

**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 7, 2023, at 6:00 p.m. at the Forest Creek Clubhouse, 11685 Old Florida Lane, Parrish, FL 34219.

Present and constituting a quorum were:

Joe DeWitt	Chairperson
Walter Wolf	Vice Chairperson
Sarah Ashley	Assistant Secretary
Todd Kuehn	Assistant Secretary
Michael O'Hair	Assistant Secretary

Also present were:

Andy Mendenhall	District Manager
Michelle Reiss	District Counsel (via phone)
Mitchell Hartwig	SOLitude (via phone)
Liz Rocque	SOLitude (via phone)
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.

THIRD ORDER OF BUSINESS

Audience Comments on Agenda Items

- A resident addressed towing vehicles noting the tow company is not showing up.
- A resident addressed a home on Harvest Grove with regard to street parking and parking in front of a fire hydrant.
- A resident addressed towing and inquired if there is a contract with the company.
- A resident addressed the Viburnum shrubs along the dog park on Major Turner Drive noting in this section the street is being watered not the shrubs.
- A resident addressed street parking and double-parking impeding emergency vehicles.

- Mr. Mendenhall noted Mr. Johnson has been reaching out to the tow company. It may be that they need to bring some options to the Board with regard to tow companies.
- Mr. DeWitt addressed the roofing at the townhouses and overnight parking during that process. Mr. Johnson reached out to CommTow and asked that during that process they not tow any cars on Old Florida Lane and from the Clubhouse. He has followed up with CommTow to be certain they had the correct instructions and they assured him they did. Mr. Johnson has since called them several times, gave them the specific address of a car to be towed and it still was not towed. The CommTow manager followed up with Mr. Johnson that the information that had been downloaded into the computer was not to tow from Forest Creek. He corrected the information, and they were out last night but the car was not there.
- It was noted CommTow comes two random nights per week.

The record will reflect Mr. Kuehn has joined the meeting.

SECOND ORDER OF BUSINESS Opening Prayer

- Mr. Kuehn opened the meeting with a prayer.

FOURTH ORDER OF BUSINESS Approval of Consent Agenda Items

- A. **Consideration of the Minutes of the Board of Supervisor Meeting held November 2, 2023**
- B. **Consideration of Financial Report for October 2023**
- C. **Consideration of Grau & Associates Audit Engagement for FY 2023**
- D*. **Ratification of Symbiont q10889 - \$1,721.95 – Repair of Pool Heating System**

Ms. Ashley MOVED to approve the consent agenda as amended and Mr. Kuehn seconded the motion.

- Mr. Wolf addressed some miscoded items on the expense report, and he has sent them to Mr. Ruben Nesbitt. He noted the property insurance greatly increased by about 30%.

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

FIFTH ORDER OF BUSINESS Staff Report

- A. **Aquatic Services Report**
- Mr. Hartwig noted he sent some permit information for the mitigation site. If there are any impacts that could cause damage to the mitigation area such as the Triploid Grass Carp

there will have to be a change to the permit and suggested reaching out to someone with more experience in changing permits.

- Mr. Wolf inquired how carp would impact the island.
- Ms. Rocque noted they have never run across this before. She addressed the verbiage in the permit noting they need to determine if it came from FWC or SWFWMD.
- SOLitude to contact SWFWMD and if a larger issue they will report to the Board.
- Mr. DeWitt inquired if they are endangering the January/February timeline for carp introduction with this.
 - Ms. Rocque noted they do not know how long this will take, but as long as they get the carp in during the cooler months, they are good.
- Mr. DeWitt inquired as to who should be the District contact for timely feedback.
 - Mr. Johnson will be the contact person.
- Mr. DeWitt noted Andrew is looking at Pond 9 when he is onsite. He is not treating it every time but is looking at it. He noted on Pond 15 there is a small littoral shelf that has been building over the last couple of years by the weir. There are two Sand Hill Cranes that have claimed the area. There is a sidewalk close to the area and last year they abandoned the nest due to all the activity. Is there anything they can do to protect the area.
 - Ms. Rocque noted probably the only thing they can do is put up a sign. It is about educating residents is going to be the best option.
- Mr. Kuehn addressed the drainage ditch between Natures Reach and Charles Partin noting there are plants that have turned brown. He inquired if they were an invasive species that were sprayed.
 - Mr. Hartwig noted he can find out from Andrew tomorrow. He has been spraying in the ditch line.
 - Mr. DeWitt noted this is Site 30.
- Mr. DeWitt addressed contracting with Sitemasters to dredge the ditch lines where there has been buildup – Site 22 and potentially Site 30. The work may get underway sometime in January.

B. Landscape Services Report

i. Field Inspection Reports

- Mr. Mendenhall inquired if the Board had any questions.

- Mr. DeWitt noted page 2 is in process, for the gazebos the vendor is pouring cement on Monday. Pond 3 was treated on November 9th, for the entrance they are mowing once every two weeks and a lot of it will be handled Monday. Mr. Johnson handled the grasses. The Palms have been trimmed and the drip lines were removed and modified, all the Junipers have dead tips on them that need to be removed. Pond 9 was treated November 2nd and 11th. Some of the things on 301 the volunteers have taken care of, and item 14 was treated November 22nd. He has asked if they notice any brown patch fungus on the property to let him know. Yellowstone has sent a holiday schedule noting they will be out December 22nd through January 2nd, so there might be a three-week period where they do not get serviced.
- Mr. DeWitt noted the volunteers will be de-mossing the Oaks as much as possible and a couple of Palmettos along the ditch line they are going to cleanup. He outlined the work he and the volunteers have been doing in preparation for the planting they might do in May.

C. District Counsel

- Ms. Reiss noted she has nothing to report would be happy to take questions.
- Mr. Wolf addressed introducing a motion to set a public hearing for the February meeting to update the District Facilities & Common Area Rules & Policies. He will provide the latest to her so can review it prior to the February meeting.
 - Ms. Reiss noted she looked at what was distributed and did not see anything that struck her but will take a closer look once everyone else's comments are incorporated.

D. District Engineer

- None.
- Mr. Mendenhall will speak with Mr. Chang about the Pond 3 mitigation area.

E. Operations Manager

- i. Operations Report**
- ii. Proposals**
 - a. Alan's Tree Service - \$3,200 Pine Removal**
 - b. Total Tree Maintenance - \$2,150 Pine Removal**
- Mr. Wolf noted one proposal said 'pine' and the other said 'pines' and clarified with Mr. Johnson that they are for the same two pines.
- Mr. Kuehn addressed the number of trees they are losing and the need to replant.

- Mr. DeWitt addressed reaching out to Manatee County to find out the direction he would suggest if they wanted to make the investment to replant around the property with the proper plants.
- Mr. Wolf addressed having a strategy to roll it into the general fund or the reserve fund.

On MOTION by Mr. Wolf seconded by Mr. DeWitt, with all in favor, the Total Tree Maintenance proposal #94 for \$2,150 to remove two pines trees. was approved.

c. Total Tree Maintenance - \$1,050 Medjool Removal

- Mr. Mendenhall noted there was another quote distributed for \$895 from Always Green Tree.

On MOTION by Mr. Wolf seconded by Mr. DeWitt, with all in favor, the Always Green Tree proposal #088 for \$895 to remove one Medjool and stump grind was approved.

F. District Manager

i. Camp Clubhouse Rental Request

- Mr. Mendenhall noted this was sent to the Board via email. It is a request to rent the Clubhouse to do a small camp for a couple of weeks in June to work with children on their reading levels. No more than eight to ten students at a time and they would be offering arts & crafts and writing classes. He noted speaking in broad terms vendors are typically required to provide proof of insurance.
 - Mr. Wolf inquired if it would five hours noting the rules state you can rent but for no more than five hours at a time, and that all the rental/reservation rules would apply.
 - Mr. Mendenhall will follow-up on insurance coverage, how many hours per day, if this is open to residents only and if it will be every day for the two weeks and will then reach out to Ms. Reiss and Egis.

i. Holiday Item Needs

- Mr. Mendenhall inquired about holiday needs such as storing all holiday items, which were donated or purchased with donations, in one spot. In addition, there may be some older items that need to be replaced.

- Mr. DeWitt noted there are three used trees, all of which were donated. Volunteers restring the lights and reuse the trees; he stores these. A number of the volunteers take three to four totes each of lights, wreaths and/or ornaments. The needs are lights and extension cords. It would be nice to have electricity on the pier in the gazebo.
- Mr. Wolf noted they do have a deferred proposal that would provide electricity at that gazebo.
- Mr. DeWitt noted the fund the volunteers maintain through donations is depleted and probably in the hole right now since they had to buy additional lights.
- Mr. Kuehn addressed building something that is out of the way for the golf cart and some storage.
- Mr. DeWitt noted going forward they will need to buy three new trees, and the wreaths for the gates are falling apart and inquired if the Board was interested in financing the repurchase of anything. In the past, volunteers held fund raising activities or asked for donations. No decision was made.
- Mr. O’Hair suggested requesting a post season donation of holiday decorations.
- Mr. DeWitt noted there was a question today regarding a resident’s sidewalk that was heaving and if this part of the CDDs responsibility.
 - Mr. Wolf addressed the sidewalks noting residents are responsible up to the edge of the street for maintenance. The bonds did not pay for sidewalks along residential lots as each lot purchase included the cost of the adjoining sidewalk. However, all sidewalks are on District owned property and as such are inspected annually for trip hazards and fixed as needed.
 - Mr. DeWitt noted it is being raised due to roots.
 - Mr. Wolf inquired about the general direction to Mr. Johnson for trip hazards. The direction is that he should mark it. Mr. DeWitt noted he did in this case.

SIXTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Kuehn inquired if they heard back regarding FEMA funds.
 - Mr. Mendenhall noted the last they heard was a while ago and not great news. He will follow up with Mr. Ettore.
- Mr. Kuehn noted he has not signed up for the Mail Chimp paid service as yet.
- Ms. Ashley inquired if they want Mr. Kuehn to send out an email about street parking.

- Mr. O’Hair noted the rule is in place and everybody knows it is a rule.
- CommTow was addressed with Mr. Mendenhall noting they will look into more local towing companies.
- Mr. DeWitt wished everyone a Merry Christmas and a Happy New Year and thanked them for their dedicated service.
- Mr. DeWitt noted Dennis Angold has been painting the bridge structures. He volunteered to do it with paint supplied by Mr. Johnson. They look fantastic, he is doing a terrific job.
- Mr. DeWitt noted the items approved last month has been done. The fitness equipment was serviced, and the pads replaced. The residents are happy about it.
- Mr. DeWitt reported the Palms have been trimmed and a new inventory done. He and Mr. Johnson talked with Always Green Tree. They think it would be best to take the Medjools and Bismarcks off Yellowstone’s plate for trimming and have Always Green Tree address as needed.
- Mr. Wolf addressed the draft District Facilities & Common Area Rules & Policies provided by email to the Board and that the changes are in red. They will need to decide how to number chapters and rules. The Board members can provide any changes to Mr. Johnson and Mr. Wolf will comply them prior to a public hearing. Per the District’s Rules of Procedures, a public hearing is required preceded by a 29-day public notice so the earliest a public hearing can be held is at the February 2024 meeting.

On MOTION by Wolf seconded by Ms. Ashley, with all in favor, to set a public hearing for the District Facilities and Common Area Rules and Policies for the February meeting and provide public notice was approved.

- Mr. Wolf addressed the Spectrum issue noted last month. The current router does not have the capability to make the needed changes to setup a guest only network. He will work Mr. Johnson to come up with a solution.
- Mr. Wolf addressed the pothole at Major Turner by the stop sign noting it is getting bigger.
- Mr. O’Hair addressed the Christmas lights in the palms at the entrance. There were five or six guys there doing the install and parked their cars in the grass between the gate and the street.

- Mr. O’Hair noted for the pepper tree submittal all paperwork has been filed with the County and they are now waiting on them. In addition, for the peppers, he has had residents discuss with him if they are planning to replant when they take them out. He noted the University of Florida Department of Agriculture site says when you take them out you let the natural plants repopulate the area which will take a couple of years. His thought is if someone wants a privacy fence/screen, they can plant it on their property. He is not looking for a resolution, they can discuss once they start removing them.
- How the area where pepper tree will be accessed for removal was discussed. In the next statement of work prepared Mr. O’Hair will include a statement that the contractor is responsible for damage caused to the ground.
 - Mr. DeWitt noted there is very good verbiage in Mr. Chang’s report regarding the ditch.
 - A resident noted if people want to put a fence in on their property after this is completed, they need to submit a modification request to the HOA.
- Mr. DeWitt noted today is December 7th National Pearl Harbor Remembrance Day and asked that all keep those servicemen and citizens impacted in their prayers.

SEVENTH ORDER OF BUSINESS

Adjournment

There being no further business to come before the Board,

On MOTION by Mr. O’Hair seconded by Mr. Kuehn, with all in favor, the meeting was adjourned.

 1-4-24
Chairman / Vice Chairman