments. There were none.

Mr. Dailey asked if there were any audience comments. A resident had a question in regards to the deed restrictions changing once the District assumes the contract. Mr. Dailey explained that the District would not be changing the deed restrictions; they're still enforced by the HOA Board of Directors. A few requests were made for clarification on various line items. A discussion ensued regarding the current pond maintenance. A request was made to put markings on the nature trail for residents and emergency responders to determine a location if an accident were to happen, etc. Mr. Dailey stated that he would discuss the possibility with the District Engineer. A discussion ensued regarding how often the District reviews the current contracts, etc. Mr. Dailey and Mr. McKeith both stated the District had reviewed it's major contracts in December 2008 and reduced fees across the board with various vendors. Mr. Dailey stated the District will be looking at various contracts again in December 2009 when they are up for renewal.

On a Motion by Ms. Morrison, seconded by Mr. McKeith, with all in favor, the Board of Supervisors closed the Public Hearing on the Fiscal Year 2009/2010 Final Budget for Fishhawk Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2009-06,
Adopting Fiscal Year 2009/2010 Final
Budget**

On a Motion by Mr. Roberts, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved Resolution 2009-06, Adopting the Fiscal Year 2009/2010 Final Budget totaling \$2,336,787 for Fishhawk Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2009-07,
Imposing Assessments**

On a Motion by Mr. Roberts, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved Resolution 2009-07, Imposing Assessments for Fishhawk Community Development District.

TENTH ORDER OF BUSINESS

**Presentation of Pond Maintenance
Inspection Report**

Mr. Dailey presented the pond maintenance inspection report to the Board. A brief discussion ensued. It was stated that the pond that had the fish kill the previous month was doing well. No Board action was taken

ELEVENTH ORDER OF BUSINESS

**Presentation of Monthly Landscape
Status Report**

Mr. Dailey presented the landscape monthly status report for the Board. No action was taken.

TWELFTH ORDER OF BUSINESS

**Consideration of Proposals for 'No
Parking' Signs**

On a Motion by Mr. McKeith, seconded by Ms. Morrison, with all in favor, the Board of Supervisors approved the proposal from Creative Mailbox & Sign Designs for Fishhawk Community Development District.

THIRTEENTH ORDER OF BUSINESS

**Acceptance of Arbitrage Rebate
Calculation Report dated April 30, 2009**

Mr. Dailey presented the Arbitrage Rebate Calculation Report to the Board stating that there is no rebate liability for the District.

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors accepted the Arbitrage Rebate Calculation Report dated May 17, 2009 for Fishhawk Community Development District.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. Community Director

Ms. Quigley stated that she received a proposal from Welch Tennis Courts for the netting materials needed for the roller hockey arena in the amount of \$750 and that the District employees could install it.

On a Motion by Ms. Morrison, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved the proposal from Welch Tennis Courts for the roller hockey arena netting materials as needed for Fishhawk Community Development District.

A discussion ensued regarding a residents request to remove memorial memorabilia. It was stated that Ms. Quigley would research the HOA deed restrictions to determine if it could be removed.

Ms. Quigley noted residents are disposing of personal trash and furniture in the dumpster at Hawk Park. She said her employees have been using their personal vehicles to remove it and take it to the city dump. Ms. Quigley requested the Board terminate the contract with Waste Management and remove the dumpster.

On a Motion by Ms. Morrison, seconded by Ms. Roberts, with all in favor, the Board of Supervisors authorized District Staff to terminate the contract with Waste Management for the dumpster near Hawk Park for Fishhawk Community Development District.

B. Palmetto Club Director

Not present.

C. District Counsel

Mr. Craine announced that Fishhawk II and III approved the Fishhawk Blvd. street lighting agreement that is to be shared evenly among the three Districts.

D. District Manager

1. Mr. Dailey presented an action items list to the Board that contained all of the current items up for consideration by the Board, etc. No Board action was taken.

2. Mr. Dailey stated that revised pond planting proposals would be an agenda item for the September meeting.

FIFTEENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

The following items were discussed:

- A resident inquired on the distressed homes in Martin Meadow that are not being maintained.

- A discussion ensued regarding the ponds that are not being maintained. Mr. Dailey stated that a recent inspection was done on all of the ponds and that they will all be maintained on a regular basis.

- It was stated that there was a tree in the conservation area that was leaning over a residents property and if it was the residents responsibility or the Districts if it were to fall. Ms. Quigley stated that she would go onsite and look at the issue.

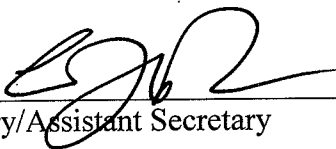
- A resident stated that there was an outbreak of Kudzu on the trees and on the ground in the conservation area behind his home and questioned if anything could be done about it as it was getting out of control and is attracting ants, termites, etc. Mr. Craine stated that residents would need permission from the County to go into the conservation areas to perform any type of maintenance work. After further discussion by the Board, they authorized Ms. Quigley to meet with Sunrise and the District Engineer to obtain proposals for any necessary landscaping that needed to be made along the trail and surrounding District property.

On a Motion by Mr. McKeith, seconded by Ms. Roberts, with all in favor, the Board of Supervisors authorized Ms. Quigley to meet with Sunrise and the District Engineer to obtain proposals for any necessary landscaping that needed to be made along the trail and surrounding District property for Fishhawk Community Development District.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Roberts, seconded by Ms. Roberts, with all in favor, the Board of Supervisors adjourned the meeting at 6:25 p.m. for Fishhawk Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman