

**MINUTES OF MEETING  
FOREST CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Forest Creek Community Development District was held on Thursday, December 1, 2022, at 1:00 p.m. at the Forest Creek Clubhouse, 11685 Old Florida Lane, Parrish, FL 34219.

Present and constituting a quorum were:

Joseph DeWitt	Chairman
Walter Wolf	Vice Chairperson
Sarah Ashley	Assistant Secretary
Todd Kuehn	Assistant Secretary
Michael O’Hair	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Brenden Crawford	Field Services Manager
Michelle Reiss	District Counsel (via phone)
Jeff Johnson	Operations Manager
Number of Residents	

*The following is a summary of the discussions and actions taken at the Forest Creek CDD Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

- Mr. Mendenhall called the meeting to order, and a quorum was established.

**SECOND ORDER OF BUSINESS**

**Opening Prayer**

- Mr. Kuehn opened the meeting with a prayer.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

- **A. Oath of Office of Newly Elected Supervisors**  
Previously administered.
- **B. Election of Officers – Resolution 2023-1**

On MOTION by Mr. Kuehn seconded by Ms. Ashley, with all in favor, Resolution 2023-1, retaining the current officer structure, was adopted. 5-0
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**FOURTH ORDER OF BUSINESS****Audience Comments on Agenda Items**

- Resident comments, Mr. Seravalli and Ms. Franzen, were received on Pond 16 regarding dried up debris that needs to be removed.
  - Mr. Johnson reported the hurricane broke the growth from the littoral shelf loose and moved it from one end of the pond to the other. They will get a recommendation from SOLitude.
  - Elizabeth, SOLitude, noted in the past they have tried to move littoral shelves back and anchor it in place and it does not work well. They can spray the vegetation and let it decompose or remove the vegetation. In these instances where the littoral shelf has broken off, SWFWMD will allow the vegetation to be killed and removed with the recommendation that the remaining littoral shelf be replanted.
  - Mr. Mendenhall requested SOLitude provide a proposal for the removal of the littoral shelf.
- Mr. Wolf inquired if the littoral shelf location can regrow on its own.
  - Elizabeth noted it can because there is a seed source and the other plantings on the littoral shelf will continue to spread, but they will not see that until the Spring.
  - The consensus is to monitor the floating portion of the littoral shelf with SOLitude reporting when it is next sprayed, to determine if it needs to be removed.
- Mr. Pinney inquired about the schedule for debris pickup and the schedule walkway and bridge repair.
  - Mr. DeWitt noted the CDD debris pickup has occurred, but the County is still picking up.
  - It was noted the walkways and bridges repairs are ongoing and Site Masters has been working on some areas.
- Ms. Wiles commented on the abundance of Brazilian Pepper noting an area where it is covering a sign and encroaching on a planting area.
  - Mr. DeWitt addressed putting together a request for another grant, but it takes work to develop the specifications/scope for three bidders to bid on.
  - Mr. Johnson noted there are some areas that can be addressed by Yellowstone noting Cedar Knoll and Hidden Forest Loop are urgent. Yellowstone took an action to look at on Monday.

**FIFTH ORDER OF BUSINESS**

**Approval of Consent Agenda Items**

- A. Consideration of the Minutes of the Board of Supervisor Meeting held November 3, 2022**
- B. Consideration of Financial Report for October 2022**

Ms. Ashley MOVED to approve the Consent Agenda and Mr. Wolf seconded the motion.

- Mr. Wolf noted in the financials they will see a tick up on the volunteer insurance, it is double what was in the budget. He spoke with Ms. Samantha Smith at Inframark, who reached out to Egis and it was found that the prior coverage period was wrong and was for six months rather than one year. Fortunately, the other three Egis insurances came in under budget so the cumulative of all four policies is under budget. All policies are fully paid for FY23.
- Mr. Kuehn inquired if the Trustee fee is once per year.
  - Mr. Mendenhall noted he believes it is but will confirm.

On VOICE vote, with all in favor, the motion was approved. 5-0

**SIXTH ORDER OF BUSINESS**

**New Business**

**A. Resolution 2023-2 Recognizing Volunteers for Hurricane Ian Clean-up**

- Mr. DeWitt addressed Resolution 2023-2 recognizing the volunteers. They jumped in the next morning to make the neighborhood look a little tidier, particularly Forest Creek Trail, Old Florida Lane and the secondary reason they got out there was to keep the debris out of the storm drains. Thereafter, as the volunteers were available, they prioritized areas and got to those first and then went to the secondaries. A couple of weeks later there was Hurricane Nicole and they reactivated, and they are still picking things up. He would like to recognize the volunteers, they worked very hard with the best of Forest Creek in mind.

Mr. Kuehn MOVED to adopt Resolution 2023-2 Recognizing Volunteers for Hurricane Ian Clean-up and Mr. Wolf seconded the motion.

- Mr. Wolf provided edits to the resolution – Mr. OHair should be O’Hair and unanimously approved should be adopted. Additionally, he noted that normally all do not sign resolutions, only the Chair and Secretary.

On VOICE vote, with all in favor, Resolution 2023-2 was adopted as amended.

**B. Consideration of 2023 Wetland Renewal Service Contract**

- Mr. Mendenhall noted this is a renewal of the current contract with no price increase.

Mr. Wolf MOVED to approve the 2023 Wetland Service Contract renewal was approved contingent upon District Counsel review and Ms. Ashely seconded the motion.

- Mr. Wolf noted the renewal amount of \$16,344 is under the budget of \$16,878.

On VOICE vote, with all in favor, the motion was approved. 5-0

**C. Consideration of 2023 Pond Renewal Service Contract**

- Mr. Wolf noted the renewal amount of \$26,172 is under the budget of \$26,666.

On MOTION by Mr. Wolf seconded by Ms. Ashley, with all in favor, the 2023 Pond Service Contract renewal was approved contingent upon District Counsel review was approved. 5-0

**D. Consideration of Pond 3 Triploid Grass Carp Stocking**

- Mr. DeWitt noted last month they talked about asking for two proposals from SOLitude – one for the carp and one for harvesting. Is there a reason they did not get the one for harvesting?
  - Mr. Hartwig noted he has the numbers for harvesting.
  - Elizabeth noted harvesting is on an as-needed basis.
  - Mr. DeWitt inquired to their experience with harvesting; is it once a year, is it ongoing annually.
  - Mr. Hartwig noted they have a couple of places where they have done it on an annual as-needed basis. It is not the ideal thing to do; they are doing treatments on that site that have started to take effect. Harvesting takes care of the branches of the issue but not the root of the problem but is a quick fix to make it more aesthetically pleasing.
  - Elizabeth noted the price they received for harvesting was upwards of \$42,000.
  - Mr. DeWitt noted they talked about treatments 60-to-90 days after the airboat treatment that was done in mid-November.

- Mr. DeWitt inquired about the carp.
  - Elizabeth outlined the use of carp noting FWC only allows ten carp per acre and via Google Earth the pond measures 16.65 acres.
  - Mr. DeWitt noted this is the 167 carp recommended in the proposal and inquired about the size recommendation.
  - Elizabeth noted Schedule A provides that the size is 10 to 12 inches. They do not want to stock fingerlings in order to give them the best chance of survival.
  - Mr. DeWitt inquired as to what kind of mortality they should expect.
  - Elizabeth noted it is hard to say but maybe 15% to 20%. She outlined the process for barrier installation, permits and stocking. They prefer to stock in the cooler months.
  - Mr. DeWitt inquired if they are recommending the CDD consider the proposal along with the waiting for 60-to-90 days to proceed so they can get this underway prior the warm weather.
  - Elizabeth responded yes, because the process does take months to do. If approved, they could probably get the barrier done this month or it could spread into January because of the holidays. They cannot submit the permit application until they have a picture of the barrier in place. FWC will come on site to look at the pond and does have the final say. Having the carp in tandem with the treatment is the ideal way to go.
  - Mr. DeWitt inquired if they do the approval in January would it still be ample time before the warm weather.
  - Elizabeth noted she thinks so if they moved on it in early January.
- Mr. Wolf noted he had asked previously what the top three vegetation are in Pond 3 and the response was hydrilla, eel grass, and filamentous algae. Which is most prevalent, and which one is least?
  - Mr. Hartwig noted the hydrilla is the worst.
  - Mr. Wolf addressed his research on the Florida websites noting the carp will eat the hydrilla but not the filamentous algae so they would still have to treat for it.
  - Elizabeth noted if they have less hydrilla they will use less chemical to treat which breaks down into nutrients that go into the pond and feed algae growth.
  - Mr. Wolf inquired how long before they would see results for this size of lake.

- Elizabeth noted it could take a while, she would say to give it a year.
- Mr. Wolf addressed the risk of overstocking a lake and damaging the pond for up to a decade to recover.
- Elizabeth noted FWC dictates whether or not they can get the 167 fish.
- Mr. Wolf noted the permit will need to be for Ponds 1, 2 and 3 even though they will only be stocking Pond 3.
- Elizabeth inquired if there is an outflow from Ponds 1 and 2.
- Mr. Wolf noted they flow in and out of Pond 3.
- Elizabeth addressed it depends on where there are outflows for where the fish are being stocked.
- Ms. Ashely inquired as to the likelihood that FWC would not approve the permit once the barrier is installed.
  - Elizabeth responded that it is probably slim, but they still have to go through the whole process.
- Mr. Kuehn inquired if this is a one and done or if they have to revisit it.
  - Elizabeth responded in three to five years they look at the vegetation status, sometimes less. At that time, they can make sure the barrier is still in good working order and submit a carp permit amendment to request more fish.
- The consensus is to defer at this time.

**\*\*E. Memorial Policy**

- Mr. Mendenhall noted a draft policy was distributed via email.
- Mr. Wolf outlined the Memorial Policy noting he was looking for comments today so they can make any changes, have Ms. Reiss look at, and they can bring it back next meeting.
  - Ms. Ashley noted they should specify tree types.
  - Mr. Wolf noted he will include the word “acceptable” and include a space for type on the application.

**SEVENTH ORDER OF BUSINESS**

**Old Business**

**A. Monument Replacement Update**

- Mr. Johnson noted the monuments for all intents and purposes are complete. They need to be backfilled and a good washing
- Mr. Johnson addressed contacting Superior Fence regarding the invoice submittal.

- Mr. Wolf noted the grant is done, but there is a placeholder for the final invoice and check; it has to be received by the County by December 15<sup>th</sup>.

**i. Yellowstone Proposal #263116 - \$497 – Replacement Landscaping**

On MOTION by Mr. Wolf seconded by Mr. O’Hair, with all in favor, Yellowstone proposal #263116 in the amount of \$497 for replacement landscaping to be funded from reserves was approved.  
5-0

**EIGHTH ORDER OF BUSINESS**

**Staff Report**

**A. Aquatic Services Report**

- Mr. Mendenhall noted there is no report this month and Mr. Hartwig had planned on answering any questions the Board might have and unfortunately, he had to go.
- Mr. Wolf addressed planting along the pond banks.

**B. Landscape Services Report**

**i. Field Inspection Reports**

- Mr. Mendenhall noted Mr. Brendan Crawford is in attendance.
- Mr. Kuehn inquired if by the dog park he is recommending Arboricola.
  - Mr. Alvarez noted the Arboricola are very hearty.
  - Mr. DeWitt inquired about grasses in this location.
  - Mr. Alvarez noted he would go with Mulhy grass.
- Mr. Kuehn noted there were a couple of areas for pressure washing identified noting they should be added to the list. For the gazebos identified in report they need a plan.
- Mr. Wolf addressed the foot bridges.

**C. Attorney’s Report**

- Ms. Reiss addressed the continued false allegations about the Board, Operations Manager and District Manager.
  - Mr. Wolf inquired if any have caused Ms. Reiss to have to do billable work.
  - Ms. Reiss noted not really, she has reviewed the emails to see if anything needed a response.

**D. District Engineer**

None.

**E. Operations Manager**

**i. Operations Report**

- Mr. Johnson inquired if there were any questions on his report.
- Mr. Wolf addressed the invoice for the monument pressure washing and inquired if they did all three.
  - Mr. Johnson noted they did not.
  - Mr. Wolf inquired if they could include some of the other identified work.

**\*\* Gate Pros**

- Mr. Johnson reported on the damage at the Red Rooster exit gates. He inquired if since they have a gate company, is he required to get additional proposals. It was noted he does not.
- Mr. O’Hair addressed retaining the damaged gates for usable parts.
- Ms. Ashley inquired on the amount of the deductible. It was noted it is \$2,500 per incident.

On MOTION by Mr. Wolf seconded by Ms. Ashley, with all in favor, the Gate Pros proposal in the amount of \$12,475 was approved. 5-0

- Mr. Wolf addressed installing reflective tape on the gate.
- A deductible line item for the budget was addressed.

**iv. Yellowstone Proposal – Ian Clean-up**

**a. Fennemore Way– Proposals in Process**

**b. Harvest Grove – Proposals in Process**

- Mr. DeWitt outlined the Yellowstone proposals to remove leaning trees and uprooted peppers caused by Hurricane Ian/Nicole behind 11735-11747 Fennemore Way - Proposal #265036 - \$1,800 and to remove six roots and stumps due to Hurricane Ian/Nicole at the cul-de-sac at Harvest Grove Place - Proposal #265053 - \$1,240.

On MOTION by Mr. Wolf seconded by Mr. O’Hair, with all in favor, Yellowstone Hurricane Ian clean-up proposal #265036 (Fennemore Way) and proposal #265053 (Harvest Grove Place), in the total amount of \$3,040 from the reserve fund were approved. 5-0



- Mr. DeWitt inquired about the Magnolia near Aristotle Park that tipped during Hurricane Ian noting it has been removed and there is a hole there. Is it CDD property or resident property?

- Mr. Wolf will look at the site.

**iii. Superior Architectural Solutions – Fence Repair - \$1,500**

- Mr. Wolf outlined the estimate and inquired if Superior will be reattaching the rail. The estimate states it “can be reattached.”

- Mr. Mendenhall noted they can make sure that is the case.

- This item will be held until the questions are answered.

**v. Symbiont Quote - \$1,329.42**

On MOTION by Mr. Wolf seconded by Ms. Ashley, with all in favor, the Symbiont pump replacement in the amount of \$1,329.42 was approved. 5-0

**ii. Alan’s Tree Service Invoice - \$5,600**

- Mr. Mendenhall noted this is hurricane related.

On MOTION by Mr. Wolf seconded by Mr. DeWitt, with all in favor, the Alan Tree Service in the amount of \$5,600 from the reserve fund was approved. 5-0

- It was noted Alan Tree Service invoices need to provide more detail.

**F. District Manager**

- Mr. Wolf addressed second opinions for ponds.

- Mr. Mendenhall noted they will do that so the Board can get some additional input.

- Mr. Wolf inquired if they heard anything more back from the bank.

- Mr. Mendenhall responded no, not as far as hearing an answer that they wanted. The objective at this point is to look to offer the Board some different suggestions of other banks Inframark uses that would not charge those fees. He will involve Ms. Reiss in this.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests**

- Mr. Mendenhall responded no, not as far as hearing an answer that they wanted. The objective at this point is to look to offer the Board some different suggestions of other banks Inframark uses that would not charge those fees. He will involve Ms. Reiss in this.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests**

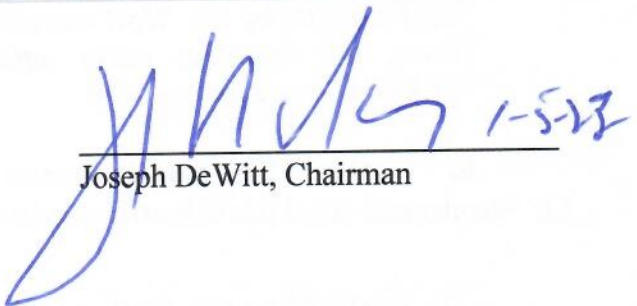
- Mr. Kuehn requested Mr. Johnson look into getting the same system they have in the small dog park for the large dog park where they have the nozzle that they turn, and it trickles out.
- Mr. Johnson noted he will take a look at it.
- Mr. DeWitt reminded all they will be going into the planning season with the reserve study. There are already a couple of identified areas where they need to make some improvements particularly in the gazebos and irrigation.
- Mr. Wolf reported on December 7<sup>th</sup> the street flags will be up. He noted on the Gate Pro invoices there is a \$20 fuel surcharge. Additionally, he has binders for all the insurances but the volunteer policy.

**NINTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to come before the Board,

On MOTION by Mr. Wolf seconded by Ms. Ashley, with all in favor, the meeting was adjourned. 5-0



Joseph DeWitt, Chairman