

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 RANCH COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Fishhawk Ranch Community Development District was held on **Wednesday, July 27, 2022, at 6:44 p.m.** at the Palmetto Club, located 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum were:

Robert Kneusel	Board Supervisor, Chairman
Kerri McDougald	Board Supervisor, Assistant Secretary
Terrie Morrison	Board Supervisor, Assistant Secretary
Dawn Turner*	Board Supervisor, Assistant Secretary

Also present were:

Eric Dailey	District Manager, Halifax Solutions, LLC.
Vivek Babbar	District Counsel, Straley Robin Vericker
Stephen Brletic	District Engineer, Johnson, Mirmiran, Thompson
Josh Croy	Operations Manager, Fishhawk Ranch CDD
Melanie Crouse	Community Coordinator, Fishhawk Ranch CDD
Andrew Sanderson	Tennis Club Consultant, Sanderson Consulting Services
Jarrett Myers	Regional Director, Juniper Landscaping
Justin Foley	Account Manager, Juniper Landscaping
Josh Burton	Representative, Juniper Landscaping
Juan Nova	Representative, Juniper Landscaping
Jason Jasczak	Representative, Solitude Lake Management
Peter Simoes	Project Manager, Solitude Lake Management
Sandra Fuentes	General Manager, Grand Manors

Audience	Present
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**Note (\*) – Attended via conference call.**

*Prior to the start of the meeting since there was no quorum present, Ms. Wolczak addressed the Board and staff present regarding the issues with court two at the tennis club, the closing of courts when not booked or in use, the repair issues with fitness equipment, adding items like mats, step risers, medicine balls, etc., and the repairs needed for the Starling Preserve bridge. The Board of Supervisors present asked this be noted in the minutes.*

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

Mr. Dailey called the meeting to order and conducted roll call, confirming that a quorum was present.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Walker addressed the Board about his concerns with the fountain not operating at the FishHawk Crossing Blvd. entrance and the overall appearance of the structure around it. Mr. Walker also asked if the black sign frame can be removed. Mr. Walker asked about the District cleaning the sidewalks. The Board noted they clean the ones owned by the District, but the rest would be up to the county as they own them. Ms. Morrison noted the fountain has not worked for a few years due to the inability to obtain the necessary repair part and has consciously been left as a landscape feature rather than a water feature as to the best of her knowledge, this is only the second person who has inquired about it. Mr. Dailey stated Ms. Quigley was having Suncoast Pools look at options to repair it.

Mr. Eiermann addressed the Board regarding the encroachment letters he received for the removal of vegetation from District property. Mr. Eiermann explained they hired workers to remove vines that have been killing trees however the workers hired misunderstood the scope of the task and took it upon themselves to clear all the underbrush. Mr. Eiermann stated they are aware of the issues this has caused and have installed some plants to try and put back the privacy they lost. The Board asked Mr. Croy to get with Juniper and work with Mr. Eiermann to see what can be done to try and restore some of the area. The Board thanked Mr. Eiermann for attending and his honesty regarding the encroachment issue.

Mr. Gold addressed the Board about the condition of the ponds in FishHawk Ridge. Mr. Gold stated they are covered with algae, and it looks like the growth is taking over the ponds. Mr. Croy stated he has these ponds noted as issues in his report for Solitude to treat. Mr. Brletic noted that some of the growth is natural and was designed for as the ponds matured.

**THIRD ORDER OF BUSINESS**

**Discussion of Rules and Policies for Fishing and Pond Access**

Mr. Kneusel asked if the Board would address Business Item G, Discussion of Rules and Policies for Fishing and Pond Access since there were a few residents in the room to speak on the matter.

Mr. Smith, Ms. Jeanette John, and Ms. Anita John all addressed the Board regarding non-residents accessing District property to fish at pond 96 directly behind their home. They stated they felt unsafe with individuals accessing the pond and they have spoken with the Sheriff's Office and Ms. Quigley in the past. They also stated they

understand the policies and are requesting some change be made to address their concerns along with their neighbors.

The Board discussed the current policies and how any changes may affect overall access to ponds and fishing throughout the community. Mr. Brletic reminded the Board there are maintenance and access easements around all the ponds. The Board discussed various options with Mr. Babbar on what they might be able to do.

On a Motion by Ms. McDougald, seconded by Ms. Morrison, with Ms. McDougald, Ms. Morrison, and Mr. Kneusel for and Mr. Turner opposed, the Board approved installation of signage for Pond 96 only with language limiting access to maintenance personnel only. Final language will be subject to District Counsel's guidance, with signage placed only at access points to pond 96 for a trial period of six months, for Fishhawk Ranch Community Development District.

#### FOURTH ORDER OF BUSINESS

#### Staff Reports

##### A. District Engineer

Mr. Brletic asked the Board if they had any questions regarding his report as presented in the agenda.

Mr. Brletic stated he had two proposals for drainage repairs in three areas along the trail. The first proposal was from Finn Outdoor for \$8,750.00 and the second was from Site Masters for \$8,000.00. Mr. Brletic stated he felt the Finn Outdoor proposal offered a higher level of repair for the price.

On a Motion by Ms. Morrison, seconded by Ms. McDougald with all in favor, the Board approved the proposal from Finn Outdoor for \$8,750.00, for Fishhawk Ranch Community Development District.

Mr. Dailey stated that with the recent number of repairs for the facilities it may be best to have Mr. Brletic provide a proposal to inspect them versus repair after things occur. Ms. Morrison stated the price estimated before was too high, but she did ask Mr. Brletic to provide a proposal to just review the Osprey Club facility due to its age.

The Board had no other questions for Mr. Brletic, so he left the meeting.

##### B. District Counsel

Mr. Babbar updated the Board that the FishHawk Ridge Townhome deed has been recorded, and he has the Chapman Crossing one to sign tonight with all costs being paid directly by Chapman Crossing HOA.

Mr. Babbar stated he has reached out to get the police report from HCSO for the car fire at the Palmetto Club and that it may take a few weeks to receive it. He will then follow up with the State Attorney's office as the Board requested.

Mr. Babbar stated he has spoken with the attorney for the Tennis Connection. They wish to have their deposit returned without any money withheld and they will not provide a release protecting the District or Mr. Sanderson from possible future legal action.

Mr. Sanderson stated there is still the question of if they received funds from the USTA grant and an estimated \$40,000.00 in unreconciled revenues from a tennis league they have asked for back up financial tracking for.

Mr. Babbar stated if they sued for the deposit back, they would likely win as that is not tied to the other items currently in question. Mr. Babbar stated if they were to win, they would be entitled to recoup legal fees from the District. Mr. Babbar stated they have not filed a lawsuit against the District for anything as of now so unless they do there is nothing to discuss at this time.

The Board discussed their options and Mr. Sanderson stated the District will also need to pay Tennis Connection for some miscellaneous other items purchased by Tennis Connection, amounting to a few thousand dollars.

On a Motion by Ms. McDougald, seconded by Ms. Turner with Ms. McDougald, Ms. Turner, and Mr. Kneusel in favor and Ms. Morrison opposed, the Board directed release of the deposit owed and authorized District Counsel to settle all outstanding claims with the Tennis Connection that can be settled regarding equipment and other items, for Fishhawk Ranch Community Development District.

#### **C. District Manager**

Mr. Dailey asked the Board if they have any questions or comments on the Action Item List as presented.

Mr. Dailey reminded the Board the next meeting will be on Wednesday, August 10, 2022, at 6:30 p.m. at FishHawk Ranch Tennis Club.

Ms. Morrison asked that Mr. Dailey speak with Ms. Quigley on getting a proposal for all obsolete fitness equipment that needs to be replaced in time for discussion at the August 24, 2022 meeting with both purchase and lease options.

#### **D. Tennis Club Consultant**

Mr. Sanderson asked the Board if they had any questions regarding his report as presented in the agenda.

185  
186 Mr. Sanderson thanked Ms. Morrison for her assistance at the tennis club and the  
187 report she did. Mr. Dailey stated he forgot to include that report and will send it to  
188 the Board ASAP for their review.

189  
190 Mr. Sanderson noted that court two has been repaired and it will take a few days  
191 to get it back in playing shape.

192  
193 **E. Community Director**

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195 Mr. Dailey asked the Board if they had any questions regarding Ms. Quigley's  
196 report as presented in the agenda.

197  
198 Mr. Dailey provided a few additional updates for the Board stating the Newsome  
199 swim team contract is getting executed for a fee of \$4,000.00 for use of the Aquatic  
200 Club pool, there is a roof leak at the Osprey Club, and they are getting proposals,  
201 the tennis club needs roof repairs, and they are getting quotes, the tennis club  
202 carpets were cleaned, and they are working on installing the alarm for the Osprey  
203 Club basketball court gate.

204  
205 Mr. Croy reviewed his report for the Board and noted the continued issues with the  
206 ponds in the District along with frequent resident calls. Mr. Dailey stated he has  
207 the same concerns and that many of the issues are with the same ponds that have  
208 been problematic for many years.

209  
210 Mr. Simoes and Mr. Jaszczak stated they are aware of the problem and that it  
211 revolves around the heat and the lack of staff in their local branch. They admitted  
212 they have not been doing all the required treatments with spraying for the plant  
213 growth. Mr. Kneusel asked if the work was not done then will we be getting a credit  
214 back? Mr. Jaszczak stated they have staff working overtime and still had to pay  
215 them so that is where the funds went. Mr. Kneusel asked that he go back and  
216 speak with his management to request a credit.

217  
218 Mr. Dailey and Mr. Croy agreed that with the proposed price increase from  
219 Solitude and the service issues the District should consider going out for RFP and  
220 the Board was in general agreement.

221  
222 Mr. Myers with Juniper asked the Board if they had any questions on their report  
223 and introduced Mr. Foley the new Account Manager to the Board.

224  
225 The Board thanked Mr. Myers for quickly addressing the issues from last month  
226 prior to the 30-60-90-day plan that was provided.

227  
228 Mr. Dailey asked the Board if they would like to address Business Item A,  
229 proposals from Juniper. The Board agreed and discussed the proposals as  
230 presented.

231

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Mr. Morrison stated she would like to see options for the Aquatic Club that did not include rocks. Mr. Morrison also asked to remove proposal #151479 for when Mr. Avino is present to discuss.

On a Motion by Ms. Morrison, seconded by Ms. McDougald with all in favor, the Board approved proposals #152937, 165952, 170270, 170277, and 170282 totaling \$11,941.33 for Juniper Landscaping, for Fishhawk Ranch Community Development District.

Mr. Dailey asked the Board if they would like to approve the contract addendum to add the FishHawk Ridge pond bank mowing for \$7,770.00 annually. The Board noted that the FishHawk Ranch HOA policy requires owners to mow the pond banks that back up to their property, and that if we were to do so for one gated community we would need to do so for all gated communities.

On a Motion by Ms. Morrison, seconded by Ms. McDougald with all in favor, the Board declined the request by the FishHawk Ridge Townhomes HOA to maintain the pond banks in their subdivision, for Fishhawk Ranch Community Development District.

The Board had no further questions for the staff from Juniper and Solitude, so they left the meeting.

**FIFTH ORDER OF BUSINESS**

**Consent Agenda Items/Business Administration**

Mr. Dailey asked if the Board had any questions regarding the consent agenda items. The Board had no questions or comments.

On a Motion by Ms. Morrison, seconded by Ms. McDougald, with all in favor, the Board approved the consent agenda items, for Fishhawk Ranch Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Renewal Notice from Solitude Lake Management**

Mr. Dailey presented the Solitude Lake Management renewal notice to the Board. The Board decided to take no action on the renewal notice and discussed the option to go out for proposal.

On a Motion by Ms. Morrison, seconded by McDougald, with all in favor, the Board authorized the District Manager to draft an Invitation to Bid and request proposals for Aquatics Services, for Fishhawk Ranch Community Development District.

Mr. Dailey stated he will use the same bid package that was approved by the Board last year and send out the notice with bids due to review for the September meeting.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Superior Sealers  
Proposal for Trail Repairs**

Mr. Croy stated he is still getting additional proposals but would like to set a not to exceed amount.

On a Motion by Ms. Morrison, seconded by Ms. McDougald, with all in favor, the Board approved a not to exceed amount of \$8,095.00 for trail repairs with Mr. Croy authorized to choose the vendor, for Fishhawk Ranch Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposals to  
Purchase or Repair District Vehicles**

Mr. Croy explained that two gem cars are down and need batteries which would be \$4,969.73 to replace and would last about two years. Mr. Croy noted that the gas powered UTV's are better suited for the heavy use they get on the trails and throughout the many miles traveled every day covering the community. Mr. Kneusel asked if there are electric options of the UTV's. Mr. Croy stated yes but they are about \$20,000.00.

On a Motion by Ms. Morrison, seconded by Ms. McDougald, with Ms. Morrison, Ms. McDougald, and Ms. Turner in favor and Mr. Kneusel opposed, the Board approved the proposal for I-4 Power Equipment for a new Landmaster UTA for \$10,410.88, for Fishhawk Ranch Community Development District.

**NINTH ORDER OF BUSINESS**

**First Amendment to Trademark  
License Agreement**

Mr. Dailey presented the First Amendment noting it was for an address change for Newland.

On a Motion by Ms. Morrison, seconded by Ms. McDougald, with all in favor, the Board approved the First Amendment to the Trademark License Agreement, for Fishhawk Ranch Community Development District.

**TENTH ORDER OF BUSINESS**

**Discussion on Talon Usage by the District**

Ms. Turner provided a quick recap on the Talon discussion from the HOA meeting regarding possibly reaching agreement on an established percentage split of content space and costs. Mr. Turner stated at this time the HOA wished to maintain control of the Talon as to not change the current agreement with the Times.

Ms. Fuentes and a member from the HOA Board stated they were not aware of or in agreement with how the new editor attempted to alter content submitted by the District in the July edition. They asked that the District work with the new editor to reach an amicable resolution suitable for both parties. Ms. Fuentes stated should things not improve then we should discuss alternative options.

The Board agreed this was a good approach and to table any further discussion for now.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. Dailey asked if there were any Supervisor Requests.

Ms. Morrison reminded Mr. Dailey to please send the tennis club summary to the Board. Mr. Dailey stated he sent it out during the meeting.

Ms. McDougal apologized for being late to the meeting.

Mr. Kneusel stated he would like to look at solar options for the District.

Mr. Dailey asked the Board if they would still like to hold the Board meeting on August 10, 2022 as the agenda looked to be very light.

On a Motion by Ms. Morrison, seconded by Ms. McDougald with all in favor, the Board canceled the Board of Supervisors Meeting scheduled for Wednesday, August 10, 2022 at 6:30 p.m., for Fishhawk Ranch Community Development District.

The Board also asked Mr. Dailey to tell the vendors they do not need to attend the August 24, 2022 meeting as that is the budget public hearing which could take up considerable time.



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**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Ms. Morrison, seconded by Ms. McDougald with all in favor, the Board adjourned the meeting at 9:33 p.m., for Fishhawk Ranch Community Development District.

  
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Secretary/Assistant Secretary

  
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Chairman/ Vice Chairman