

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

The Regular Meeting of the Board of Supervisors of the Grand Haven Community Development District was held on **Thursday, September 17, 2009 at 9:30 a.m.**, at the **Grand Haven Room, Grand Haven Village Center, 2000 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting and constituting a quorum were:

Charles Trautwein	Vice Chairman
Dennis Cross	Assistant Secretary
Samuel Halley	Assistant Secretary
Stephen Davidson	Assistant Secretary

Also present were:

Melissa Dobbins	Rizzetta & Company, Inc.
Dave Berman	Rizzetta & Company, Inc.
Craig Wrathell	Wrathell, Hart, Hunt & Associates, LLC
Barry Kloptosky	Operations Manager
Scott Clark	Clark & Albaugh, LLP
Joseph Schofield	Arcadis, U.S., Inc.
Howard McGaffney	Amenity Center Manager
Mr. Marvin	Resident
Ronald and Cassandra Stevenson	Residents

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at 9:30 a.m., and all Supervisors, except Supervisor Chiodo, were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance to the Flag

The Board recited the Pledge of Allegiance. Supervisor Trautwein read a letter from Supervisor Chiodo:

“To Rizzetta and Company, I am sorry that I could not be here at the meeting to personally thank Rizzetta and Company for their efforts and support they have provided to the Grand Haven CDD for the past five (5) years. In particular, I want to thank Melissa Dobbins and

David Berman for their tireless efforts for the past three (3) years as the Rizzetta District Manager resources, assigned to the GHCCDD. They have always been there for me, as a chairman, whenever we needed their timely support. In particular, I want to cite Rizzetta for the fine efforts that they made in the transition from our previous District Management firm five (5) years ago. It was a very difficult transition and it took many hours on Rizzetta's part to complete. Melissa and Dave, I wish you much success in the future and one (1) final thank you".

THIRD ORDER OF BUSINESS

Guest Experts/Speakers

- **Mike Holtzman, Food and Beverage Consultant, Profitable Food Facilities (per Roy Deary's request)**

Mr. Mike Holtzman summarized his background in the restaurant industry. He suggested providing definition for the cafe area and stated he will be observing through Friday and will create a report summarizing his suggestions. He stated he will provide the Board with a detailed plan.

Mr. McGaffney discussed issues regarding the community directory. He stated it will take a few months to correct the directory. He noted he filed a police report with the Sheriff's office regarding disturbances on the amenity grounds.

FOURTH ORDER OF BUSINESS

Audience/Resident Response Report & Comments

There being no discussion, the next item followed.

FIFTH ORDER OF BUSINESS

Audience/ Resident Comments for Non-Agenda Topics

Mr. Marvin stated he bought a lot in Osprey Circle in 2000 and the CDD ran drainage pipes through his property. He explained, after the 2004 hurricanes, a sinkhole, about two (2) feet wide, occurred on his property, by the sidewalk, which he promptly filled. He stated, due to the recent rains, he has a sinkhole that was ten (10) feet wide and six (6) feet deep, with seven (7) feet going into his yard. He was told the incorrect pipe was put in and resulted in the sinkhole. He stated nothing has been done to correct the sinkhole and it has been over five (5) weeks, although Barry stated that the bid was awarded. Mr. Kloptosky stated there are a number of

reasons as to why the process took so long to address. He stated a number of sinkholes have occurred due to the rains. He attempted to find a contractor to temporarily fill the holes, but no one was willing. After waiting a week, the Engineer reviewed the damage and provided a temporary report. He received bids from contractors within the next two (2) weeks; he suggested having a contractor, on record with the District, to handle such emergencies. He confirmed a contractor has been hired to complete the work. Supervisor Trautwein stated this issue will be discussed in the Workshop. Mr. Clark discussed the District’s position regarding the District not issuing a Hold Harmless letter.

Ronald and Cassandra Stevenson discussed a broken chain link fence and gate. Supervisor Trautwein suggested finding out if the County or the District owns the fence, before it can be fixed.

SIXTH ORDER OF BUSINESS

Business Items

A. Review of Creekside Trial Policies

Mr. Clark recommended taking this from a temporary to permanent policy. He noted the policies have been in place for 120 days. For the record, the changes were read.

On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of adopting the Creekside Food and Beverage Policies, as amended.

B. Consideration of Resolution 2009-08, Appointing District Management

Mr. Wrathell presented Resolution 2009-08 for the Board’s consideration.

On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor of adopting Resolution 2009-08, Appointing Wrathell, Hart, Hunt and Associates, LLC, as District Manager.

C. Consideration of Resolution 2009-09, Appointing Treasurer

Mr. Wrathell presented Resolution 2009-09 for the Board’s consideration.

On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of adopting Resolution 2009-09, Appointing Craig Wrathell as Treasurer.

D. Consideration of Resolution 2009-10, Appointing Checking Account Signatory

Mr. Wrathell presented Resolution 2009-10 for the Board’s consideration.

On MOTION by Supervisor Cross and seconded by Supervisor Trautwein, with all in favor of adopting Resolution 2009-10, Appointing Checking Account Signer authority to the Treasurer.

E. Consideration of Resolution 2009-11, Appointing Secretary

Mr. Wrathell presented Resolution 2009-11 for the Board’s consideration.

On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of adopting Resolution 2009-11, Appointing Craig Wrathell as District Secretary and Chesley E. Adams, Jr., as Assistant Secretary.

F. Consideration of Resolution 2009-12, Transfer Checking Accounts

Mr. Wrathell presented Resolution 2009-12 for the Board’s consideration.

It was noted the current CDARS maturity date is October 15, 2009. Mr. Clark stated Section 3 should read: “The Chairman is delegated the authority to take such additional actions or execute such further documentation that may be necessary to effectuate the transfer of accounts, including accounts other than the checking account”.

Mr. Wrathell stated the District’s accounts will not be under the company’s name, rather they will be under the District’s name. He stated Wrathell, Hart, Hunt and Associates, LLC, is not bonded; however, the company has Professional Liability insurance and he will forward the policies to Mr. Clark.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of adopting Resolution 2009-12, Transferring Checking Accounts, as amended to include Section 3, and subsequent to District Counsel's receipt of Wrathell, Hart, Hunt and Associates, LLC, insurance policies.

G. Consideration of Neighborhood Watch Donation

Mr. Berman read the following letter:

“To Grand Haven CDD Board of Supervisors, the Neighborhood Watch Group is requesting a line item of \$750 from the next fiscal budget as a donation to assist us in purchasing various training items and various items and give-aways as to make the Grand Haven Community more aware of the correct procedures in reporting an incidence or emergency. These funds will help an education process to give Grand Haven residents a better understanding of how the neighborhood process works. Thank you for your consideration.”

Mr. Berman stated they provided an additional email outlining the items they seek; printer and copier supplies, educational material, promotional give-aways, books, magnets, pads and money for special events. He noted a presentation was given at the last Board Meeting.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of a \$750 donation to the Neighborhood Watch Group for use as specified in the letter and email.

H. Consideration of Proposed Policies and Procedures Regarding the Formation of Ad Hoc Fact Finding Groups

Supervisor Davidson suggested postponing this Agenda item to a Workshop.

Mr. Berman stated that the Chairman, via email correspondence, requested this item be tabled to the Workshop.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of tabling the Consideration of Proposed Policies and Procedures Regarding the Formation of Ad Hoc Fact Finding Groups.

Supervisor Trautwein stated the purpose of the fact finding group is to serve as an advisory group. Mr. Clark stated he would like to be aware of any efforts to form the said groups and he would like to review the information regarding the formation of groups in relevance to the Sunshine Law.

SEVENTH ORDER OF BUSINESS

**Consent Agenda Items/Business
Administration**

A. Consideration of August 20, 2009 Board of Supervisors Meeting

Supervisor Cross requested adding the progress report on the five (5) pond trials to the Workshop Agenda.

B. Consideration of the Minutes from the Workshop Meeting held on August 25, 2009

Mr. Berm presented the August 25, 2009 Workshop Meeting Minutes for the Board's consideration.

On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of adopting the August 20, 2009 Board of Supervisors Meeting Minutes and the August 25, 2009 Workshop Meeting Minutes, as presented.

C. Consideration of Operation and Maintenance Expenditures for September 2009

Discussion was held regarding the expenses of toner and copies.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of accepting the Operation and Maintenance Expenditures for September, 2009.

D. Consideration of Special Assessment Bonds, Series 2004B, Requisition #171; #173 - 174

On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor of approving Series 2004B Requisitions #171, #173 and #174.

E. Consideration of Special Assessment Refunding Bonds, Series 2008, Requisition #14

On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor of approving Series 2009, Requisition #14.

F. Consideration of Resolution 2009-07, Designating Dates, Times and Location for Regular Meetings

On MOTION by Supervisor Halley and seconded by Supervisor Cross, with all in favor of adopting Resolution 2009-07, Designating Dates, Time and Location for Regular Meetings.

Supervisor Cross recommended having the Workshop Meeting precede the Board Meeting by two (2) weeks. The October Workshop is scheduled for October 27th.

G. Consideration of Workshop Meeting Dates for Fiscal Year 2009-2010

This item was tabled to the next meeting.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of approving the ad for the October 27, 2009 Workshop Meeting.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Field/Operations Manager's Report

Mr. Kloptosky requested direction from the Board regarding the Operations Manager Policies and Procedures. Discussion was held regarding the Operations Manager enforcing and/or changing District Procedures and Policies. Supervisor Davidson requested Wrathell, Hart, Hunt and Associates review the current Policies and Procedures Handbook. Mr. Wrathell stated Mr. Clark will have to review the policies and procedures in order to ensure the District is in compliance with the tax-exempt bonds.

Mr. Clark clarified that, previously, the Board discussed implementing an ID checking procedure and decided to discuss the idea further. He recommended that the Board review what is in place and consider the recommendations of the District Manager.

Mr. Kloptosky discussed erosion issues on Jasmine. He stated the blockage has not been found. He reported a sinkhole at 75 Southlake, Pond 19; 42 Eastlake; 11 Grandview. He discussed severe erosion at Wild Oaks, Phase II. He stated the contract was in place to start 57 Osprey and he has the Engineer's recommendations on all other projects, but is waiting on proposals from contractors. He stated the work for 57 Osprey is over \$15,000.

Supervisor Cross questioned if the City of Palm Coast has been contacted regarding the Wild Oaks, Phase II; he stated the City of Palm Coast owns the stormwater channel. Mr. Clark requested authority of the Board to write a letter to the City regarding the status of Phase II.

Mr. Kloptosky stated Aquatic Services completed supplemental treatments to Ponds 1 and 3; Pond 2 is to be completed next Monday. He noted the algae at Ponds 6 and 37 and is awaiting a quote from Aquatic Systems to complete treatment. He stated all the microbes have been used and the microbes were to be provided at a discounted rate; originally they were \$500 a pail, with 5 pails per shipment, less a 30% discount. He stated he has not received a quote in writing. He stated he toured Wild Oaks, Phase II and said it appears to be 85% complete. He stated there are nine (9) street lights that are out and requested approval from the Board to fix the lights. He stated he does not know why the lights are out and noted various lighting issues in Phase II. He stated he has a proposal from Aquatic Systems to maintain the ponds, as well as the concrete proposals for the walking area.

Mr. Kloptosky noted a canary date palm has severe insect damage and it will be lost. He stated the insect is tree specific and surrounding trees should not be affected. He noted the replacement value is close to \$7,000.

Mr. Kloptosky stated three (3) companies are to provide a proposal for an upgrade to security cameras. He questioned whether the Board would like presentations from the companies. He noted the propane service was switched to AmeriGas; they replaced two (2) of the three (3) tanks. He stated they will not replace the 1,000 gallon tank until 30% of the gas is used. He anticipated receiving a credit from Suburban for any remaining gas in the tank.

He noted there are now two (2) pump houses down and Hampton Golf is taking care of getting the pump rewired. He stated the CDD's portion is 25%.

Mr. Kloptosky stated the eagles returned to the dog park. He contacted the Audubon Society to protect the integrity of the nesting.

He discussed replacing a wooden fence with a vinyl fence, in order to match the current fence; the cost is about \$1,260. He noted he received quotes to remove the fence, as well as continue the vinyl fence to the end of the street.

On MOTION by Supervisor Halley and seconded by Supervisor Trautwein, with Supervisor Cross dissenting to removing the wooden fence and replacing the street section of the fence with a vinyl fence, with the exception of the portion that is within an easement. (Motion Passed 3-1)

B. District Manager

Mr. Berman stated the amount for the stormwater bill for the City of Palm Coast is \$9,296 and the invoice will be going out this week. Supervisor Cross disagreed with the said amount, as there are eight (8) more ponds in the District. Mr. Kloptosky stated he used numbers received from Rizzetta’s office and it does not include Hampton Golf Ponds, but it does include the Grand Haven Phase I ponds. He stated he did not include the golf course figure, as it is not a cost to the District; he noted there are ponds that were removed from the treatment program. Supervisor Davidson stated the amount spent on stormwater should be documented and that is the number to be billed to the City. Supervisor Cross suggested sending the City an invoice for \$12,000. Supervisor Davidson stated the final invoice will be higher in order to incorporate the correct time and amounts spent on the treatment and landscaping of the ponds.

Mr. Berman reviewed the items for the upcoming workshop.

C. District Counsel’s Report

Mr. Clark stated he received a letter requesting arbitration. He stated their demand for arbitration is not proper and recommended denying their request for arbitration, which will, most likely, result in a lawsuit.

On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of Mr. Clark sending R.A. Scott Denial of Arbitration Letter.

Mr. Clark noted the District, should this go to a lawsuit, can hold attorney-client sessions.

D. District Engineer’s Report

There being no report, the next item followed.

E. Amenity Center Manager

This item was addressed earlier in the meeting.

F. District Liaison

There being no report, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor Requests & Updates

A. Review of Ad-Hoc Fact Finding Group and Landscape Standards for Traffic Circles in Villages

Supervisor Cross presented a proposal to add landscaping to the Villages traffic circle. He noted this has been a line item for the past three (3) years, but was never completed. He discussed the standards of the landscaping circles. He discussed the formation of the ad hoc group.

Supervisor Davidson discussed the current landscaping design plan and recommended creating a new plan, as the current plan demands high levels of irrigation and fertilizers. He presented the Board with information regarding two (2) new bills effective July 1, 2009; Senate Bill 494, a water conservation bill revising the requirements for automatic landscape irrigation system that places the District under the Florida Department of Environmental Protection (FDEP) standards. The other law requires water management districts to provide model Florida-friendly landscaping ordinances to local governments. He noted this information has been assimilated by the University of Florida Cooperative Extension Agency and they are available to provide a presentation regarding these standards. Supervisor Davidson suggested inquiring into other landscaping firms to receive new ideas to reduce landscaping fees.

Supervisor Cross stated such a task does not fit within the perimeters of an ad hoc group.

Mr. Clark discussed what is appropriate for an ad hoc group. He stated the Board needs to set policy before considering an ad hoc group.

Discussion ensued regarding the landscaping throughout the community.

On MOTION by Supervisor Cross and seconded by Supervisor Trautwein, with all in favor of approving the formation of landscape circle ad hoc fact finding group as presented by Supervisor Cross, amended to include identifying fire wise and Florida friendly landscape materials.

Discussion ensued regarding gate issues.

B. Consideration of Appointing CDARS Ad Hoc Fact Finding Group (Supervisor Chiodo)

Supervisor Davidson stated the group is not necessary as Mr. Wrathell is going to coordinate.

C. Recommendations Regarding Developing a Comprehensive Modern Landscaping Design Plan for the Common Areas of the Grand Haven CDD (Supervisor Davidson)

This item was discussed earlier in the meeting.

TENTH ORDER OF BUSINESS


Adjournment

On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of adjourning.

The meeting was adjourned at 2:15 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman