

**MINUTES OF MEETING
GRAND HAVEN
COMMUNITY DEVELOPMENT DISTRICT**

A Public Hearing and Regular Meeting of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, March 17, 2011 at 9:30 a.m.**, in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting and constituting a quorum were:

Dr. Stephen Davidson	Chair
Peter Chiodo (via telephone)	Vice Chair
Tom Lawrence	Assistant Secretary
Marie Gaeta	Assistant Secretary
John F. Pollinger	Assistant Secretary

Also present were:

Craig Wrathell	Wrathell, Hunt & Associates, LLC
Matt Kozak	Wrathell, Hunt & Associates, LLC
Doug Paton	Wrathell, Hunt & Associates, LLC
Brian Simms	ATM
Grant Misterly	ATM
Scott Clark	General Counsel
Barry Kloptosky	Operations Manager
Howard McGaffney	Amenity Center Manager
Roy Deary	Amenity Management Group
Murray Salkovitz	Resident
Joanna Salkovitz	Resident
Vic Natiello	Resident
Pat Maloney	Resident
John Romaine	Resident
Terry Romaine	Resident
Al Lo Monaco	Resident
Ron Merlo	Resident
Frank Benham	Resident
Gary Noble	Resident
Diane Layng	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the meeting to order at 9:39 a.m., noting, for the record, that Supervisors Davidson, Lawrence, Gaeta and Pollinger were present, in person. Supervisor Chiodo was attending via telephone.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

**AUDIENCE/RESIDENT RESPONSE,
REPORT & COMMENTS (3-Minute
Rule; Non-Agenda Items)**

There being no audience/resident responses, reports or comments, the next item followed.

FOURTH ORDER OF BUSINESS

DISTRICT ENGINEER'S REPORT

- **Quote: Stormwater Pond Outfall Repair Inspection**

Mr. Simms indicated that the quote for construction and engineering inspection services for the entire pond outfall repair project was \$9,460. Supervisor Pollinger asked if the quote will allow Mr. Simms to certify that the entire project was completed in accordance with the contract. Mr. Simms responded affirmatively. In response to a question from Supervisor Davidson, Mr. Simms explained how a mitered end section is modified when it is on the slope of a pond.

Mr. Simms reviewed the scope of services of the contract. He advised that two (2) site inspections will be performed per week, which will allow the Engineer to see what the contractor is doing and where, and ensure that the work conforms with the plans, as well as address any issues, discrepancies or unforeseen problems. Once the work is completed, a substantial completion inspection will be conducted with a CDD representative and the contractor. A punch list will track any items requiring correction.

Mr. Wrathell stated it appeared to him that Mr. Simms will be playing more of a project manager role. Mr. Simms clarified that he will be providing engineering input and services for unforeseen circumstances. He advised the quote was based on a ten (10)-week schedule and encompassed all work required to certify the project.

Mr. Wrathell explained that when funding is taken out of bond proceeds, the engineer is certifying that the project was constructed in accordance with the design specs and, once constructed, that it is functioning properly. Supervisor Gaeta asked Mr. Simms if ATM carries an Errors and Omissions (E&O) policy. Mr. Misterly stated the contract requires that they carry E&O coverage. Supervisor Gaeta asked the liability amount. Mr. Misterly stated, typically, there is a \$1 million maximum; however, it was increased to \$2 million for this contract.

Mr. Kloptosky indicated that Cline's estimated time to complete the project is two (2) months. Supervisor Lawrence felt that the contract with ATM was an insurance policy. He indicated he would feel more comfortable if the contract were extended to 12 weeks, in case the project is delayed. Mr. Simms advised he could not provide services for 12 weeks for the same cost, as they were already at rock bottom. Supervisor Davidson requested that the contract be amended to read "ten (10) weeks of construction activity".

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, accepting the proposal from ATM for stormwater pond outfall repair inspection, as amended, was approved.

FIFTH ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS & PRESENTATIONS

- **Report and Recommendations Concerning Plantings in Utility Easements (SD)**

Supervisor Davidson stated they are looking at correcting the 45 pond outfalls that are in need of repair or replacement, as well as the issue, going forward, of the easements on all of the ponds that go to the outfalls in Grand Haven and the Board policy regarding those issues. He advised that Ms. Leister will assist the Board with a horticultural evaluation.

Supervisor Davidson provided slides showing a sinkhole in a resident's yard that occurred as a result of a collapsed outfall and a cracked pipe. Mr. Kloptosky estimated that the cost to correct the problem could be approximately \$30,000. Supervisor Davidson pointed out that there are 150 potential outfalls and what the total cost could be, at the \$30,000 estimate, per correction.

Supervisor Davidson referred to the maps in ATM's report and pointed out the easements and the ways to get into the ponds. He noted the four (4) levels of types of repairs at each of the

outfalls and stated what was missing, for the Board, were the legal ramifications of the Covenants, Conditions and Restrictions (CC&Rs) regarding the use of the easements and the type of outfall at the end, which would determine the type of machinery required.

Supervisor Davidson showed the face sheets and operating sections of the easements for each of the villages involved in the project. He referred to Page 13 and clarified with Mr. Clark that the operating language in the document does not specify that the lot owner is required to replace the sod. Supervisor Davidson stated, in terms of Board policy, this means that the CDD would be required to replace sod.

Supervisor Davidson discussed the handout with the pond locations, access and phasing. He showed several examples of obstructions that were located in the easements, which were directly in the path of the construction. He stated the residents will receive letters advising them that, if they wish to remove the landscaping and retain it, they must apply to the ADC for permission to move it, at their own expense, to another location on their property.

Supervisor Davidson referred to Ms. Leister's report, which showed the easements between all of the homes. He explained the color key, noting that green indicated there were no obstructions; red indicated an obstruction that would have to be removed, immediately; purple indicated an obstruction that would have to be looked at long-term; aqua showed an alternate access enabling the repairs to be made immediately. Supervisor Davidson explained that orange designated the 2½ locations where there is no access on the normal easements; the only way to enter is on residential property, on both sides. The residents will have to agree to allow access because there is no easement in those areas; otherwise, the repairs cannot be made.

Supervisor Davidson read the letters that will be sent to the residents.

Red:

"Dear _____,

The Grand Haven Community Development District is preparing to undertake a major Capital Improvement Program (CIP) for 45 stormwater pond outfall structures located throughout the Community. This work will provide for the restoration and corrective reconstruction/repair of Community outfall structures, essential to the continued protection of property owners against flood damage. To take advantage of the cost benefit associated

with the current dry season and low pond water-surface levels, authorization has been given immediately, with work commencing on Wednesday, March 16, 2011, in North Park on open lots.

In order to carry out the work associated with the CIP, the Contractor will have to access Community ponds through recorded easements that were granted for the District's use. A recent field review revealed that there are a number of landscape plantings, trees, and other foliage within the District's easements. These impediments restrict or, in some cases, prevent heavy construction equipment from accessing Community stormwater facilities. It is important to understand that our storm water ponds were created and exist to provide drainage that protects our property owners against flooding. If structures cannot be accessed to repair, our ability to drain water from the Community will be affected. As an owner of property on which the easement was recorded, we are notifying you of the upcoming work and requesting your assistance in completing this CIP as well as additional future community projects. Please note that because of the various situations throughout the Community where access to pond outfall structures is being restricted, your letter may or may not be the same as your neighbors.

The intent of this letter is to call your attention to the following:

- 1. Advise you, as the property owner, that District easements should remain void of excess vegetation, trees, shrubs, structures and other encroachments. Grass and spartina will be the only acceptable ground covering permissible on District easements."*

Supervisor Davidson noted that this handout was a draft of the letter sent to the head of the Master Association and the ADC, with some minor changes.

“2. Under normal circumstances and following the CC&Rs, the District would have the property owner remove encroachments located on District easements at the property owner’s expense. However, in order to expedite the CIP and complete the project before the rainy season begins, the District will be removing all encroachments at the District’s expense. As well as removal, once the CIP is completed, the District will re-sod the easement area, leaving a clean and clear easement for any future access. Please understand that in the case where any future removal of encroachments is necessary for access to perform community work, property owners will be held responsible for all costs of removal and repair associated with those encroachments.

3. In order to expedite the completion of work associated with the CIP, any encroachment remaining at the time of reconstruction/repair will be removed. If the property owner desires to take it upon him or herself to remove or relocate encroachments off of District easements, then that property owner should coordinate immediately with the ADC to do so. Notwithstanding any prior approval, the deed restrictions control in this matter. Please contact the Property Manager, Troy Railsback, at Southern States Property Management Company, 386-446-6333, for further information regarding this option.

The Grand Haven Community Development District and Grand Haven Master Association greatly appreciate your cooperation in this matter. Should you have any questions or concerns regarding the CIP, locating the District’s easement (map enclosed) or the removal of plantings, please contact the Office of District Management at 877-276-0889.”

Supervisor Davidson indicated that the letter was signed by the Chair of the CDD and the President of the Master Association. He asked for questions or comments from the Board. Supervisor Lawrence suggested that the letter be signed “Sincerely”. Supervisor Davidson

suggested that a copy of the picture of the sinkhole be included. He asked Ms. Salkovitz and Mr. Natiello, members of the ADC present in the audience, if they had discussed how they will handle emergency requests from residents who want to move landscaping obstructions to other locations on their property. Mr. Natiello advised it can be done by email; however, the homeowner must be specific about where it will be moved, to ensure it is an approved location. Ms. Salkovitz suggested adding several meetings to the schedule. In the case of a large tree, Mr. Natiello suggested advising Mr. Railsback to tell the residents if they do not already have a contractor, the request cannot be approved.

Mr. Wrathell emphasized that the easements are there for a specific purpose and anything planted in the easement should not be there because it is an obstruction. He stated, from a business perspective, the District is trying to be accommodating; however, they need to complete this program as quickly as possible. He agreed with giving the residents one (1) week to move obstructions. Supervisor Davidson stated the language should reflect that if the obstruction remains at the time of construction, it will be removed.

Mr. Lo Monaco, a resident, stated when the homes were built, the residents were told that certain things had to be put in certain places; Live Oaks had to be put over easement areas, so he did not understand how the CDD can now tell them that they have to be moved, at the residents' expense. Supervisor Gaeta indicated that it was ADC, not the CDD. Mr. Clark stated the reality is that when developers are building and selling properties, anything will be said to facilitate that, and it happens all the time. He advised they have to honor the written and recorded deed restrictions. Mr. Lo Monaco noted that Austin Outdoor was on the Board and they advised the residents that certain landscaping had to be put in certain places. Supervisor Lawrence asked how the ADC allowed trees to be placed in the easements. Mr. Natiello stated there was a declarant who owned everything, including the ADC. He suggested including a line in the letter to the residents indicating that one homeowner's letter may not be the same as any other homeowner's because there are different situations throughout the community.

Mr. Natiello stated, if it is required to knock down some of the spartina for the stability of the pond bank, it should be added to the letter, calling it "grass" because it is on the resident's property.

Ms. Salkovitz advised there are certain neighborhoods that are builder owned and do not go before the ADC Board.

Supervisor Davidson stated, with regard to planting spartina, the Board asked how much sod would be required. The estimation was 30,000 square feet. Ms. Leister advised a reasonable price was \$.34 to \$.30 per square foot, with \$.30 being rock bottom. Austin Outdoor gave a price of \$9,000, which was \$.30 per square foot, installed and warranted. Supervisor Davidson indicated the Board was looking at spending up to \$18,000 to replace sod only, increasing the price to \$240,000.

Supervisor Pollinger stated the Board struggled with this issue at the workshop. He emphasized that the Board is trying to be fair by notifying the homeowner that, if they desire, they can move the obstruction; however, this project must be done for the good of the community and the CDD is willing to accept the replacement.

Mr. Wrathell commended the Board for addressing this problem while the District is relatively young because, five (5) or ten (10) years from now, it will only exacerbate. He indicated that the current costs are relatively inexpensive compared to replacing destroyed culverts and dealing with this now will save the District a lot of money in the future. Supervisor Davidson advised, when Ms. Leister is available, they will discuss a long-term plan. In response to a suggestion by Supervisor Lawrence, Mr. Clark suggested adding the sentence, "Notwithstanding any prior approval, the deed restrictions control this matter."

Ms. Layng, a resident, advised if she were to receive a letter such as this, she would also appreciate a picture because the slide shown by Supervisor Davidson hit home. Supervisor Davidson stated there is a packet that includes a "Google" view of the particular lot, with a red line drawn in from the storm drain, at the street, to the pond outfall in the back. He clarified that, where there is an easement, a letter is being sent to the parties on both sides of the easement because they do not know exactly which shrub belongs to which lot.

Ms. Layng suggested that the ADC should have a resource available immediately for the residents that choose to relocate their trees. Mr. Natiello advised the problem will be with the contractor.

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, assumption of financial responsibility, by the CDD, for removal of any landscaping obstructions in the easement, re-sodding the easement, at the expense of the CDD, and replanting spartina that is disturbed on any pond bank, for this project, was approved.

On MOTION by Supervisor Lawrence and seconded by Supervisor Pollinger, with all in favor, authorizing the Chair to enter into appropriate rights of entry agreements with the homeowners for construction access, where there are no easements, was approved.

Supervisor Gaeta inquired about the residents who are part-time or do not live in the community at all. She asked about the potential legal repercussions because the CDD does not have a signed authorization from them. Mr. Clark advised there are some provisions in the declarations that notice can be provided to homeowners at their last known address. Supervisor Lawrence clarified that the letters will be sent by Certified Mail, Return Receipt Requested.

On MOTION by Supervisor Lawrence and seconded by Supervisor Pollinger, with all in favor, authorizing the Chair to enter into appropriate rights of entry agreements for construction activities, in areas where there are no easements, was approved.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, authorizing Staff to send the appropriate certified letters to the appropriate addresses, in the appropriate names, was approved.

Supervisor Lawrence thanked Supervisor Davidson for putting so much time into this issue.

SIXTH ORDER OF BUSINESS

STAFF REPORTS

A. Amenity Manager's Report

Mr. McGaffney advised that the pool work is 95% complete; only minor adjustments for the flow remain. He reported that some of the members on the TAG Team and some of the tennis players would like the scoreboards replaced on the tennis court. He requested permission to spend up to \$870 to pay for new wooden scoreboards.

On MOTION by Supervisor Pollinger and seconded by Supervisor Gaeta, with all in favor, authorizing Mr. McGaffney to replace the tennis court scoreboards, for an amount not to exceed \$870, was approved.

Mr. McGaffney discussed the status of the directory. He advised that, after numerous discussions with Supervisor Gaeta, it was determined, if a little more time is taken, they will have a better product, going forward, which will save time next year and in subsequent years. Supervisor Gaeta indicated there was an issue with an employee of AMG. She was led to believe that the employee was making the recommended changes; however, after conferring with the publisher, she found that none of the work had been completed. The positive outcome was that Supervisor Gaeta will be working with Mr. McGaffney and Ms. Fargnoli, along with the publisher. They are all familiar with Excel and there will be a better interface between the CDD office and the Village Center office.

Supervisor Gaeta reported that, last Friday, she was able to reach Mr. Railsback and asked him how they wanted their page to appear in the Directory. Mr. Railsback forwarded that page to her, and she, in turn, forwarded it to Mr. McGaffney and Ms. Fargnoli. She suggested including the responsibilities of the CDD office and the Village Center office as well as answers to questions frequently asked by the residents. Supervisor Gaeta suggested that there be one (1) location for distribution of the directories, which would be Mr. McGaffney's office, and that a sign-out sheet should be kept to prevent duplicate distribution.

Mr. McGaffney distributed the ESI quote and asked that it be included on the next workshop agenda. He explained that they have outgrown the POS system for the Café and that they can provide food faster by adding an additional printer in the back.

Mr. McGaffney expressed his thanks to the Board, Staff and the community for their concerns and well wishes when he lost his father and he had subsequent health issues.

B. Operations/Field Manager

i. Project Tracking Form

- **Stormwater Pond Project "A"**
- **Stormwater Pond Project "B"**

Mr. Wrathell reported that the stormwater tracking forms are being used. He indicated that one (1) minor modification will be made to the presentation.

ii. Quote: CDD Ponds – Outfall Repair

This item was previously discussed.

*****The meeting recessed at 11:17 a.m.*****

*****The meeting reconvened at 11:34 a.m.*****

C. District Counsel

Mr. Clark reported that the developer meeting is set for next Wednesday, at 2:00 p.m. He will attend the meeting, along with Supervisor Chiodo.

Mr. Clark requested a shaded meeting in April, along with the regularly scheduled Board meeting, to elaborate on the R. A. Scott litigation.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, authorizing Staff to advertise a shaded meeting on April 21, 2011 at 9:00 a.m., prior to the Regular Board of Supervisors Meeting, was approved.

Supervisor Davidson reported that Mr. Jay Sampselles, from Cline, advised that R.A. Scott was either the sub or the under-sub on the pond outfall structures for the entire North Section, which is now being reconstructed. He recommended that Mr. Sampselles be contacted for further details and suggested that this information may be used to counter balance some of the claim against the District.

Mr. Clark reported that he is in the process of reviewing the new Americans with Disability Act (ADA) rules that will become mandatory next March. He stated these rules will have an impact on any future construction or reconstruction and possibly on existing facilities.

With regard to the stormwater policies, Mr. Clark suggested that a formal rule be adopted, in the future, to set the policies regarding stormwater easements. He indicated that the rule may create an opportunity for the CDD to recoup fees and costs from those who are in violation.

Supervisor Lawrence asked Mr. Clark if the District has the ability to collect monies from the previous engineering firm, under their E&O policy, for the installation of the outfalls. Mr. Clark explained that, in general, a professional negligence action has a two (2)-year statute of limitations. On construction matters, there is an exception and the two (2) years

may begin to run from when it was discovered. Prior to giving a recommendation, Mr. Clark indicated he will need some feedback as to the cause of the problem.

Mr. Kloptosky advised he has two (2) new Staff members; a part-time administrative assistant, Ms. Tary Tucker, and a full-time field maintenance worker, Mr. Jeff Kilpatrick.

Mr. Kloptosky reported that the Wild Oaks weir repair was completed. He also noted that Staff began cosmetic repairs on the Center Park pier, which should save quite a bit of money and buy another few years, before any major renovation becomes necessary. Mr. Kloptosky is hoping to receive the design for the pergolas, from Cornerstone, prior to the workshop, for submittal to the Board. Once the design is completed, they will be able to go out for bid for the pergola rebuild. Mr. Kloptosky provided an update on the Village Center fence and gate and also advised that the Creekside Fitness Center is now open.

Mr. Kloptosky indicated that he has been in contact with the insurance company regarding the insurance claim and they are resisting, claiming that the damage was due to flooding. He noted that the District does not have flood insurance on their policy. He is debating the issue with the insurance company and, at some point, he may need to get Mr. Clark involved. Mr. Wrathell indicated he will obtain quotes for flood insurance from the insurance provider.

Mr. Kloptosky reported on the Pond 6 littoral shelf plant removal. Aquatic Systems will spray the banks and the pond plantings as part of the existing contract; however, cutting the plants down, on the bank and in the water, and removing them, involves a significant amount of time. Mr. Cottrell provided a verbal quote of approximately \$10,000 but indicated that he will charge less on a time and materials basis.

Supervisor Davidson read a portion of the letter received from Mr. Cottrell:

“The Association could engage a landscaper to cut down this material to speed up the process or the decomposing. It would be fine to leave the chopped up material on the exposed banks to decompose and we will prevent re-growth, going forward. The residential side of Pond 6 was treated earlier this year and we chopped up much of that vegetation with our boat propellers to speed the decomposition, so little or no cutting would be needed on that side.”

Supervisor Davidson suggested having Austin Outdoor weed whack any plants they can reach from the shore and spray them. When they begin to decompose, they can run over them with their boat propellers. This will cost a minimal amount. Mr. Kloptosky advised he was informed yesterday by Mr. Cottrell that it will not be possible to chop up the vegetation with a boat propeller because it is too thick; however, it can be done with another device.

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, removal of the littoral planting using weed whacking and continuous herbicide spraying and leaving it to decompose, as recommended by Mr. David Cottrell, of Aquatic Systems, was approved.

Supervisor Davidson noted that the city will perform three (3) herbicide sprayings, which will supplement those done by Aquatic Systems, and will cut down some of the expense of maintaining Ditch 10 and the pond.

D. District Manager

i. Copy of Letter to City Regarding Stormwater Ordinance

Mr. Wrathell reported that the letter regarding the stormwater ordinance and the request from the District to receive the reimbursement was prepared and sent to the city.

SEVENTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Public Hearing to Hear Public Comment and Objections to the Adoption of Amendments to the Policies and Fees for All Amenity Facilities as Previously Adopted and Amended, Which Govern the Operation of Certain Facilities of the Grand Haven Community Development District, Pursuant to Sections 120.54 and 190.035, Florida Statutes

- **Affidavit of Publication for Notice of Rule Development**
- **Affidavit of Publication for Notice of Rule Making**

Mr. Wrathell referred to the proofs of publication, located behind Tab 7A, and indicated that the advertising requirements for the rule making process have been met.

Mr. Clark explained the proposed language changes. Supervisor Gaeta asked if the new rules and regulations should be included in the Directory. Mr. Clark advised, once the Rule is adopted, the clean version will indicate that it was amended on March 17, 2011. It will be

forwarded to Supervisor Gaeta, who will, in turn, forward it to the publisher. It will also be emailed to Mr. Kloptosky and Mr. McGaffney. The telephone number listed for the District Manager will be changed to reflect the correct, toll-free number. The Operations Manager's telephone number will be corrected as well.

*****Mr. Wrathell opened the Public Hearing.*****

Mr. Murray Salkovitz, a resident, expressed a concern regarding usage of the amenities. Supervisor Gaeta advised this topic will be discussed later in the agenda.

Ms. Pat Maloney, a resident, discussed her concerns regarding allowing 15-year-olds to use the exercise equipment. Supervisor Davidson indicated that this is covered under the new rule change. Ms. Maloney inquired about enforcing regulations at The Crossings pool. Supervisor Davidson explained that The Crossings pool is a private corporation having nothing to do with the CDD. Mr. Wrathell noted that the new rules only apply to District owned facilities.

*****Mr. Wrathell closed the Public Hearing.*****

B. Consideration of Resolution 2011-05, Adopting Amendments to the Policies and Fees for All Amenity Facilities as Previously Adopted and Amended, Which Govern the Operation of Certain Facilities of the District, Providing a Severability Clause; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2011-05 for the Board's consideration.

<p>On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, Resolution 2011-05, Adopting Amendments to the Policies and Fees for All Amenity Facilities as Previously Adopted and Amended, Which Govern the Operation of Certain Facilities of the District, Providing a Severability Clause; and Providing for an Effective Date, as amended, was adopted.</p>

C. Email Regarding Fence at Waterfront Park and Creekside

Supervisor Lawrence explained that the fence was installed to stop vehicular access from North Park Road into Grand Haven. When it was first installed, Ms. Majauskas' home was not built. He suggested removing the last three (3) sections of the fence so that it would end at the property line, adjacent to Ms. Majauskas' house.

Supervisor Davidson advised that Ms. Majauskas' concern is pedestrian traffic. He explained that the ADC made an exception that a resident can install a fence, up to six (6) feet high, across the back of their property, as long as it is not a chain-link fence. He suggested that Ms. Majauskas and her neighbors install a continuous fence, at their expense, on their property. Supervisor Davidson showed photos of the property and explained that the use of right-of-way should have been from the monument sign to the North Park entrance.

Supervisor Lawrence made a motion to remove three (3) sections of fence, terminating at the property line. Supervisor Gaeta seconded the motion; however, she expressed that they may be setting a precedent by putting up fences. Mr. Kloptosky advised that the resident will be very upset if the motion passed is to remove the fence. Ms. Majauskas wants the fence continued to where the park starts, in order to deter pedestrian traffic. Supervisor Gaeta stated her understanding was that she wanted the fence removed and a six (6)-foot fence installed, because people are now stepping over it and putting their bicycles over the other side.

Mr. Frank Benham, a resident, felt that using District funds to remove the fence was not the solution; rather, the Board should explain the options to the resident. Further discussion ensued.

Supervisor Lawrence withdrew his motion and Supervisor Gaeta withdrew the second. The Board instructed Mr. Kloptosky to contact the ADC regarding the resident's ability to put up a fence and have them provide the required documentation allowing her to do so, along with their contact information, and to present Ms. Majauskas with that information, along with the options approved by the Board.

D. North Park Road Fence Issues (SD)

This item was discussed under Item 7C.

E. Ad Hoc Safety Security Fact Finding Group Security Report – Action Items

Supervisor Gaeta advised that the report is in progress. Her write-up will be included on the workshop agenda.

With regard to the speeding concerns, Supervisor Pollinger reported that he contacted Custom Signals, the manufacturer of solar based, pole mounted, speed measuring devices and he is awaiting price information to see if it would be feasible for the CDD to install a monitoring device, on its own, that could be moved around the community. This will give the sheriff's department an idea whether enforcement is required and whether the issue is real or perceived.

Supervisor Gaeta reported on mini-action item #1. She suggested that a legal document be drafted and sent to all residents and to realtors, both within and outside of Grand Haven, informing them of new policy changes. Also, a copy of CC&Rs should be issued to all resident owners and renters once they move into Grand Haven, which is not currently being done. Supervisor Gaeta recommended sending periodic e-blasts to the community, providing reminders of policy changes. She also recommended that they entertain the idea of implementing the discontinued practice of calling residents asking them to verify their contact and vehicle ID.

Supervisor Gaeta discussed the equipment that would be needed to monitor the activity at the amenity sites and recommended that the Board think this issue through before implementing the least expensive process. She suggested inviting the current security provider, along with several other vendors, to make a presentation to the Board. Supervisor Gaeta recommended that they visit completed sites and give security feedback on how the system is working. She indicated that the cost for an effective and secure system is in the \$40,000 range.

Supervisor Gaeta will email a copy of her report to Mr. Wrathell's office, to be forwarded to the Board. Supervisor Davidson indicated that this item will be placed on the workshop agenda.

******Supervisor Chiodo left the meeting at 12:48 p.m.******

F. Short and Long Term Policies Regarding Landscaping Placed in Utility Easements (SD)

Supervisor Davidson requested to have Ms. Leister attend the workshop to share her thoughts on this long-term problem and advise what landscaping needs to be removed immediately, versus what can remain until access is required. The Board agreed to discuss the long-term policy regarding utility easements at the workshop.

Discussion returned to the Ad Hoc Security Report. Mr. Natiello inquired about signs being posted on the tennis courts to indicate court closures during inclement weather. Mr. Kloptosky was directed to ask Mr. McGaffney to prepare signs for posting on the courts.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

A. Crossings Road (MK)

Mr. Kozak reported that he has not heard whether the county has chosen the originally proposed path or an alternate path. He contacted the Division of Historic Resources, the entity responsible for the archaeological assessment, if the originally proposed path is chosen.

B. Pergola Replacement (BK)

This item was discussed previously.

C. Switch to LED Street Lights – Eliminate High Sodium Bulbs and Ballasts & Reduce Electricity Costs (BK)

This item will be removed.

D. Town Hall Meetings (Supervisor Rotation) (TL)

Supervisor Davidson requested that this item be placed on the workshop agenda.

E. Solar Report (BK)

Mr. Kloptosky advised that the engineer has not responded to his emails. He will continue to attempt contact.

F. Sail Fish Drive Road Drainage (BK)

This item will be added to the CIP.

G. Amenity Center's Amended Trespass Policy (SC)

This item will be removed.

H. Exercise Room Policy Amendment (SC)

This item will be removed.

I. Development of Business Plan (CW/MK)

J. Annual Performance Objectives (CW/MK)

This item will be removed.

Supervisor Davidson suggested adding long-term utility easement access to the Open Items list. Ad Hoc Action Items will be added as well. Supervisor Lawrence will provide an update on the CIP at the workshop, which will be item 8J. Mr. Kozak will report on the health insurance pricing. This will be item 8K. Mr. Wrathell advised the quotes were based upon the ages and genders of the employees.

Mr. Kozak reported and referred to Page 21 of the health insurance information. He advised the majority of the plans have a monthly premium of approximately \$2,000 for four (4) full-time employees. He indicated that the representative offered to attend a meeting to provide an overview to the Board.

Supervisor Davidson requested that the Board send their questions regarding the health insurance to the District Manager's office.

NINTH ORDER OF BUSINESS**SUPERVISORS' REQUESTS****A. Discussion/Presentation: Resident Directory (MG)**

Supervisor Gaeta advised she was approached by a resident asking if the directory could be offered via hard copy and/or CD.

B. Discussion: Delivery of Agenda Packages to Supervisors (MG)

This item will be discussed at the next workshop.

Supervisor Davidson discussed Ms. Murphy's petition regarding changing the name of Shinnecock Court to DaVinci Court. He indicated that he asked Mr. Kozak to investigate what is involved in changing a street name. Supervisor Davidson noted that the concern involved emergency personnel and his feeling was that they should have maps and GPS locators and should know the difference between a Drive and Court. Supervisor Pollinger requested that the Board hold off on any further discussions until the city provides an opinion.

Supervisor Davidson expressed his concern that this would set a precedent and there would probably be other requests in the future, which may be justified. Supervisor Gaeta stated if the resident were given the option and the city does approve, many people would have to be notified and, from an emergency perspective, this could become a nightmare. Mr. Wrathell discussed some of the problems involved with changing the name. Supervisor Pollinger will follow up with Ms. Murphy regarding the city's response.

Supervisor Davidson suggested using \$2,800 from the budget to repaint the crosswalks and arrows that are in need of repair. Mr. Kloptosky indicated he has received quotes in the area of \$250 to \$260, per crosswalk, for thermal plastic. The estimate for painting was \$65 per crosswalk and it will last for three (3) years. Supervisor Lawrence noted that when he completed an analysis, initially, he was informed that the thermal plastic would outlive the paint by five (5) years. Mr. Kloptosky stated he was advised by Cline that the thermal plastic would last three (3) to five (5) years and the paint would last up to three (3) years. Supervisor Lawrence requested that he verify the longevity. Supervisor Davidson indicated that they will need to put an adequate amount of money in the CIP, in the upcoming budget, as this is a safety issue. Further discussion ensued.

TENTH ORDER OF BUSINESS**CONSENT AGENDA ITEMS****A. Approval of Minutes**

- **February 3, 2011 Community Workshop**
- **February 3, 2011 Continued Meeting**
- **February 17, 2011 Regular Meeting**

B. Unaudited Financial Statements as of February 28, 2011

Supervisor Lawrence inquired about the revenues and noted that only 85% of the assessments were received. Mr. Wrathell pointed out that the bills were not sent out until November. Supervisor Lawrence asked if there was anything they should be doing with regard to their ongoing commitment for the 40 units at the bankrupt townhouse. Supervisor Lawrence stated if they are on-roll, the tax collector will receive the payment. Mr. Wrathell indicated that everything was on-roll in the District. Supervisor Davidson advised the property is listed as foreclosed and up for sale for the price of the land, which is \$275,000. He indicated that may change Bank Atlantic's commitment to pay the tax bill and should be monitored. Mr. Wrathell advised, when a bid is submitted on a tax certificate, the bidder is obligated to pay all of the taxes and the District has first lien status, coequal with city and county taxes.

Supervisor Davidson asked Mr. Clark to consider whether the remainder of the 2004 bond money, which was for master infrastructure, can be used to finish building the Creekside Athletic Club. He also pointed out that, in previous months, the invoices went along with the check register. That was not the case this month. In a previous discussion, Mr. Pinder advised that they will go back to the previous method, where invoices will match the check register.

C. Critical Objectives (*for future performance evaluations*)

- **District Engineer**
- **Field/Operations Manager**
- **District Counsel**
- **District Manager**

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, the Consent Agenda Items, as presented, were approved.

ELEVENTH ORDER OF BUSINESS


ADJOURNMENT

There being no further business, the meeting adjourned.

<p>On MOTION by Supervisor Gaeta and seconded by Supervisor Pollinger, with all in favor, the meeting adjourned at 1:32 p.m.</p>



Secretary/Assistant Secretary



Chair/Vice Chair