

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

GRAND HAVEN COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Grand Haven Community Development District was held on **Thursday, November 20, 2008 at 9:30 a.m.** at the Grand Haven Room, located at Grand Haven Village Center, 2000 Waterside Parkway, Palm Coast, Florida 32137.

Present and constituting a quorum:

Peter Chiodo	Board Supervisor, Chairman
Charles Trautwein	Board Supervisor, Vice Chairman <i>(via speakerphone; joined the meeting in progress)</i>
Dennis Cross	Board Supervisor, Assistant Secretary
Stephen Davidson	Board Supervisor, Assistant Secretary
Samuel Halley	Board Supervisor, Assistant Secretary

Also present were:

Melissa Dobbins	District Manager, Rizzetta & Company, Inc.
Dave Berman	District Manager, Rizzetta & Company, Inc.
Scott Clark	District Counsel, Clark & Albaugh
Jim Abernathy	District Engineer, Arcadis U.S., Inc.
Tom Lawrence	Field/Operations Manager
Barry Kloptosky	Field/Operations Manager
Robert Lyons	Representative, LandMar Group
Howard McGaffney	Amenity Center Director, AMG
Roy Deary	President, AMG
Bill Goudy	Representative, AMG
Leigh Fletcher	Representative, Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A. <i>(via speakerphone)</i>

Audience Members

FIRST ORDER OF BUSINESS

Call to Order

Mr. Chiodo called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Consideration of Field/Operations
Manager Action Response Report**

Mr. Chiodo stated that the first item on the agenda was the consideration of the Field/Operations Manager Action Response Report.

Mr. Kloptosky stated that there were no action items to be reported at this time.

THIRD ORDER OF BUSINESS

**Consideration of District Manager
Action Response Report**

Mr. Chiodo stated that the next item on the agenda was the consideration of the District Manager Action Response Report (behind Tab 1).

Mr. Berman briefly reviewed the information that was included in the agenda packet relating to the Creekside renovation reimbursement; the Creekside Amenity Center funding; and Requisitions #150 and #151.

Mr. Lyons stated that LandMar has received all requested documentation related to the Creekside renovation reimbursement; however, he stated that there are other issues that will make it difficult for LandMar to issue that reimbursement at this time.

Mr. Cross reviewed Requisitions #150 and #151; he stated that in his opinion Requisition #151 is valid in part for the Creekside Villas that should be Creekside Village. Mr. Cross stated that Ms. Webb informed him that the pump for the lift station is used for sewage for the six lots that are North Park Estates; therefore, he stated that he did not believe that Requisition #150 and #151 are valid CDD expenses for the sewage lift station. Dr. Davidson noted that Resolution 2001-33 references the NOPC, which states that the improvements on North Park Road include the lift station for the benefit of the park as well as the lots. General discussion ensued. It was determined to request that District Engineer follow-up on Requisition #150 and #151.

General discussion ensued. No Board action was taken.

FOURTH ORDER OF BUSINESS

**Resident/Audience Comments and
Requests**

Mr. Chiodo stated that at this time he would like to address the Resident/Audience comments and requests.

1. Richard and Diane Layng – Mr. and Mrs. Layng could not be present at the meeting; therefore, Mr. Berman read a letter that they provided into the record **(Exhibit A)**.
2. Bruce Hardy – Mr. Hardy expressed concerns relating to the use and reservation of the tennis courts. He stated that he has previously requested that the Board establish a tennis advisory committee. Mr. Hardy requested that the Board address the equitable distribution of the tennis courts.
3. Gail Naworal – Ms. Naworal also expressed concerns relating to the use of the tennis courts, in particular by the round robin group, and requested that a tennis advisory committee be established.

4. Victor Natello – Mr. Natello stated that he has attended several Board Meetings and Workshops. He stated that at the last Workshop the Board discussed every issue raised by the previous two speakers. Mr. Natello spoke in defense of social tennis, which is known as the round robin group.
5. Gloria Schleith – Ms. Schleith stated that she has been a resident for ten years and she expressed her support for Tom Lawrence. She stated that she felt he should be paid for the month of November.

Mr. Chiodo thanked everyone for their comments. He stated that this Board has spent a considerable amount of time at both workshops and meetings considering the tennis issues, and would continue to discuss tennis issues going forward. General discussion ensued.

FIFTH ORDER OF BUSINESS

District Engineer's Report

Mr. Chiodo stated that the next item on the agenda was the District Engineer's Report.

Mr. Abernathy reviewed a letter relating to the Wild Oaks acceptance (**Exhibit B**). He stated that the District Engineer is recommending acceptance of Wild Oaks Phase 2 with the exception of the Ditch Ten Weir.

(Mr. Trautwein joined the meeting in progress via speakerphone.)

Mr. Cross reviewed a punch list of open or incomplete items that he prepared for Wild Oaks Phase 2 (**Exhibit C**). General discussion ensued related to the updated punch list. Mr. Lyons responded to the punch list items and presented a letter from LandMar relating to the close out of Wild Oaks Phase 2 and acceptance by the Grand Haven CDD (**Exhibit D**).

Mr. Clark stated that the turnover policy that was adopted many years ago calls for an application which would be considered by the Board; however, it does not seem that the policy has been adhered to in the past. He stated that the legal question as to Tract H and Ditch 10 is primarily a responsibility question and not really a question of ownership. Mr. Clark stated that the language in the plat is unusual in that it seems to divide up the responsibility, with the CDD taking responsibility for the stormwater management system and the City retaining responsibility for the drainage easement. He stated that it appears that the City has not maintained Ditch 10 in a satisfactory manner. Mr. Clark stated that there are also some interrelating permits from the Army Corps of Engineers and the St. Johns River Water Management District.

Mr. Clark stated that the District could consider accepting Wild Oaks Phase 2 with the exception of the Ditch Ten Weir, although there must be a document specifying that exception. He recommended that a bond should be in place if the Board would choose to accept that responsibility before the weir is reconstructed.

Mr. Chiodo stated that he spoke to Jim Cullis who stated that LandMar's primary concern in requesting the turnover relates to the fact that LandMar is being asked to continue to pay for the maintenance expenses at a cost of approximately \$3,000 to \$4,000 per month, while also paying CDD fees for the lots still owned by LandMar.

General discussion ensued as to the turnover. It was determined that there are multiple items that need to be addressed before the turnover of Wild Oaks Phase 2 is acceptable.

Mr. Abernathy reviewed a sketch of the Montague Pier (**Exhibit E**). He stated that the footer where the pier attaches to the beach is completely undermined and is unsafe. Mr. Abernathy stated that the pier has been closed until repairs are complete. He stated that it will probably be necessary to install a new headwall; he will have estimates in approximately one week.

Mr. Abernathy reviewed information pertaining to deterioration of the drainage liner between Hampton Golf Hole #1 and Hole #8 (**Exhibit F**). He stated that replacement cost would be approximately \$125,000; however, he stated that failure will not occur for approximately six to eight years. Mr. Abernathy stated that similar deterioration could exist in other areas. Mr. Abernathy stated that it would cost approximately \$86,000 to line the pipe. General discussion ensued. Mr. Abernathy stated that he did not have a recommendation for the Board at this time.

Mr. Abernathy presented an updated cost estimate relating to the repair of Waterside Parkway (**Exhibit G**). He stated that the District Engineer requested four bids; however, only two contractors submitted bids. Mr. Abernathy reviewed the bids. General discussion ensued. Mr. Chiodo asked Mr. Abernathy to confirm that the Board should accept the bid from Driveway Maintenance if it chooses to only make the repairs; however, if the Board chooses to do the entire job it would be better to select S. E. Cline. Mr. Abernathy stated that was correct; he suggested that if the entire job is to be done, the District could ask Cline to reduce the price. Mr. Chiodo requested that Mr. Abernathy provide clarification of the distance requiring resurfacing. Mr. Abernathy stated that he would provide a map of the resurfacing area to the Board. General discussion ensued. Mr. Chiodo stated that this item will be tabled until the next meeting.

SIXTH ORDER OF BUSINESS

Discussion Regarding Hiring Grand Haven Residents as District Employees

Mr. Chiodo stated that the next item on the agenda would be the discussion regarding hiring Grand Haven residents as District employees (behind Tab 5).

Mr. Chiodo stated that clarification is needed on a motion that was approved at the September Board Meeting relating to this issue. Mr. Chiodo stated that per the motion as stated, the Board Members would not be able to receive compensation for meeting attendance. He stated that in his view this motion related to hiring new employees going forward and not to current employees. Mr. Chiodo proposed that the previous motion be rescinded and subsequently a modified motion be approved. General discussion ensued.

Mr. Berman clarified that Mr. Lawrence has not been paid for the month of November. He stated that he believed that this motion should be readdressed to clarify the position with respect to third party vendors.

Mr. Lawrence referred to the clarification of the minutes that is located behind Tab 5. He stated that he has clearly stated in the past that he would work through the end of November per his verbal contract with this Board.

Mr. Halley stated that the motion was unanimously approved and in his opinion the motion should stand. He stated that if a new motion is approved it should only apply from this time forward.

Mr. Clark stated that if the District has an existing contract and the Board takes an action which would tend to undo that contract, it would cause an impairment of the existing contract.

Mr. Trautwein stated that in his opinion Mr. Lawrence should be paid through the end of November.

Dr. Davidson reviewed Tom Lawrence's service to Grand Haven (**Exhibit H**). He suggested that, as discussed at the October 28, 2008 Workshop, the Board protocol needs improvement. He recommended that the Board appoint an Ad Hoc Fact Finding Group to report on performance evaluation/review forms and systems currently available for the Board of Supervisors to implement as soon as practicable.

On Motion by Dr. Davidson, seconded by Mr. Trautwein, with Dr. Davidson, Mr. Trautwein, Mr. Chiodo and Mr. Cross in favor, and Mr. Halley opposed, the Board approved scheduling a Wine and Cheese Reception to be held in the Grand Haven Room in celebration of and to reward Tom Lawrence for his years of dedication to Grand Haven and to welcome Barry Kloptosky as the new first-time, full-time Field Operations Manager; and authorized an expenditure not-to-exceed \$1,000.00 for Grand Haven Community Development District.

Mr. Cross pointed out the Board passed a motion on September 18, 2008 that no resident could work and be paid after November 1, 2008. Mr. Cross said that he would support paying Tom Lawrence for November, but the motion would first have to be repealed.

Mr. Halley asked Mr. Berman what his plans had been with respect to Mr. Lawrence after the previous motion had been approved. Mr. Berman stated that he had been contacted by an individual Board Member requesting that he contact Mr. Lawrence and send him a letter clarifying that his last day would be November 1, 2008. Mr. Berman stated that he contacted Mr. Lawrence, who clarified that at several times, on record, he had stated that his last day would be November 30, 2008. Mr. Berman stated that he then contacted the Chairman. Mr. Berman stated that Mr. Lawrence has not been paid for November as of this date. He stated that on a personal and professional level he would have thanked Mr. Lawrence for his service to the District; however, he had not been directed by the Board to provide a letter of thanks to Mr. Lawrence. General discussion ensued.

Mr. Chiodo stated that the motion that was passed in September was not specific to Mr. Lawrence; he stated that the new motion should not be specific to Mr. Lawrence.

Mr. Halley stated that in his opinion based on the previous motion, it would be illegal to pay Mr. Lawrence for his services up to this date in the month of November; he stated that if the previous motion is rescinded and a new motion is passed, then in his opinion Mr. Lawrence could be paid from this date forward.

Mr. Chiodo stated that he believed that a motion that has been passed previously can be brought back into question and rescinded.

On Motion by Dr. Davidson, seconded by Mr. Trautwein, with Dr. Davidson, Mr. Trautwein, Mr. Chiodo and Mr. Cross in favor, and Mr. Halley opposed, the Board rescinded the motion previously approved on September 18, 2008 whereby no landowner and/or resident can perform services for the District for compensation for Grand Haven Community Development District.

On Motion by Mr. Chiodo, seconded by Mr. Trautwein, with Mr. Chiodo, Mr. Trautwein, Dr. Davidson and Mr. Cross in favor, and Mr. Halley opposed, the Board approved a policy effective December 1, 2008, whereby the Grand Haven CDD cannot directly hire for compensation any Grand Haven CDD resident and/or lot owner for an employment position that is directly reporting to the District Manager and/or the CDD; excluding third party vendors (i.e. AMG, S.E. Cline) and Board Supervisors for Grand Haven Community Development District.

(A brief recess was taken from 12:10 p.m. to 12:30 p.m.)

SEVENTH ORDER OF BUSINESS

**Consideration of Proposed Settlement
of Whitehall Homes Foreclosure
Matter**

Mr. Chiodo stated that the next item on the agenda would be the consideration of the proposed settlement of the Whitehall Homes foreclosure matter.

Mr. Clark stated that Leigh Fletcher, representing Bank Atlantic, is attending this meeting via speakerphone; he stated that Bank Atlantic has expressed an interest in paying the delinquent assessments and bring the assessments current. Mr. Clark reviewed the proposed settlement of the Whitehall Homes foreclosure matter (**Exhibit I**), which reflects the delinquent Debt Service for 2007, the delinquent Operation and Maintenance assessments, and the payments which are now coming due for 2008. He stated that he believed that the Bank Atlantic proposal would be to make these payments and in exchange the District would reinstate the existing installment schedule so that there is no acceleration of the payments. Mr. Clark stated that an actual settlement agreement has not been negotiated at this point; however, it would include typical waivers and agreements.

Mr. Clark stated that on the Whitehall property there are delinquent 2007 ad valorem taxes on the County's tax roll; he stated that there are tax certificates that have been sold for those. He stated that is not an immediate problem; but at some point that can turn into an ownership interest with a tax deed; he stated that County taxes are the one interest that cannot be wiped out in a foreclosure. Mr. Clark stated that Ms. Fletcher has requested that the County taxes not be included in the agreement. He stated that is a policy issue that the Board may have to deal with in the future.

Ms. Fletcher stated that she had spoken to her client after Mr. Clark's response to her previous email. She stated that the bank's position is simply that the present condition of the unpaid property taxes are not a CDD issue because the assessments were never placed on the tax roll; however, from a business standpoint and in the interest of settling this matter, the bank is willing to ensure that the tax payments are made. Ms. Fletcher stated that she believed that there are delinquent assessments for both 2006 and 2007.

Mr. Clark asked Ms. Fletcher if she agreed and accepted the numbers that he sent her. She stated that was correct. Mr. Clark asked for a motion from the Board authorizing entering a settlement agreement with Bank Atlantic allowing them to reinstate and pay the assessments as outlined including legal fees and court costs, and authorizing the Chairman to execute that agreement subject to approval by Counsel. General discussion ensued. Mr. Lawrence asked if Bank Atlantic might also agree to repair the fence and improve the appearance of the property. Ms. Fletcher stated that Bank Atlantic does not hold title to the property; however, she stated that she would make the bank aware of the issue.

On Motion by Mr. Chiodo, seconded by Dr. Davidson, with all in favor, the Board approved entering into a settlement agreement with Bank Atlantic allowing them to reinstate the assessments on the Whitehall parcel as shown in the schedule (**Exhibit I**), whereby Bank Atlantic would agree to make current payment of all delinquent taxes, and whereby Bank Atlantic would pay all legal fees and costs associated with the legal action; and authorized the Chairman to execute that settlement agreement subject to approval by Counsel for Grand Haven Community Development District.

EIGHTH ORDER OF BUSINESS

**Field/Operations Manager's Report
Update on Air Handler and
Compressor**

Mr. Chiodo stated that the next item on the agenda was the consideration of the Field/Operations Manager's Report.

Mr. Kloptosky provided an update on the Village Center gym and office air handler and compressor (**Exhibit J**). He stated that he contacted three vendors; however, Total Comfort has not responded. Mr. Kloptosky recommended Option B. General discussion ensued.

On Motion by Mr. Halley, seconded by Mr. Cross, with all in favor, the Board approved Replacement Option A, per **Exhibit J**, with D. G. Meyer, for a 5-ton 13 seer system for \$3,097.00 for the Village Center gym and office for Grand Haven Community Development District.

NINTH ORDER OF BUSINESS

Staff Reports

A. Amenity Center Manager

Mr. Deary introduced the new Amenity Center Manager, Howard (Mac) McGaffney.

Mr. McGaffney reviewed the Amenities Report (**Exhibit K**). He noted a correction under "Tennis Courts"; the date to establish the Tennis Advisory Group should be December 15, 2008. He stated that the Advisory Group will be comprised of himself, two community tennis players, two competitive extramural league players, two casual players and two non-player residents. It was stated that a Board Member could attend the Advisory Group meetings.

Mr. Deary reviewed the four proposals that were received for the Point of Sale (POS) system (**Exhibit L**). He recommended the Future POS proposal for \$5,500. He stated that the use of a POS system will require an internet connection in the kitchen.

On Motion by Dr. Davidson, seconded by Mr. Cross, with all in favor, the Board approved the installation of a Point of Sale System in a not-to-exceed amount of \$5,500 for Grand Haven Community Development District.

Mr. Deary stated that he would provide a proposal for some café redesign work in the next couple of weeks.

The Board thanked AMG for its recent efforts and welcomed Mr. McGaffney.

TENTH ORDER OF BUSINESS

Field/Operations Manager's Report

Mr. Chiodo stated that the next item on the agenda was the continuation of the Field/Operation Manager's Report.

Mr. Kloptosky reviewed the recommended Creekside Pool Winter Month Policy (**Exhibit M**). He stated that the estimated savings for shutting down the heaters from December 1st through March 31st would be approximately \$6,000. He stated that the water aerobics will be held solely at the Village Center.

On Motion by Mr. Trautwein, seconded by Dr. Davidson, with all in favor, the Board approved a policy of shutting down the heaters on the Creekside Pool from December 1st through March 31st annually for Grand Haven Community Development District.

Mr. Chiodo requested that an eblast be sent out to notify the community of the new Creekside Pool policy, including the estimated savings.

Mr. Lawrence reviewed the Capital Plan (**Exhibit N**), including funds remaining from 2007. He requested that the Board authorize District Staff to install filters on the reuse irrigation lines in a not-to-exceed amount of \$6,450. General discussion ensued. It was suggested to install one filter and monitor the effectiveness prior to installing the remaining filters.

On Motion by Mr. Halley, seconded by Mr. Chiodo, with all in favor, the Board authorized installation of one filter on a reuse irrigation line for Grand Haven Community Development District.

Mr. Lawrence requested that the Board authorize District Staff to install a pressure reducing valve at the fourth location where the golf course main line cuts into the common area in a not-to-exceed amount of \$4,250, which should reduce the number of main line breaks. He stated that pressure reducing valves are already in place in the other three locations. Mr. Lawrence stated that he had obtained three proposals. General discussion ensued.

On Motion by Mr. Chiodo, seconded by Mr. Trautwein, with all in favor, the Board authorized installation of a pressure reducing valve at the fourth location in a not-to-exceed amount of \$4,250 for Grand Haven Community Development District.

Mr. Lawrence stated that installation of the pond aeration should be completed in approximately one month. He stated that Dr. Clark is working with the St. Johns River Water Management District to get final approval for the littoral shelf planting

Mr. Lawrence stated that research continues on the solar panels. He stated that he ordered a replacement basketball backboard, two replacement soccer nets and a new water cooler and requested ratification of those purchases. Mr. Lawrence requested approval of a new tow-behind court rake and new tow-behind steel drag broom. General discussion ensued.

On Motion by Mr. Chiodo, seconded by Dr. Davidson, with all in favor, the Board ratified the purchase of a basketball backboard, two soccer nets, and a water cooler; and approved the purchase of a tow-behind court rake and a tow-behind steel drag broom for Grand Haven Community Development District.

Mr. Cross proposed that in the future Mr. Kloptosky present a capital project update sheet (**Exhibit O**) each month which should be tied into the monthly Operation and Maintenance expenditures.

Mr. Halley made a motion that a job number be assigned to any project over \$5,000. General discussion ensued. Mr. Chiodo suggested that District Manager check with the Rizzetta accounting department to see whether that would be feasible. Mr. Halley withdrew the motion.

Mr. Lawrence gave an update on the situation with respect to the terracing at 47 Osprey Circle. He reported that the ADC has informed the owners at 47 Osprey Circle that they will have to remove the terraced wall and obtain approval to either install sod and irrigation to the normal water line, or to install Spartina and remove the sod; the ADC has also stated that if the three pine trees have to be removed the City will give approval for those pine trees to be removed if they are a threat to fall on the home. General discussion ensued. No Board action was taken.

Mr. Chiodo suggested that the Board discuss the date of the next Workshop and determine whether it would be necessary to continue this meeting. Discussion ensued. It was determined not to continue this meeting; however, the Workshop would be held as scheduled on November 25, 2008.

ELEVENTH ORDER OF BUSINESS

**Consideration of Amended Budget
for Fiscal Year 2007/2008;
Consideration of Resolution 2009-02,
Adopting Amended Budget for Fiscal
Year 2007/2008**

Mr. Chiodo stated that the next item on the agenda was the consideration of the Amended Budget for Fiscal Year 2007/2008 (behind Tab 3).

Mr. Berman stated that the District is required, per Florida Statute, to amend the previous year's budget within sixty days of the start of a new fiscal year if the District's expenditures exceeded its revenues for the previous fiscal year. He distributed copies of Resolution 2009-02, Adopting Amended Budget for Fiscal Year 2007/2008.

Mr. Berman briefly reviewed the amended budget for the Board; he stated that there was a shortfall of \$52,952. Mr. Berman stated that the amended budget total for Fiscal Year 2007/2008 would be \$2,462,710.

<p>On Motion by Dr. Davidson, seconded by Mr. Chiodo, with all in favor, the Board approved Resolution 2009-02, Adopting Amended Budget for Fiscal Year 2007/2008 (\$2,462,710) for Grand Haven Community Development District.</p>

TWELFTH ORDER OF BUSINESS

**Consideration of Indemnity
Agreement with Developer Regarding
R. A. Scott**

Mr. Chiodo stated that the next item on the agenda was the consideration of the Indemnity Agreement with the Developer regarding R. A. Scott (behind Tab 7).

Mr. Clark stated that another letter had been received from Counsel for R. A. Scott demanding payment of the withheld liquidated damages and asserting some other damages. He stated that he responded that in his opinion the District was not adequately covered under the existing Indemnity Agreement. Mr. Clark drafted an Indemnity Agreement at the R. A. Scott Counsel's request. Mr. Clark explained that at the time this deal was done there was plenty of money in the 2004 Bond to pay for it; however, at the current time, there is only \$36,000 in that fund. He stated that it is imperative that this agreement be finalized. Mr. Clark requested that the Board approve the Indemnity Agreement subject to minor modifications approved by District Counsel and the Chairman. General discussion ensued.

On Motion by Dr. Davidson, seconded by Mr. Trautwein, with all in favor, the Board approved the Indemnity Agreement with the Developer Regarding R. A. Scott, subject to minor modifications approved by District Counsel and the Chairman for Grand Haven Community Development District.

THIRTEENTH ORDER OF BUSINESS

Consideration of Redirection of Roof Bidding

Mr. Chiodo stated that the next item on the agenda was the consideration of the redirection of the roof bidding.

Mr. Kloptosky requested that the Board rescind the motion that was approved at the October 16, 2008 meeting relating to sealed bids for the roof contract. He requested that the Board go back to the general bidding process and limit those bids to the three original bidders.

On Motion by Dr. Davidson, seconded by Mr. Cross, with all in favor, the Board rescinded the motion previously approved on October 16, 2008 relating to the roof bids for Grand Haven Community Development District.

Mr. Kloptosky presented a letter from Sunniland (**Exhibit P**) relating to a price increase; he stated that Sunniland is a supplier used by most of the roofing companies. General discussion ensued. He reviewed information from a City of Palm Coast online permit search (**Exhibit Q**) relating to all commercial reroof projects in the past four months. Mr. Kloptosky stated that a majority of the commercial permits were issued to Quality Roofing. He expressed a concern, for the record, regarding the ability of the new roofing contractor, Rende Roofing that was brought in after the fact as well as an ethical concern regarding the consideration of that particular bid. Mr. Kloptosky stated that Rende Roofing is a residential roofing company; he stated that they did not provide references.

Mr. Kloptosky reviewed the Village Center Roof Quotes (**Exhibit R**) and stated that he believed that either Quality Roofing or Greg's Roofing would be capable of doing this project. He stated that Greg's Roofing and Half Hill Roofing honored their original bid.

Mr. Kloptosky recommended that the Board approve the Quality Roofing bid for the split shake style tile in the amount of \$81,716 plus a 5% contingency; however, he stated that he had been informed that they may be able to slightly reduce that price. He stated that Quality Roofing has agreed to extend their warranty to five years and also agreed to perform an annual inspection for the five year period at no charge. Mr. Kloptosky stated that in his opinion Quality Roof would provide the best installation. General discussion ensued.

On Motion by Mr. Trautwein, seconded by Dr. Davidson, with all in favor, the Board approved the award of the Village Center roof contract to Quality Roofing for the split shake tile in Weatherdash color in a not-to-exceed amount of \$81,716 plus a 5% contingency for Grand Haven Community Development District.

It was determined to table the consideration of the Waterside Parkway, the Storm Protocol, the Marlin Pump House Storage Options, and the Consent Agenda Items until the next Board Meeting.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

B. District Counsel

Mr. Clark stated that he contacted the City regarding the easement for North Park fence; he stated that the City requested that he draft a document and have a sketch survey performed. He stated that once the survey is performed he will forward the documents to the City.

C. District Manager

Mr. Berman stated that the next regular meeting of the Board of Supervisors is scheduled to be held on December 18, 2008 at 9:30 a.m. at the Grand Haven Room, located at Grand Haven Village Center, 2000 Waterside Parkway, Palm Coast, Florida 32137. He stated that the next Workshop is scheduled to be held on November 25, 2008, at 10:00 a.m. at the Grand Haven Room.

Mr. Berman requested a motion to approve Rizzetta & Company, Inc., as the Registered Agent with the State of Florida Department of Community Affairs, and remove Shuffield Lowman as the Registered Agent.

On Motion by Dr. Davidson, seconded by Mr. Cross, with all in favor, the Board approved appointing Rizzetta & Company, Inc., as the Registered Agent with the State of Florida Department of Community Affairs for Grand Haven Community Development District.

D. District Liaison

Mr. Cross stated that at the previous Board Meeting he had been designated the Creekside liaison. He reviewed an email that he sent to Robert Lyons on November 12, 2008 (**Exhibit S**); however, he has not had a response as of this date. Mr. Chiodo suggested that he follow up approximately every two weeks.

FIFTEENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Chiodo stated that the next item on the agenda was Supervisor Requests.

Dr. Davidson briefly reviewed the Tennis at Grand Haven report (**Exhibit T**); he stated that these items were discussed at the Workshop. He stated that Item #1 will be revised to correct "statistics" to "records"; Item #5 will be revised to correct "24" hours to "48" hours.

On Motion by Dr. Davidson, seconded by Mr. Trautwein, with all in favor, the Board approved Items #1, #2, #3, #5 and #6 from the Tennis at Grand Haven report (**Exhibit T**) (as amended) for Grand Haven Community Development District.

Mr. Cross stated that on October 31, 2008 he sent an email to the District Manager regarding the Grand Haven email blast (**Exhibit U**). He stated that he attached an email complaint from Mr. Kull including a newsletter item from Mr. Messer of Sotheby's Realty, and requested that the District Managers review a possible amenity policy violation as far as the usage of the Village Center for a commercial purpose. Mr. Berman stated that he did research that question; he stated that his understanding from the Village Center Staff was that the event in question was never intended to be a commercial use; it was intended to be strictly an information session. Ms. Dobbins stated that District Management did not approve that event. Ms. Dobbins stated that District Management had spoken to AMG and they have since instructed the Village Center Staff as to what are appropriate events.

Mr. Cross asked if Hampton Golf had been invoiced \$550 for sidewalk repairs. Mr. Lawrence stated that invoice has been sent.

Mr. Chiodo requested that the Board approve a motion setting the fee for the one-time special event three-day 2009 Croquet Tournament to be a \$100 flat fee.

(Mr. Chiodo left the meeting in progress.)

On Motion by Dr. Davidson, seconded by Mr. Trautwein, with all in favor, the Board approved setting the fee for the one-time special event three-day 2009 Croquet Tournament to be a \$100 flat fee for Grand Haven Community Development District.

Mr. Lawrence presented the Lake Haven CC&Rs (**Exhibit V**) for the Board's review.

Mr. Halley asked who was going to check on the Operation and Maintenance expense for the water meters as discussed at the Workshop. Mr. Lawrence stated that was a usage invoice, not a charge for a meter.

Mr. Halley also asked when he and Mr. Kloptosky were going to look at the storage sheds at Eagle's Nest. Mr. Kloptosky stated that he believed the previous direction from the Board was to explore the possibilities for on-site storage; however, he stated that he did obtain pricing from Eagle's Nest. General discussion ensued. It was stated that this item was tabled to be discussed at the next Board Meeting.

Mr. Halley stated with respect to the CDARS discussion that he had received information from the bank that it takes two to three days to effect a transfer. Dr. Davidson stated that he was informed by a friend who is a banker that the annual loss for investing \$1 million for one year at 3.8% versus 3.35% would be approximately \$4,500.

Mr. Halley raised concerns regarding ongoing issues with broken gates and cameras.

Mr. Halley asked whether the repairs to the landscaping and the cart path on Hole #8 were included in the price from the contractor that installed the catch basin. Mr. Lawrence stated that the price included the cart path repair, but the landscaping was an extra expense. He stated that when Cline opened the weir it was discovered that there were some major problems; for example, the pipe behind it had collapsed. Mr. Lawrence stated that bringing in heavy equipment to repair that damage caused the damage to the cart path and the landscaping. General discussion ensued.

Mr. Trautwein raised a point of order as to what items are appropriate to be discussed under the Supervisor Requests portion of the agenda. Mr. Trautwein suggested that, in the interest of the best use of meeting time, many questions could be resolved by calling the District Manager or the Field/Operations Manager directly. He stated that if satisfactory answers cannot be obtained, then it would be appropriate to bring those questions to the meeting.

Dr. Davidson requested that the District Manager start the process of informing the residents via email that the Board is collecting information regarding possible volunteers for Ad Hoc Fact Finding Groups.

SIXTEENTH ORDER OF BUSINESS

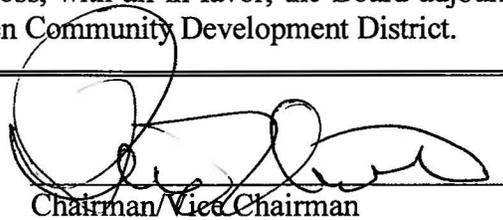
Adjournment

Mr. Trautwein stated that there was no further business to come before the Board and asked for a motion to adjourn the meeting at 3:45 p.m.

On a Motion by Dr. Davidson, seconded by Mr. Cross, with all in favor, the Board adjourned the Meeting of the Board of Supervisors' for Grand Haven Community Development District.



Secretary/ Assistant Secretary



Chairman/ Vice Chairman

Exhibit A

16 Shinnecock Dr.
Palm Coast, FL 32137
November 14, 2008

Attention Grand Haven Board of Supervisors:

We are writing this letter to the C.D.D. Board in support of Tom Lawrence being paid for services rendered through November 2008. For us, his salary for one month is not the issue. The issue has become the integrity of the C.D.D. Board Supervisors elected to serve and represent the community of Grand Haven.

Let us state the facts, as we know them. Tom Lawrence indicated many months ago that he would step down as Grand Haven's Operations Manager at the end of November 2008. The C.D.D. Board began the interview process and Mr. Barry Kloptosky was selected to replace Tom.

Barry started work in August 2008 with the understanding that he would work with Tom Lawrence through November 2008 in order to make the transition as smooth as possible. A four-month orientation program for a community the size of Grand Haven and responsibilities associated with the operations manager position is not an unreasonable period of time. This action plan was submitted to the C.D.D. Board for approval and ratified by the same. This is where our concerns relating to the integrity of the C.D.D. Board comes into question.

It has been brought to our attention that Rizzetta & Company has been contacted by a Board Member stating that Tom Lawrence should not be paid for the month of November 2008. The rationale for non-payment is Mr. Kloptosky has assumed the responsibilities of operations manager as of November 1, 2008. However, Tom remains his support system through the end of November. The entire C.D.D. Board was never consulted about changing the original agreement of paying Tom through the end of November 2008.

What kind of C.D.D. representatives do we have that make the rules to fit the game? The manner in which the C.D.D. chooses to compensate Mr. Lawrence will also send a message to other organizations and personnel that service Grand Haven. It is imperative that the Board honors agreements and contracts in order to maintain its credibility within Grand Haven and the Palm Coast community. Failure to meet their obligations will result in the C.D.D. Board finding it difficult to employ support service personnel which is necessary for Grand Haven to remain a viable community.

Respectfully,
Richard and Diane Layng

Exhibit B



ARCADIS G&M, Inc.
1650 Prudential Drive
Suite 400
Jacksonville
Florida 32207
Tel 904 721 2991
Fax 904 861 2450
www.arcadis-us.com

Grand Haven CDD Board
Dave Berman, District Manager
Rizzetta & Company, Inc.
8529 South Park Circle ~ Suite 330
Orlando, Florida 32819

BUSINESS PRACTICE

Reference: Wild Oaks Phase 2 (aka The Estates Phase 2)
CDD Acceptance

Dear Mr. Berman:

Date:
November 19, 2008

ARCADIS has inspected the infrastructure associated with Wild Oaks Phase 2 Development in Grand Haven.

Contact:
Bill R. Layton

All punch list items have been addressed to our satisfaction. Additionally the City of Palm Coast has inspected the work and all of their punch list items have been addressed with one exception.

Phone:
(904) 861-2825

One item of required work remains to be completed. A weir to control the water level in Ditch 10 and the attached storm water pond remains to be constructed. This work will not interfere with the operation and maintenance of the rest of the infrastructure in the community. The weir could not be constructed along with the rest of the development due to a permit requirement for onsite monitoring prior to the installation. The Developer has completed all the required monitoring and currently seeking bids to construct the weir.

Email:
Bill.Layton@-arcadis.us.com

ARCADIS recommends that the CDD accept for Operation and Maintenance the Wild Oaks Phase 2 Development with the exception of the Ditch Ten Weir.

Our ref:
JK006231

Respectfully,
ARCADIS

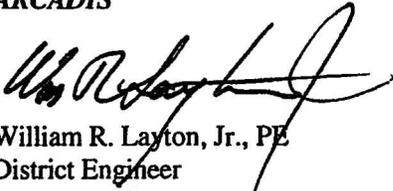

William R. Layton, Jr., PE
District Engineer

Exhibit C

Wild Oaks - Phase 2
Punch List Items

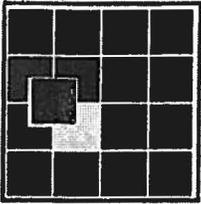
DWC
11/15/08

- 1) Reconstruct Failed Weir on Ditch #10
 - + Est. cost \$65K - \$70K
- 2) Conspan Certification Letter
 - + City requires certification
 - + Arcadis did not design so they cannot certify
 conspans were installed per design
- 3) Ownership & Maintenance Responsibility for Tract 'H' Channel
 - + Legal question referred to Scott Clark
- 4) Ownership & Maintenance Responsibility for Concrete Weir
in Ditch #10
 - + Legal question referred to Scott Clark
- 5) Add Permanent Survey Markers at west & east ends of Ditch #10
to delineate CDD property from adjacent communities for
maintenance boundaries
 - + Oct. 18, e-mail indicates corners have been found and staked
 - + Determine if the old wooden bridge crossing over Ditch #10
 between the easterly conspan and Colbert Lane is on
 District property
 - + The old bridge has rotted wood and is unsafe (repair or remove)
- 6) Ditch #10 Waterway on both sides of westerly conspan bridge is
stagnant and congested with algae and debris
- 7) Four Asphalt Pavement Repairs were made. One repair
was not acceptable.
 - + Oct. 6, e-mail from Arcadis (Abernathy) said he needed to
 inspect final repair
- 8) Developer Issue Affidavit indicating all Labor and Material Costs
paid in full and that there are no liens per Chapter IV rule, sec. 3.4
- 9) Prorate Utility and Maintenance Costs at turnover date

* Site Inspections Schedules *

First	<u>May 28, 2008</u>
Second	<u>Sept. 9, 2008</u>
Third	<u>TBD</u>

Exhibit D



LandMar
GROUP, LLC

Grand Haven Community Development District
2 Village Parkway
Palm Coast, FL 32137
Attn – Tom Lawrence, District Manager

RE – Close out of Wild Oaks Phase 2 and acceptance by the CDD

Dear Tom,

LandMar has addressed all of the outstanding punch-list items for Wild Oaks Phase 2 with the exception of the failed weir in Ditch 10. We are in the process of rebidding and ultimately constructing a new weir and anticipate this work to be completed, at the latest, by January 2009. Until such time that the weir is reconstructed, inspected and formally accepted by both the city of Palm Coast and the Grand Haven CDD engineers, LandMar accepts full responsibility for its maintenance and construction.

The purpose of this correspondence is to request that the Community Development District Board accept the turnover of the project, with the exception of the Ditch 10 weir which will be turned over to the CDD after construction and acceptance by the proper authorities. The Ditch 10 weir has no material impact on the ability of the CDD to accept the remainder of Wild Oaks Phase 2 and its maintenance.

Sincerely,

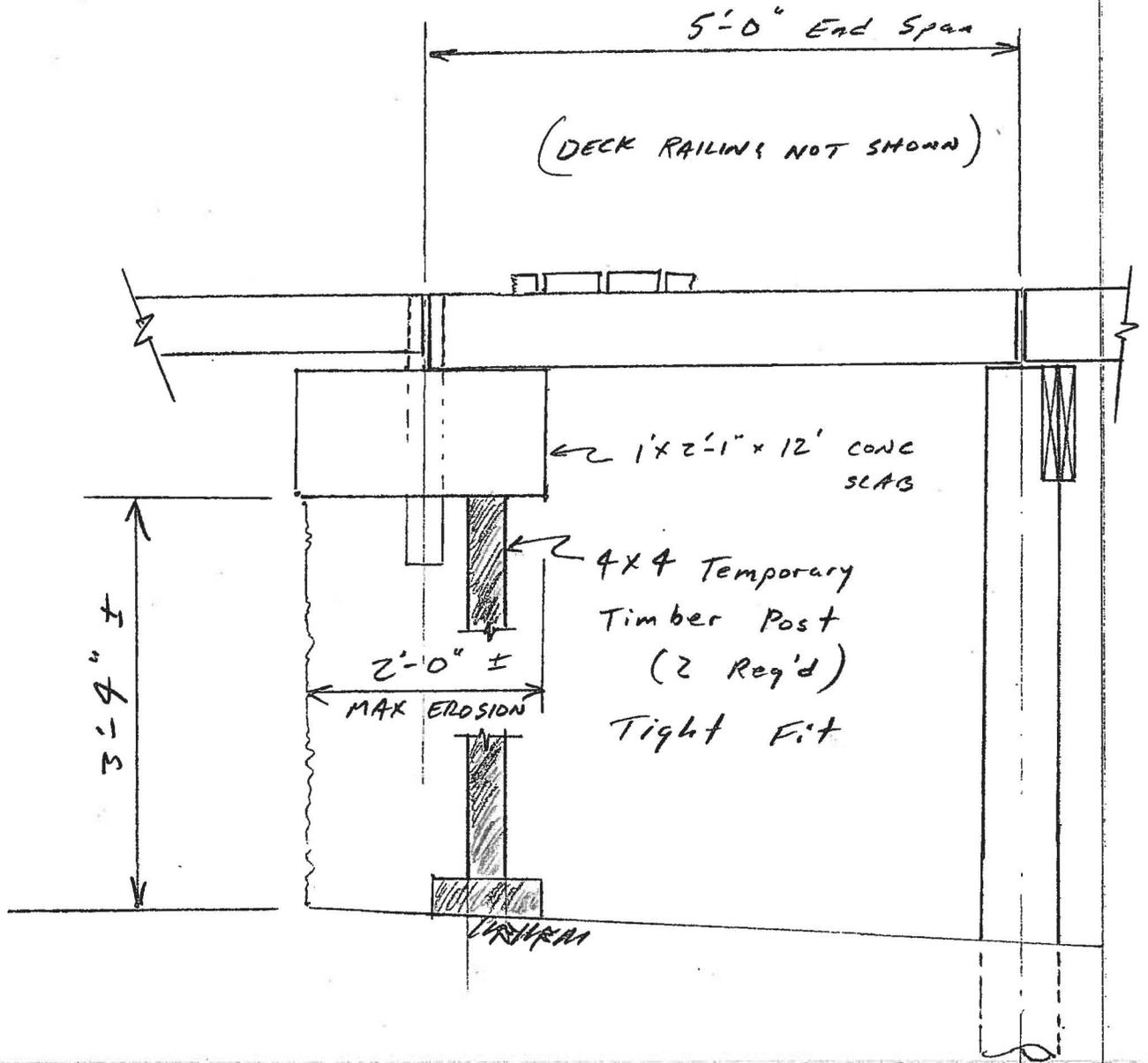
James T. Cullis, Vice President

LandMar Group

Cc: Libby Webb
Melissa Dobbins

Exhibit E

CAMPAD



Section Thru End of Deck





Exhibit F



November 7, 2008

Jim Abernathy Consulting
39 Ocean Street
Palm Coast, FL 32137

Re: Grande Haven Community Development District
Palm Coast, FL

Gentlemen:

Reynolds Inliner, LLC offers this Proposal/Agreement for your approval. We hereby agree to supply all necessary labor, equipment and material for the CIPP lining of 240 LF of 48" x 24 mm storm sewer line.

Any alterations or deviation from specifications below involving extra cost will be executed only upon written orders and will become an extra charge over and above this Proposal. All agreements contingent upon strikes, accidents or delays beyond our control.

SCOPE OF SERVICES TO BE PERFORMED:

Lining Pipe: Approximately 240 LF x 24 mm of storm sewer line will be rehabilitated utilizing the Cured-in-Place Pipe (CIPP) method. The reconstruction of the storm sewer pipe will be accomplished by the installation of a (thermosetting) resin impregnated polyester felt tube. The CIPP shall extend the full length of the pipe reach being rehabilitated, and shall provide a structurally sound, jointless, and close fitting "pipe within a pipe" when cured.

Cleaning Pipe: Operation of a hydraulically propelled, high-velocity jet (1500 to 1800 psi) cleaner will complete cleaning of specified sewer sections. Material resulting from the cleaning operation shall be removed at the downstream manhole of the section being cleaned. All materials collected during the cleaning operation shall be disposed of in a proper manner, at a site provided by the client.

Television Inspection of Pipe: Inspection of pipe sections shall be performed with a color, closed circuit television camera. The camera shall be moved through the pipe reach in either direction at a moderate speed, stopping when necessary to permit proper documentation of the pipe condition. Television inspection logs will clearly show the location, in relation to an adjacent manhole, of each infiltration point, roots, broken pipe, and unusual conditions or defects. Video tapes, with audio, shall be provided for permanent documentation of each of the pipe segments televised.

109 Applewood Drive Longwood, FL 32750-3450 407/260-9668 Fax: 407/260-9318

Birmingham, AL • Phoenix, AZ • Clearwater, FL • Ft. Lauderdale, FL • Lake Mary, FL • Longwood, FL
Atlanta, GA • Orleans, IN • Fairfield, ME • Charlotte, NC • Hilliard, OH • Baytown, TX

CLIENT RESPONSIBILITIES:

1. Provide access to all manholes and structures, including uncovering buried or paved over manhole covers.
2. Provide uniformed traffic control (MOT) if required.
3. Provide any required Federal, State or City permits.
4. Provide an approved dumpsite within 20 miles of jobsite for disposal of any material removed from sewer lines.
5. Provide a secure parking area for Reynolds Inliner, LLC's equipment.
6. Provide access to water for hydraulic cleaning and lining operations.
7. Environmental impact material i.e., turbidity barriers, hay bales, silt fencing.
8. By-passing of segment to be lined.

CONTRACTOR'S OBLIGATIONS:

1. Provide qualified technicians with the knowledge to perform the work in a safe and workmanlike manner.
2. Provide necessary equipment and tools related to the work described above.
3. Provide necessary safety and confined space testing and entry equipment as required by OSHA.
4. Provide personal injury, property damage and workman's compensation insurance covering liabilities of Reynolds Inliner, LLC during the course of the above said project.
5. Provide pre and post VHS tapes of line segments rehabilitated.
6. CIPP design and installation as per ASTM 1216 and Manufacturer's specifications.

PRICING SCHEDULE:

Description	Qty.	Unit	Unit Price	Total
Furnish/Install 48" CIPP (24 mm)	240	LF	\$360.00	\$86,400.00
			TOTAL	\$86,400.00

NOTES:

1. Payment will be due in full (100%) within 30 days of completion. If payment is not received within 30 days, a 1.5% monthly finance charge will be assessed on all outstanding balances.
2. This Proposal/Agreement is subject to a pre-TV inspection by Reynolds Inliner, LLC indicating the line segment conditions are acceptable for installation of liner.
3. If Bonding is required, we request that you mark this price quote up 2%.
4. Time of completion for the cleaning and lining will take approximately five (5) days.
5. This proposal may be withdrawn by us if not accepted within thirty (30) days.
6. This proposal is contingent upon the execution of a mutually agreeable subcontract.

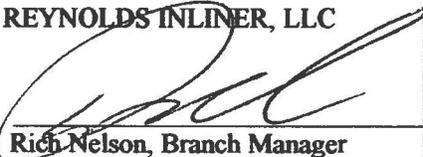
Thank you for the opportunity to provide this Proposal/Agreement for the above said project. Please feel free to contact us should you have any questions.

Upon your acceptance of this Proposal/Agreement, please sign and return all pages of this Proposal along with your Surety company information for the above said project.

AGREED TO AND ACCEPTED BY:

JIM ABERNATHY CONSULTING

REYNOLDS INLINER, LLC



Rich Nelson, Branch Manager

Date: _____

Date: 11/7/08



10/16/2008



10/16/2008

10/17/2008



10/17/2008



10/17/2008

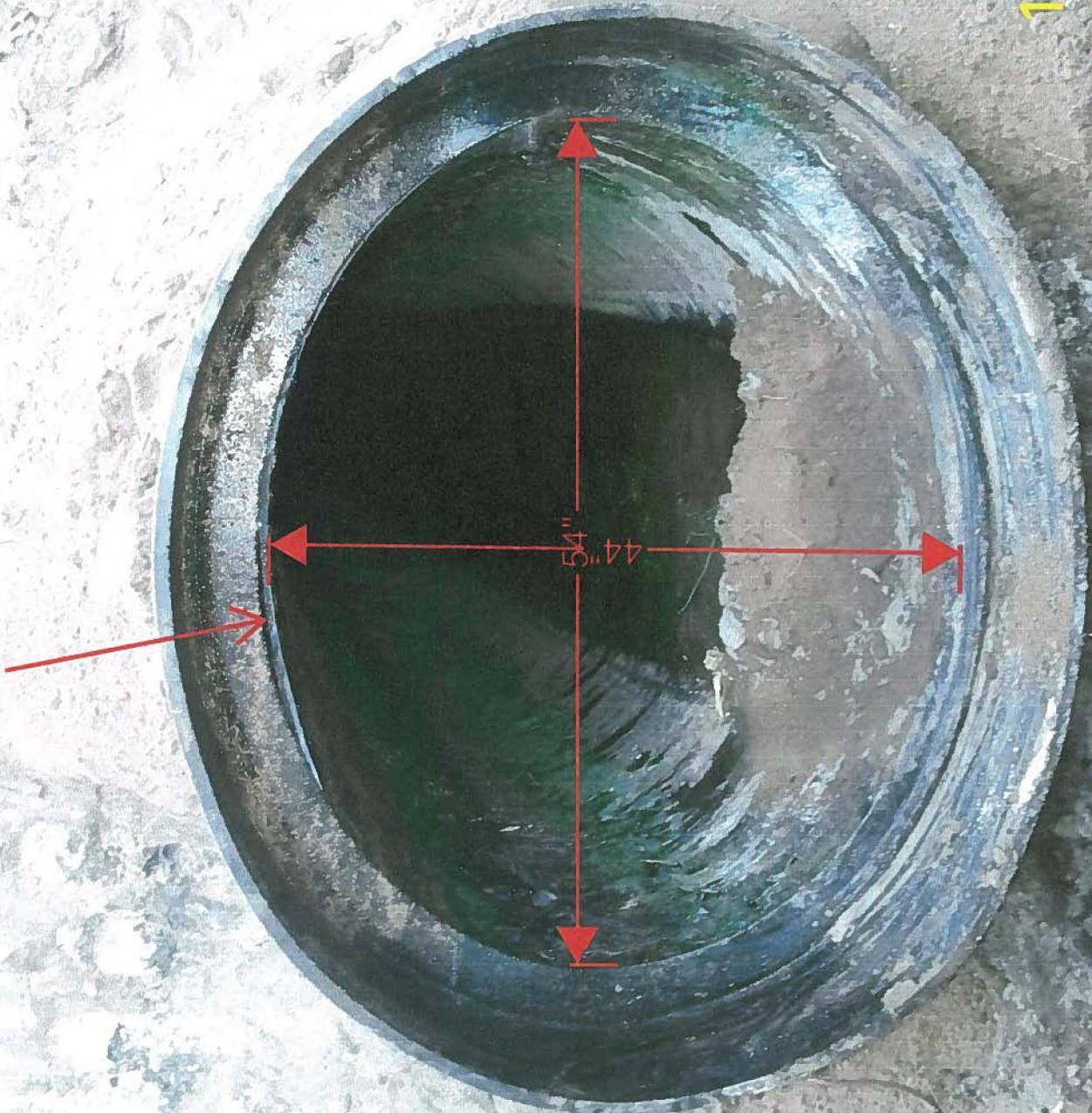


Exhibit G

**COST ESTIMATE FOR APPROXIMATELY 1.2 MILES (for the purpose of mill resurface) OF WATERSIDE PARKWAY
(MAIN ENTRANCE TO THE VILLAGE CENTER)
November 20, 2008**

ITEM #	ITEM	QUAN.	UNIT	UNIT PRICE	SE Cline Revised Bid (Oct 15, 2008)	Driveway Maintenance, Inc. (Nov. 5, 2008)	Jon M. Hall, Inc.	Engineer's Estimate (March 2008)
1	Roadway Reconstruction/Repair	632	SY	\$ 23.30	\$ 14,725.60	included in overall bid		\$ 28,224.00
2	Paver Brick Replacement *	1	SF	\$ 10.35	\$ 800.00	\$ 590.00		\$ 800.00
3	Concrete Header Curb Removal and Replacement	50	LF	\$ 40.25	\$ 2,012.50	\$ 1,290.00		\$ 1,750.00
4	Remove/Replace 1.5" asphalt & 13.5" base	250	SY	\$ 75.85	\$ 18,962.50	included in overall bid		included in item 1
5	Maintenance of Traffic	1	LS	\$ 3,105.00	\$ 3,105.00	included in overall bid		included in item 1
6	Geotechnical Testing	1	LS	\$ 840.00	\$ 840.00	\$ 650.00		included in item 1
	TOTAL BASE BID				\$40,445.60	\$ 28,318.00		\$ 30,774.00
	OPTIONAL ITEMS							
1A	Mill Existing Roadway (1" min.)	16,896	SY	\$ 1.50	\$ 25,344.00	all inclusive		\$ 21,559.73
2A	ACSC (1" min.)	16,896	SY	\$ 5.35	\$ 90,393.60	all inclusive		\$ 67,112.00
	TOTAL ALTERNATE BID				\$115,737.60	\$ 171,845.00		\$ 88,671.73

LEGEND

SY = Square Yard
 LF = Linear Feet
 LS = Lump Sum
 ACSC = Asphaltic Concrete Surface Course

STIPULATIONS:

MOT is included
 **13.5" base is based on using crushed concrete or limerock (SE CLINE BID)
 **will use portland cement base mix (DRIVEWAY MAINT., INC.)
 Asphalt pricing is based on 1.5" thick S-3 asphalt
 * SE Cline did not include total price for item 2, only a unit price. For bidding purposes, \$800 was taken from Engineer's estimate.

Exhibit H

Tom Lawrence: Moved to Palm Coast 11/97
Moved to GH 5/98
Created, chaired the GH Advisory Council 9/98 – 3/01
Improved GH with requests (granted) from Developer for gates all entrances, improved gate staffing schedules, standardized CC&R's rentals, vacant lot mowing.
Appointed to Palm Coast City Council 3/01
Selected as GH OM (part-time) 6/03 – current. Pd. part-time \$ for full time work.
GH Property Manager 12/03 to 12/05

Displayed dedication and continuing contribution to GH community for 5 yrs plus, during transition from Developer to Resident controlled Boards. (Guilt by association in view of those who are mired in the inescapable transition “grief” cycle: Denial, Anger, Bargaining, Depression, Acceptance.)

Accepting the Resident BOS Role, what we need to learn and do going forward:

From 10/28/08 CDD Workshop: CDD Board Protocol

Current CDD Board Protocol Needs Improvement:

Respect for Board Employees – Promote teamwork between Board, FOM, Employees, Vendors

Trust Opinion of FOM, District Counsel

FOM, DM, DC should deal with most day-to-day issues

Allow Managers to Manage, Terminate BOS Micromanagement

– Unsubstantiated public allegations of poor performance violate Employment (HR) Law

- Need to develop and implement regularly scheduled performance Evaluations:

BOS- Amenities Management Contractor

DC

DM

Trustees

Auditors

FOM- Administrative Staff

Maintenance Staff

Landscape Contractors

Aquatic Services Contractor

Security Services Contractor

BOS to establish performance criteria, review frequency, measurement techniques. BOS reviews and approves.

Recommendation: The GH BOS appoint an AD HOC Fact Finding Group to report on performance evaluation/review forms and systems currently available for the BOS to implement as soon as practicable.

Motion: The GH BOS schedule a Wine and Cheese Reception in Celebration of and to reward Tom Lawrence for his years of dedication to Grand Haven and to Welcome Barry Kloptosky as our new, first- time, full-time Field Operations Manager. The reception to be scheduled in the Grand Haven Room, AMG to be authorized an expenditure of up to \$1000.

Exhibit I

**GRAND HAVEN COMMUNITY DEVELOPMENT DISTRICT
SERIES 1997B**

**48 UNPLATTED LOTS
FOLIO # 2822-11-31-5310-00000-00L0**

2007/2008 INVOICE	CURRENT	DELINQUENT	4.64% INTEREST	1% PENALTY	TOTAL DUE
DEBT SERVICE	\$0.00	\$22,080.00	\$600.67	\$1,829.48	\$24,510.15
OPERATIONS & MAINTENANCE	\$0.00	\$54,144.00	\$0.00	\$8,715.50	\$62,859.50
					\$87,369.65

2008/2009 INVOICE	CURRENT	DELINQUENT	INTEREST	1% PENALTY	TOTAL DUE
DEBT SERVICE	\$17,642.00	\$0.00	\$0.00	\$0.00	\$17,642.00
OPERATIONS & MAINTENANCE	\$58,656.00	\$0.00	\$0.00	\$0.00	\$58,656.00
					\$76,298.00

TOTAL DUE					\$163,667.65
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2007/2008 INVOICE - DUE 5/1/07	# LOTS	ASSESSMENT	TOTAL
DEBT SERVICE	48	\$460.00	\$22,080.00
OPERATIONS/MAINTENANCE	48	\$1,128.00	\$54,144.00
			\$76,224.00

2008/2009 INVOICE - DUE 11/30/08	# LOTS	ASSESSMENT	TOTAL
DEBT SERVICE	48	\$367.54	\$17,641.92
OPERATIONS/MAINTENANCE	48	\$1,222.00	\$58,656.00
			\$76,297.92

D/S ~ 1% PENALTY ~ COMPOUNDED			
DATE	PRINCIPAL	INTEREST	TOTAL
5/1/2008	\$22,080	\$220.80	\$22,300.80
6/1/2008	\$22,301	\$223.01	\$22,523.81
7/1/2008	\$22,524	\$225.24	\$22,749.05
8/1/2008	\$22,749	\$227.49	\$22,976.54
9/1/2008	\$22,977	\$229.77	\$23,206.30
10/1/2008	\$23,206	\$232.06	\$23,438.36
11/1/2008	\$23,438	\$234.38	\$23,672.75
12/1/2008	\$23,673	\$236.73	\$23,909.48
		<u>\$1,829.48</u>	

D/S ~ 4.64% INTEREST			
DATE	PRINCIPAL	INTEREST	TOTAL
5/1/2008	\$22,080		\$22,080.00
6/1/2008	\$22,080		\$22,080.00
7/1/2008	\$22,080		\$22,080.00
8/1/2008	\$22,080		\$22,080.00
9/1/2008	\$22,080		\$22,080.00
10/1/2008	\$22,080		\$22,080.00
11/1/2008	\$22,080		\$22,080.00
12/1/2008	\$22,080	\$600.67	\$22,680.67
		<u>\$600.67</u>	

O/M 1% PENALTY ~ COMPOUNDED			
DATE	PRINCIPAL	INTEREST	TOTAL
10/1/2007	\$54,144	\$541.44	\$54,685.44
11/1/2007	\$54,685	\$546.85	\$55,232.29
12/1/2007	\$55,232	\$552.32	\$55,784.62
1/1/2008	\$55,785	\$557.85	\$56,342.46
2/1/2008	\$56,342	\$563.42	\$56,905.89
3/1/2008	\$56,906	\$569.06	\$57,474.95
4/1/2008	\$57,475	\$574.75	\$58,049.70
5/1/2008	\$58,050	\$580.50	\$58,630.19
6/1/2008	\$58,630	\$586.30	\$59,216.50
7/1/2008	\$59,216	\$592.16	\$59,808.66
8/1/2008	\$59,809	\$598.09	\$60,406.75
9/1/2008	\$60,407	\$604.07	\$61,010.81
10/1/2008	\$61,011	\$610.11	\$61,620.92
11/1/2008	\$61,621	\$616.21	\$62,237.13
12/1/2008	\$62,237	\$622.37	\$62,859.50
		<u>\$8,715.50</u>	

Exhibit J

Village Center Gym & Office air conditioning

Replacement options

A Replace existing 9 seer 5-ton system with carrier 5-ton 13 seer system (compressor & air handler) (for office & gym)

- Total comfort = \$ 4,690.00
- DG Meyer = \$ 3,097.00
(DG Meyer- \$1,593.00 less).

B Replace existing 9 seer 5-ton system with split system:

- Carrier 5-ton 13 seer (compressor & air handling) (for gym).
- Carrier 1 ½ ton 13 seer (compressor & handling) with separate ducting (for office).

- Morello = \$10,990.00
- DG Meyer = \$7,984.00
(DG Meyer - \$3,006.00 less).

Recommend option B

- Separate operating systems & separate thermostats for gym and office temperature control (increase controlled comfort levels).
- Maximum efficiency for price
- Approximate 20%-30% cost savings per carrier estimate.
- Approximate 5 year pay back on 5 ton system for gym.

Exhibit K

Amenity Companies
Grand Haven's Amenity Centers Director
CDD Report-Howard McGaffney(Mac)
CDD Meeting Thursday, November 20th, 2008

Amenities Report
Grand Haven, Village Center

INTRODUCTION

- Introduction of Howard McGaffney (Mac) to the CDD Board
- Opening Statement-"It's not about me"!

STAFFING

- Rhonda Leandro- New Cafe Captain
- Steven Winston- New Kitchen Lead
- Buzz Sechman- New FA
- Interviewing to Hire 1 new server in the next 2 weeks.
- John Ignacio will be training with Rob Heard to learn Pools/Spas and Tennis Court Maintenance.

POOLS AND SPAS

- Training and developing our team members to properly maintain the pools.
- Pool room cleanliness and reorganization of room.

TENNIS COURTS

- Markable Improvement on the Upkeep and conditions of the courts.
- Pursuing quotes on new brush and rake for the courts.
- Working with Austin Outdoors Manager-John, to maintain the weeding and trimming of bushes near the courts.
- Noted that tennis community as a whole is interested in the automatic/shoe cleaner for after play. Will discuss with Barry/Bill/Roy. Just letting you know that I have heard the wish for this amenity.
- Review of Last Meetings concerns about the Tennis Communities opportunities to improve play time for all.
 - Amenity Director will execute establishing the Grand Haven Tennis Advisory Group by ~~November~~^{DECEMBER} 15th, 2008 and will report to Barry Directly on Resolutions and further opportunities.
- Circuit Breaker for Lights are tripping on courts 4 and 5...just became an issue today, will partner with Barry and Dave on resolving.
- Waiting on Ball Machine Control Box- Rob Heard is awaiting the quote.-
URGENT!!!

BASKETBALL, SOCCER

- New nets and basket ball backboard and rim are on order. Will install as soon as it arrives.

BOCCE BALL COURTS

- The field of play seems to be wearing slightly and will work with Bill Goudy to look into cause/repair. Will report to Barry upon our findings.

GRAND HAVEN ROOM

- Some residents have voiced concerns for the condition of the lights and the frequent shortages or bulbs blowing out.
- Received feedback for the desire to have a New Years Eve Bash to be held in the Grand Haven Room. Will explore the possibilities and work with Barry, Bill, Joe and make a decision on this by 12/1/08.

WATERSIDE CAFE

- Implementing Hot foods Hot and Cold foods Cold!
- Working on improving the menu and keeping prices below \$10.99 on the Menu, excluding any Special 1 time events or Special Events in which a more classical dinner will apply...Reservation only type situation.
- Have some minor repairs all which were fixed immediately.
- POS- to be addressed by Mr. Roy Deary-President ASG
- In reference to Last Months comment from Mr. Deary about "Tips/Cash not balancing and pilferage occurring" I have terminated 4 team members as this simply is not the right occupation for them.
- Implemented accountability practices and observe and coach them on the opportunities.

CREEKSIDE

- Installing new soap dispensers to remove the metal ones. Done to eliminate rust and uniformity.
- Residents inquiring upon renting out the rooms at Creekside. Will be working with Barry to Discuss. Just bringing to the attention as a request by a resident.

CLOSING REQUESTS AND MISC. OBSERVATIONS

- Alcohol and resident safety
- FA's treated inconsiderately by a few residents upon asking for I.D.'s
- Mac's Open Door Policy
- I am here to Serve the Community, Residents, CDD and my Team.
- Closing Statement

Brnth Room Tile
Tennis Equipment Quotas = ① Brush Cart / ② Rake Pull behind / ③ Roller-Large Par Cart / ④ Auto Two Step, Equip Install

- House Shoe Repair -
Pella Window Repairs
Pool Repair Leak. (Done)
ICE Machine

Signs with Operations Times.

CS New Sign @ Like VC 300
or
@ Altam 100

Janitorial, cleanliness Hourly check Log

Basket Ball & Soccer Equip

Drop Safe (- New Paper) / - Key Box,

BAR + Can Rm - Wood Care + Restock

Tables Rest - ① Leg ② Painting

BAR Top Polishing Marble

Kitchen Equip, Repairs + Proc Paint Contract.

Umbrella Repairs CIS

Palm at VC / CS (64)

① Trim Palm & Berries
② Possibly DC-BOOT From Bottom - up Leaving 6FT.

- POS
- Decorating

★ Water Quality Study / Test
- Par CIS +
- Pool Filter
- Staining Marcite

★ Kitch Cleaning
- Bi-wkly 156.00
each Time.

★ Elic Power Comp

Request Study to show suggestion how to ↓ Elic Bill.
(Bulbs, variable Speed Pumps, Timers)

★ Pool Heaters

Energy Study to Loop All units one Thermostat. (↓ Elic Bill) will Heat + Cool.

Exhibit L

Future POS Investment Summary

Client: Amenity Food and Beverage

Date: October 28, 2008
Proposal valid for ten (10) days

Contact: Tim Lockhart
321-356-9074
tim@esi2it.com

Qty	Description	Each	Total
	<u>Software Licenses</u>		
1	Datacap NetEpay Internet IP Nova/Vital/Cardnet	\$ 995.00	\$ 995.00
1	FuturePOS Software License, per Terminal	\$ 900.00	\$ 900.00
0	FuturePOS Software License, Back Office	\$ 750.00	\$ -
0	FuturePOS Time & Attendance Software License, included.	No Charge	
0	FuturePOS Credit Card Funds Authorization Software	No Charge	
0	FuturePOS Accounting Interface, GL, AR, AP, Inventory, Payroll	No Charge	
	<u>Office Peripherals</u>		\$ -
1	Network Setu Kit	\$ 185.00	\$ 185.00
	<u>Touchscreen POS Terminals and Printers</u>		\$ -
1	Microsoft XPPro,	\$ 285.00	\$ 285.00
1	POS Server Staton, AllN1 Elo Touchscreen, 256MB RAM, XPPro,	\$ 1,875.00	\$ 1,875.00
1	Magnetic Card Readers (for credit card, gift card, and drivers license)	\$ 100.00	\$ 100.00
1	Cash Drawers	\$ 200.00	\$ 200.00
1	Thermal Receipt Printers	\$ 385.00	\$ 385.00
1	UPS Devices 550	\$ 65.00	\$ 65.00
	<u>Remote Kitchen Printers</u>		\$ -
1	Remote Printers TM U220, tear bar, exta serial port	\$ 408.00	\$ 408.00
	<u>Professional Services</u>		\$ -
16	Database Development and Configuration, Training, Live, Follow Up	\$ 100.00	\$ 1,600.00
1	1st year Support Agreement Software & Hardware On-Site		\$ -
	<u>Supplies</u>		
1	POS THERMAL 3 1/8 X 230' 50 Rolls per Case	\$ 58.45	\$ 58.45
0	POS 2 PLY 3" X 95' White/Canary 50 Rolls per Case	\$ 56.40	\$ -
1	POS 1 PLY 3" 15# Paper 50 rolls/case	\$ 34.20	\$ 34.20
1	Black/Red Ribbon 6 per Case	\$ 27.20	\$ 27.20
	Subtotal		\$ 7,117.85
	Discount		\$ 1,617.89
	Total System Investment (not including sales tax or wiring)		\$ 5,500

- ✓ Labor Scheduling, which allows better control of labor as well as the ability to track employee availability to avoid scheduling errors.
- ✓ Caller ID interface, which gives immediate access to customer information anytime a customer calls.
- ✓ Customer Maintenance, which gives the ability to track customer purchases, and manage in store customer accounts. This also includes the ability to print fully customizable invoices to send to your customers.
- ✓ **Customer Loyalty** allows you to search the customer database for customers matching the criteria you specify, such as last visit, dollars spent, postal code, area code, city, etc. Once you've done the query, you can choose to export this data, print mailing labels, or even send them all a form email.
- ✓ **Frequent Diner Maintenance** gives the ability to reward your regular customers based on the number of visits, dollars spent, items purchased, etc.
- ✓ The ability to interface directly to a Property Management System, to allow room charges to be posted in a hotel/motel environment.
- ✓ **Gift Certificate Maintenance** allows you to issue and track your own gift certificates, which can be either paper or magnetic cards.
- ✓ Ingredient Maintenance for tracking inventory levels.
- ✓ **Reservation Maintenance** for tracking customer reservations. These can be added/edited from the Back Office, or any of the POS terminals.
- ✓ Expediter Mode which allows a terminal to serve as an expediter screen for managing the kitchen during peak times. This also provides item prep time information which can be used to determine which cooks are the most efficient.
- ✓ Fingerprint Recognition for fast and accurate identification of employees using the system. This can also be used to eliminate "buddy punching".
- ✓ Interfaces to Berg and Azbar liquor control systems.
- ✓ Interfaces to Texas Digital drive thru Scoreboards.
- ✓ The ability to turn lights on/off using the X-10 lighting interface (typically used in pool halls).
- ✓ Support for Kitchen VDU's and Bump Bars which eliminates the need for Kitchen Printers.
- ✓ The ability to use off the shelf web cameras as surveillance cameras. These cameras can be configured to capture video when specific activities occur. You can also view any of the cameras real time from the office using the Surveillance Module, and capture video "on the fly" if you see something happen that you want to be able to view again at a later time.
- ✓ General Ledger interfaces to Great Plains, MAS 90, MenuLink, PeachTree, and QuickBooks.
- ✓ Inventory Interfaces to ChefTec, Cost Guard, FoodTrak and MenuLink.
- ✓ Payroll Interfaces to Abra, ADP, Great Plains, MenuLink, Paychex, and QuickBooks.



Quote

No. 12941
Date: 10/22/2008

2001 W Cypress Creek Rd. #103
Ft Lauderdale, FL 33309 USA
Phone: 800-771-7100 Fax: 954-938-8875

Amenity Food and Beverage

Dinerware One Terminal Mercury Credit Card Interface

11555 Central Parkway Suite 404
Jacksonville, FL 32224 U.S.A.

Account Phone: (904) 687-6402

Qty.	Item ID	Description	UOM	Sell	Total
1	SOF-DIN-LIC	Dinerware Terminal Software License Dinerware Standard Software includes interface to Mercury Payment Systems Credit Card processing. Additional software is required for other credit card processors.	EA	995.00	\$995.00
1	SOF-MIC-XP PRO	Microsoft Windows XP Professional SP2 Hardware	EA	180.00	\$180.00
1	TER-OBV-GLAD	Gladius Server Terminal 15 Inch Pentium 4 2.0GHz 512MB With MSR No Operating System	EA	2,250.00	\$2,250.00
1	DRA-ARC-HERITAGE KIT	MMF Heritage Cash Drawer Black Epson 24V With Cable #1 Kit	EA	195.00	\$195.00

Each includes:

Qty.	Item ID	ItemDescription
1	DRA-ARC-CD-24V-EPSON-GRAY	MMF Heritage Cash Drawer Black For Epson 24V
1.00	CBL-MMF-226199EPSN1000	MMF Full Size Drawer #1 Cable

1	PIN-TERMINAL PARTS KIT	Terminal Parts Kit	EA	25.00	\$25.00
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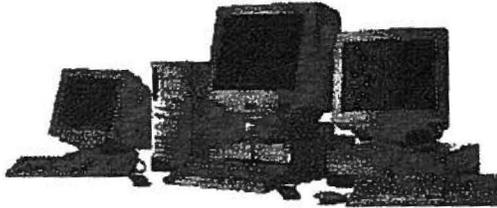
Each includes:

Qty.	Item ID	ItemDescription
1.00	CBL-LAN-10BT-5FT	5 Foot Patch Cable Black
1.00	CBL-LAN-10BT-3FT	3 Foot Patch Cable Black
1.00	CBL-LAN-10BT-2FT	2 Foot Patch Cable Black
10.00	PAR-CUS-LG/TIE	Cable Tie Wraps Large Black
4.00	PAR-CUS-SM/TIE	Cable Tie Wraps Small Black
1.00	LBL-RDC-POSILABEL	POSitouch Brown Labels
1.00	CON-CUS-DB9F/RJ45/DM962	Modular Adapter - RJ45/DB9F Black
1.00	CON-CUS-DB25M/RJ45/DM963	Modular Adapter - Print Connect DB25M/RJ45 Black
1.00	PIN-P-PINNACLE STICKER	Pinnacle Equipment Sticker Black

1	PRJ-EPS-TMT88III-083	Epson TM-T88 IV POS Thermal Printer Gray	EA	430.00	\$430.00
1	PRJ-EPS-C31C514153	Epson TM-U220B Auto Cut Printer Gray	EA	325.00	\$325.00
1	PIN-PREP PRNTR KIT	Epson Printer Parts Kit	EA	25.00	\$25.00

Each includes:

Qty.	Item ID	ItemDescription
5.00	PAR-CUS-LG/TIE	Cable Tie Wraps Large Black
1.00	CON-CUS-DB25M/RJ45/DM963	Modular Adapter - Print Connect DB25M/RJ45 Black
1.00	CON-CUS-DB9F/RJ45/DM962	Modular Adapter - RJ45/DB9F Black
1.00	CBL-ZTI-10BTB-7FT	7 Foot Patch Cable Black
1.00	CBL-LAN-10BT-5FT	5 Foot Patch Cable Black
1.00	PIN-P-PINNACLE STICKER	Pinnacle Equipment Sticker Black



Quote

No. **12941**
Date: 10/22/2008

2001 W Cypress Creek Rd. #103
Ft Lauderdale, FL 33309 USA
Phone: 800-771-7100 Fax: 954-938-8875

Amenity Food and Beverage

Dinerware One Terminal Mercury Credit Card Interface

11555 Central Parkway Suite 404
Jacksonville, FL 32224 U.S.A.

Account Phone: (904) 687-6402

Qty.	Item ID	Description	UOM	Sell	Total
Labor					
2.00	FEE-INS-CONFIG	System Configuration Per Hour	HR	125.00	\$250.00
2.00	FEE-INS-HARDWARE	Hardware Installation Per Hour	HR	125.00	\$250.00
4.00	FEE-INS-MGRTRN	Manager Training Per Hour	HR	125.00	\$500.00
Optional Components					
1	KBD-GEN-USB	USB Generic Keyboard	EA	12.00	\$12.00
1	MOU-USB-MOUSE	USB Generic Mouse	EA	15.00	\$15.00
1	STD-WARRANTY	First Year Standard Warranty Hardware & Software	EA	0.00	\$0.00

Item Total: \$ 5,452.00
Your Price: \$ 4,765.88
Total: \$ 4,765.88
Discount: \$ 686.12

Prices are firm until 11/21/2008

Quoted by: Rose Ann Carter

Date: 10/30/2008

Sales Tax, freight and shipment charges are not included in this proposal. Installation of cable those associated costs are the responsibility of the customer. Initial : _____

Include is a 1-year manufacturer's warranty and 90 days of 24/7 on site and help desk service.

The customer is responsible for all staff training and menu development.

Mercury Payment Systems provides credit and gift card processing software at no charge.

There will be an additional charge for alternative supported credit card providers.

Live coverage is available at prevailing rates.

Accepted by: _____

Date: _____

Pinnacle has made every effort to include all parts and services on this quote. There are some times during upgrades and equipment add-ons where it may be required for the customer to purchase additional parts or equipment as required. If there is any equipment or parts which are part of this proposal that are not required, then Pinnacle will take back the equipment or part at the price for which it was purchased. All hours quoted on this proposal are estimated. In the event that there are unused hours pertaining to this proposal then Pinnacle will refund to the customer the equivalent dollar amount. In the event that more labor hours are required to complete the proposed work the customer will be billed for labor used at the above stated rates.

Customer Information

Billing Contact: AMY CLAY
Billing Phone Number: (386) 447-0192
Billing Address: 11555 CENTRAL PKWY
 STE 4
 JACKSONVILLE, FL 32224
Delivery Contact: AMY M CLY
Delivery Phone Number: (386) 447-0192
Delivery Address: 2000 WATERSIDE PARKWAY
 VILLAGE CTR
 PALM COAST, FL 32137

Quote Details

Quote Number: 460135117

Item Number	Quantity	Item Description
223-3808	1	OptiPlex 755 Ultra Small Form Factor,Pentium Dual Core E2180/2.0GHz,1M,800FSB
420-3699	1	NTFS File System,Factory Install
311-6443	1	1GB,Non-ECC,667MHz DDR2 2X512MB,Dell OptiPlex
310-8010	1	Dell USB Keyboard,No Hot Keys English,Black,Optiplex
320-3704	1	No Monitor Selected, OptiPlex
320-5642	1	Integrated Video,GMA3100,Dell OptiPlex 755
341-5472	1	80GB SATA 3.0Gb/s and 8MB DataBurst Cache,Dell OptiPlex 755
310-9944	1	DVI-to-Dual VGA/DVI Video Adapter Cable Dell OptiPlex Ultra Small Form Factor Factory Tied
341-3912	1	No Floppy Drive, Dell OptiPlexUltra Small Form Factor
467-6050	1	Windows XP PRO SP3 with Windows Vista Business LicenseEnglish,Dell Optiplex
310-8008	1	Dell USB 2-Button Entry Mouse with Scroll,Black,OptiPlex
310-9492	1	ASF Basic Hardware Enabled Systems Management (No Upgrade to vPro/iAMT) Dell OptiPlex
313-5405	1	8X DVD-ROM,OptiPlex,Ultra Small Form Factor
420-9179	1	Cyberlink Power DVD 8.1,with Media,Dell OptiPlex/Precision
313-4825	1	No Speaker, OptiPlex
313-3673	1	No Resource DVD for Dell Optiplex
310-9504	1	Dell Energy Smart Power Management Settings Enabled OptiPlex
310-9333	1	Shipping Material for System Trinity Ultra Small Form Factor,Dell OptiPlex
987-1878	1	RETAIL GOLD TECH Support,OPTI + PERIPH,2YR EXT, Dial 1-888-264-7778 for Support
987-1937	1	RETAIL GOLD TECH Support,OPTI + PERIPH,INIT, Dial 1-888-264 -7778 for Support
988-2268	1	Dell Hardware Warranty Plus Onsite Service, Extended Year(s)
988-2267	1	Dell Hardware Warranty Plus Onsite Service, Initial Year
983-3712	1	Type 3 Contract -Next BusinessDay Parts and Labor,retail, On-Site Response 2YR Extended
983-9560	1	Type 3 Contract - Next Business Day Parts and Labor On-Site Response, 5 Peripheral, Initial Year
983-8659	1	RESTAURANT SOFTWARE SUPPORT
900-9987	1	Standard On-Site Installation Declined
310-9161	1	Vista Premium Downgrade Relationship Desktop
466-9045	1	Thank you for buying Intel/Dell
310-8977	1	Info SKU-Software and Peripherals products and solutions catalog included in system boxes
*		-DISCOUNT/COUPON APPLIED
222-8067	1	Dell E157FPT 15 inch Touchscreen Flat Panel Monitor
982-5470	1	TouchScreen Advanced Exchange 1Yr Limited Warranty
986-5407	1	Dell Hardware Warranty, Initial Year
986-8439	1	No Warranty, Years 2 and 3
313-5087	1	E157FPT Magnetic Strip Reader Customer Install
222-2247	1	PowerConnect 2716, 16 Port GbEWeb-managed Switch-R
900-9067	1	No Warranty, Year 2 and 3
		Type 11 Contract - NextBusiness Day Parts DeliveryService,

960-9590	1	Initial Year	
983-3757	1	Dell Hardware Warranty,Initial Year	
A0476434	1	*Retail Select* APG S100 Dell Gray 16x16 cash drawer; Epson Dell Printer interface 320 ; CD-005A cable incl., rando	\$166.00
A0643035	1	TM T88IV Two Color Thermal Receipt Printer	\$340.00
A0177999	1	USB 2.0 Type A to Type B Cable - 6.6 ft	\$11.00
A0613781	2	RESTAURANT PRO EXPRESS ENTERPRISE EDITION	\$1,400.00
A0613811	2	RPE 1HOUR PHONE AND ONLINE TRAINING PACK	\$192.00
A0613786	2	1YEAR PRIORITY SUPPORT AND S W UPGRADES USER LICENSE	\$580.00
A0613816	1	Restaurant Pro Express Secure Login Cards 25-Pack	\$50.00
A0689490	1	PAYMENT SERVER 1 MERCH 1 USER 1 YR INITIAL STANDARD SUPPORT	\$389.99
A2185495	2	U220B,ETHERNET,EDG,AUTO-CUT, AUTO-STATUS,W PS180	\$671.98
A0640467	2	Over-the-Phone Hardware Installation Per Terminal	\$280.00
		Subtotal:	\$6,086.96
		Shipping & Handling:	\$0.00
		Tax:	\$426.09
		Environmental Disposal Fee:	\$0.00
		Total Price w/Discounts:	\$6,513.05

Important Things to Know:

- **Please save this Quote Confirmation.** To ensure that your quote is complete and accurate, please verify the configuration meets your needs.
- The above information on configuration, price, tax, shipping and monthly payment is estimated and subject to verification. Products displayed are available to US customers who take delivery in the 50 United States. In addition, applicable taxes and shipping & handling charges are subject to Dell's terms and conditions of sale located at www.dell.com/terms unless you have a separate written agreement. Exceptions to Dell policies are at Dell's sole discretion and additional fees may apply.

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MICROS RES4.3 System Proposal for Amenity Food & Beverage

Prepared for: **Amenity Food & Beverage, Inc.**
11555 Central Parkway
Jacksonville, FL 32224

Attention: **Joe Martucci, Liezel Mocke**

Proposal date: **Wednesday, October 29, 2008**

Proposal valid for thirty (30) days



Qty	Part #	Description	Unit Net	Extended
1	000211-112	2010 Controller - PCWS 2010, XP PRO, 12" Display, modem, (1) 700247-038 Oneac, UPS, DP650-Filter (TBF), USB, 4 plug, (1) 700499-117 USB mini keyboard, W/rollerball, (1) 700352-094 40 GB hard drive for PCWS2010, (1) 400489-006 Thermal receipt printer- serial, (1) RES4.3 Software key, Foundation 1 software, time & Attendance, Export Utility	\$ 5,495.00	\$ 5,495.00
1	400018-026	Micros Cash Drawer	\$ 275.00	\$ 275.00
1	000777-100	Credit Card Software	\$ 640.00	\$ 640.00
1	RPG14	Netgear Websafe Router	\$ 89.00	\$ 89.00
1	01-SSC-274	McAfee Anti-virus desktop AV License	\$ 50.00	\$ 50.00
1	26367F	Norton Ghost 12.0	\$ 90.00	\$ 90.00
1	256372	Samsung ML 2510 Laser Report Printer	\$ 175.00	\$ 175.00
Total Hardware & Software				\$ 6,814.00
Professional Services				
16	LABOR	Staging, Database Development and programming	\$ 120.00	\$ 1,920.00
8	LABOR	Manager Training	\$ 120.00	\$ 960.00
2	LABOR	System Go-Live Support	\$ 120.00	\$ 240.00
2	LABOR	Dvice Installation	\$ 120.00	\$ 240.00
Total Professional Services				\$ 3,360.00
1		Atlantic Micro Systems Software Support - Includes Software helpdesk, Micros Software Enhancement License	\$ 995.00	\$ 995.00
Subtotal System & Services				\$ 11,169.00
Subtotal				\$ 11,169.00
Freight				\$ 88.00
Total System [plus applicable sales tax]				\$ 11,257.00

Proposal notes: Price is before tax. Tax will be itemized upon invoice.

One (1) year on-site hardware warranty is included, M-F 8am-10pm

MICROS RES4.3 System Proposal for Amenity Food & Beverage

Purchase Terms: 50% deposit on signing with balance due upon delivery.

Customer:

Date:

AMS Approval

Date:

Exhibit M

Recommended Creekside Pool Winter Month Policy

Creekside Pool- shut heaters December 1st -March 31st of every year.
FPL savings estimate based on data for 2006 through 2008 = \$6,000.00.

Exhibit N

FY 2007 APPROVED CAPITAL PROJECTS - AMOUNT NOT SPENT IN FY2007 (Updated 11/19/2008)

Description	Location	Priority	BOARD APPROVED	NOT SPENT	BOARD APPROVED	FY 2008 Expenditures	
The Crossing entrance rejuvenation	CR	B	3,000			425	✓
Brick Paver Walkway	ME	B	1,575			Eliminate	✓
Replace door	Mn Guard House	B	750			Eliminate	✓
Paver deck	VC	B	76,000		46,000	46,000	✓
Retile & Replaster & new coping	VC	B	40,000		37,650	36,400	✓
Pool Valve repair	VC	B			3,000	2,290	✓
Pool Inspection	VC	B			2,000	500	✓
Deck Drains	VC	B				1,595	✓
Repair BB Court	VC	B	1,800	1,800			
Replace 3 sets of tennis netposts	VC	B	1,000	538		462	✓
Replacement doors	VC	B	1,500	1,500			
Waterside Pky rejuvenation	WS	B	25,000	25,000			
Bike rack - 12 bikes	VC	D	500			Eliminate	✓
Rocks by VC tennis ct sidewalk	VC	D	2,500			Eliminate	✓
Storage Shed - Engr & Survey	Reuse Pond	D	10,780			720	
Storage Shed - capital	Reuse Pond	D	29,000	29,000			
SUB TOTAL FY 2007 FUNDS TO BE SPENT IN FY 2008			193,405	58,558		97,732	

FY 2008 PROPOSED CAPITAL PROJECTS (Updated 11/19/2008)

55,774 NOT SPENT

Description	Location	Priority	Proposed 11/15/2007	NOT SPENT	BOARD APPROVED	FY 2008 Expenditures	
Upgrade entrance door Tiki Hut	CAC	A	650			755	✓
Signage	CAC	A	200			130	✓
Gates	SE	A	3,500			3,030	✓
Little Osprey pond weir repair	SW	A	1,640			1,640	✓
10 Ton Air Conditioner	VC	A	8,000			9,541	✓
Café Bug Zapper	VC	A	230	230			
Ceiling Tiles	VC	A	10,500			13,094	✓
Signage	VC	A	200			195	✓
café storage (Replace with Tiki Hut Locks)	VC	A	40,000		275	398	✓
Waterside sidewalk repair		A	10,700	10,700			
Signage - 2 blind intersection; 2 pedestrian path		A	290			346	✓
Pump House pump replacement		A			4,562	4,562	✓
Phone box system - The Crossings gate	CR	A			5,700	5,689	✓
SUB TOTAL			75,910	10,930	10,537	39,380	

IN FY 2009 PLAN

Creekside croquet umbrellas	CAC	B			1,077	1,167	✓
Paver Crosswalks	FS	B	1,500			in Roads-repave	✓
Main Guard House doors glass replacement	ME	B	850			850	✓
2 VC office chairs	VC	B				158	✓
Computer	VC	B			500	500	✓
Court devil for edge rejuvenation	VC	B			1,200	1,116	✓
Elliptical trade	VC	B				846	✓
Paver protective coating	VC	B		2,200	2,200		
Replace defective camera	VC	B				595	✓
Replace rusted bottom front gates	VC	B	1,400	1,400			
Replacement caps VC pool deck chairs/chaises	VC	B				151	✓
Tennis Court Drainage	VC	B				2,631	✓
Tennis Cpourt 1-4 resurface	VC	B			13,900	13,900	✓
Treadmill	VC	B	1,500		3,900	3,595	✓
Roads - Repave (Waterside Main gate to VC)	WS	B	90,000	30,774	30,774	2,488	✓
spartina rejuvenation		B	9,200			9,200	✓
VC equipment replacement (2 BBs & shuffleboard equip)		B				200	✓
Replace small dumbbells + rack	VC	C				398	✓
Water Fountains - pool & tot lot	VC	C	2,500			1,972	✓
135 Chairs	CAC	D			13,808	13,306	✓
2 Baby changing stations	CAC	D	350	350			
20 Card tables	CAC	D			1,500	870	✓
3 Dividers	CAC	D			1,000	705	✓
3 smoking receptacles	CAC	D				214	✓
Creekside renovation	CAC	D			50,000	46,264	✓
Tiki Hut - coffee maker	CAC	D		30	30		
Tiki Hut - hot dog steamer	CAC	D		285	285		
Tiki Hut - ice blender	CAC	D		50	50		
Tiki Hut - ice chest with cutting board	CAC	D		130	130		
Tiki Hut - microwave	CAC	D		100	100		
2 Baby changing stations	VC	D	350	350			
VC office tile	VC	D			3,719	3,719	✓
SUB TOTAL			107,650	35,669	124,173	104,845	

CUMMULATIVE SUB TOTAL

Approved 183,560 46,599 144,225

RECOMMEND BOARD APPROVAL FOR THESE PROJECTS
FY 2008 CAPITAL BUDGET = 184,902

V = COMPLETE

FY 2009 Capital Plan 11/19/2008

Description	Location	Source (1)	Priority	Board	Board	FY 2009 Exp
				Approved FY 2009	Approved later	
Knox boxes at N, S & Crossing gates	Comm	NEW	A	700		
Bollards/chain in PCC ROW Creekside	Comm	NEW	A	2,500		
Waterside sidewalk repair	Comm	LRP	A	11,450		
North Park signage	FS	NEW	A	300		
Wild Oaks dog/kiddie park signage	WO	NEW	A	600		
Clubhouse Pier rebuild	CH	NEW	B	4,000		
Waterside Pky landscape rejuvenation	Comm	LRP	B	10,000		
Main Ent. Rejuvenation - vy fence	Comm	LRP	B	15,000		
Main Ent. Rejuvenation - vine removal	Comm	LRP	B	10,000		2,550
Circle landscape rejuvenation	Comm	LRP	B	25,000		
15 card tables	VC	NEW	B	600		
Resurface Courts 5-7	VC	LRP	B	7,200		
Filters on 4 reuse irr lines	Comm	NEW	D	8,500		
Detention Pond Aeration	Comm	NEW	D	22,500		21,683
Detention Pond Littoral Shelf Planting	Comm	NEW	D	7,500		
10 New chaise lounges @ VC	VC	NEW	D	2,750		
Bass boat, motor & GPS	Comm	NEW	D		1,000	955
Bass boat trailer	Comm	NEW	D		1,100	600
Solar Panels CAV pool/spa	CAC	NEW	E	17,000		
GH room Chandeliers with CF	VC	NEW	E	2,400		
Solar Panels VC pool/spa	VC	NEW	E	17,000		
7 programmable thermostats	VC & CAC	NEW	E	2,000		1,216
Treadmill	VC, CAC	LRP	PH - B	3,600		
Replace 1 Marlin Dr reuse pump	Pump House	NEW	PH - B	3,500		
2 Gate Operators	SE	LRP	PH - B	7,500		
Computers	VC	LRP	PH - B	500		
Spa Filter	VC	LRP	PH - B	800		
Umbrellas	VC	LRP	PH - B	1,000		
Treadmill	VC	NEW	PH - B	3,600		
Garbage surround fence	VC	NEW	PH - B	4,000		
Pool Pump 7 HP	VC	LRP	PH - B	6,000		
TOTAL Priority A - E				167,000	2,100	27,004
50% of Priority PH - B				15,250		
GRAND TOTAL				182,250		

REQ APPROVAL \$6450 + \$4250 PRV

(1) LRP - in the Long Range Plan or a NEW project

PRIORITY

A	Safety or Health MUST DO
B	Capital Preservation MUST DO
C	Aesthetics, nice to do
D	Request
E	Cost Savings
PH	Place Holder for capital item that may be needed in FY

REPLACEMENT	TWN COURT RAKE	VC	610
"	" STEEL DRAG BRUSH	VC	460
"	BB BACK BOARD + GEAR	VC	410 - ORDERED
"	SOCCER GEAR NETS	CAC	157 - "
"	WATER COOLER - COURT 1-2	VC	1027 - INSTALLED

FY 2008 PROPOSED CAPITAL PROJECTS (Updated 11/19/2008)

<u>Description</u>	<u>Location</u>	<u>Priority</u>	<u>Proposed 11/15/2007</u>	<u>BOARD APPROVED</u>	<u>FY 2008 Expenditures</u>
Cameras-NEW	Wild Oaks	A	10,000		
Roof	VC	B	60,000		
Replace Dumpster Fence	VC	B			ATTEMPTING TO REPAIR
Waterside Pky shrub rejuvenation		B	15,000		
Circle rejuvenation		B	25,000		
ceiling lights- café	VC	C	1,000		
ceiling lights- GH room	VC	C	1,500		
Rainproof awning of croquet court shelter	CAC	D	1,500		
Sailfish & Waterside - add 2 curb drain systems	SW	D	16 550		
Bocce Court	VC	D	17,500		AMG EVALUATING NEED
SUB TOTAL			148,050		RECOMMEND BOARD DELAYS TO FY2009 OR FUNDS FROM RESERVES
FS	Front Street				
SW	water retention system				
LH	Lake Haven				
LK	Linkside (Linkside and Linkside East & West)				
MC	Marsh Crossing				
ME	Main Entrance				
NE	North Entrance				
NV	New North Villages				
OL	Osprey Lakes/RiverWalk/Rivers Edge				
OS	Other Sports Village Center				
OSN	Other Sports Village Center North				
RC	River Club				
RE	Rivers Edge				
RES	Reserve				
RF	Riverfront Drive				
RW	River Walk				
SE	South Entrance				
SL	South Lake Villages				
SP	South Park				
SR	Southridge				
TC	Tennis Courts				
VC	Village Center				
VCN	Village Center North				
VO	Village Oaks				
WS	Waterside Parkway				
PRIORITY					
A	Safety or Health MUST DO				
B	Capital Preservation MUST DO				
C	Aesthetics, nice to do				
D	Request				
E	Cost Savings				
CDD Policy for Board approved capital projects					
Any projects above \$5,000 will be reviewed with Board prior to purchase/implementation.					
Any project above \$1,000 will require a minimum of two (2) bids					

Exhibit O

Month

Capital Improvements
(Oct. 1, 2008 - Sept. 30, 2009)

APPROVED - NOT SPENT

<u>Description</u>	<u>Location</u>	<u>Priority</u>	<u>Amount</u>	<u>Comments</u>
--------------------	-----------------	-----------------	---------------	-----------------

APPROVED - SPENT (Budget \$182,250)

<u>Description</u>	<u>Location</u>	<u>Priority</u>	<u>Amount</u>	<u>Expenditure Month</u>
7 Prog. Thermostats	VC	E	1216	October
Drinking Fountain	VC	B	1077	October

Exhibit P

1853 Pine Avenue
Holly Hill, Florida 32117
Ph 386-677-1916
Fax 386-677-1662
hohill@sunniland.com



Fax

To: All Our Valued Tile Customers	From: Bert Eddy
Fax:	Pages: 1
Phone:	Date: 10/21/2008
Re: MonierLifetile Price Increase	cc:

Urgent For Review Please Comment Please Reply Please Recycle

MonierLifetile has issued a notice of price increase effective February 1, 2009. Price increase will be \$6-\$7 SQ on Field Tile and \$.08-\$.10 per piece on Trim Tile. This price will be effective on any orders SHIPPED AFTER January 31, 2009 NO EXCEPTIONS.

THIS INCLUDES ALL JOB QUOTES. NO EXISTING QUOTES WILL BE PRICE PROTECTED AFTER JANUARY 1, 2009.

Please notify all of your customers and plan accordingly. We will get price sheets out as soon as increase numbers are confirmed. I fully expect all other tile manufacturers to follow suit.

If you have any questions, please feel free to call Tammy or me 386-677-1916.

Sincerely,

Bert Eddy
Branch Manager
Sunniland - Holly Hill

Exhibit Q



Online Permit Search

Matching permits...

[Permit Search Home](#)

Permit#	Permit Address	Permit Type	Status	App. Name
2008100356		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100357		REROOF COMMERCIAL	INSPECT	BARRY D MARTIN
2008100358		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100359		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100360		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100361		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100362		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100363		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100364		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100365		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008100366		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008090254	222 PALM COAST PKWY SE	REROOF COMMERCIAL	FINAL	GEORGE ROGER FOWLER JR
2008090457	11 OLD KINGS RD N	REROOF COMMERCIAL	FINAL	JAMES C ISLEMAN
2008080508	6020 E HIGHWAY 100 AVE	REROOF COMMERCIAL	ISSUED	IVAN VOLOSHCHUK
2008070432		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070433		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070434		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070436		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070437		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
2008070438		REROOF COMMERCIAL	FINAL	BARRY D MARTIN

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City of Palm Coast
 2 Commerce Blvd., Palm Coast, FL 32164
 Tel: (386) 986-3700



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[Local Government](#)

Matching permits...

[Permit Search Home](#)

Permit#	Permit Address	Permit Type	Status	App. Name
2008070439		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070440		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070441		REROOF COMMERCIAL	FINAL	BARRY D MARTIN
2008070442		REROOF COMMERCIAL	ISSUED	BARRY D MARTIN
				1 2

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City of Palm Coast
2 Commerce Blvd., Palm Coast, FL 32164
Tel: (386) 986-3700

Exhibit R

Village Center Roof Quotes

1- Half Hill Roofing

Total Cost- \$ 89,100.00 Metal or Tile

- 35-45 Year limited material manufacturer warranty on metal coating depending on choice of material
- Includes all rotten wood replacement

2- Quality Roofing & Sheet Metal Inc.

Tile Roof Proposal- \$ 78,324.00

- 2 year Workmanship warranty
- Limited lifetime manufacturer warranty on Monier Lifetile
- Includes up to 2 sheets of damage plywood replacement

Metal Roofing Proposal- \$106,603.00

- 2 Year workmanship warranty
- 35 year Kynar 500 color performance manufacturer warranty (color fading or chalking)
- 45 year Kynar 500 color durability manufacturer warranty (blistering, cracking or peeling)
- 26 Gauge metal
- Includes up to 2 sheets of damaged plywood replacement

3- Greg's Roofing Inc.

Tile Roof proposal -\$ 97,700.00

- 5-year workmanship warranty
- Limited lifetime manufacturer warranty on Monier Lifetile
- Includes No rotten wood replacement

Metal Roofing Proposal- \$118,700.00

- 3 year workmanship warranty
- 35 year Kynar 500 color performance manufacturer warranty (color fading or chalking)
- 45 year Kynar 500 durability manufacturer warranty (blistering, cracking or peeling)
- 26 Gauge Metal
- Includes No rotten wood replacement

Add 5% contingency

- 1- Original proposal amounts for the Monier Villa 900 series barrel style tile (see attachment # 1)
- 2-Revised quality Roofing proposal for using Monier slate style tile \$ 80,841.00
- 3-Revised quality Roofing proposal for using Monier spilt shake style tile \$81,716.00
- 4-Letter from Quality Roofing regarding air flow beneath tile (see attachment #2)

ADD 5% contingency

Exhibit S

Bonnie Cross

From: "Bonnie Cross" <bcross5@cfl.r.com>
To: "Lyons, Robert" <R.J.Lyons@LandMarGroup.com>
Cc: "Scott D. Clark" <sclark@clarkandalbaugh.com>; "Webb, Libbey" <Libbey.Webb@arcadis-us.com>
Sent: Wednesday, November 12, 2008 11:42 AM
Subject: Grand Haven Property Transfers

Robert.....Chris Hill of Land Mar requested Arcadis Engineering (May 23, 2007 e-mail) to prepare the necessary information for the transfer of these seven properties:

- 1) G.H. North Amenity Center
- 2) G.H. North Phase 1
- 3) G.H. North Phase 2
- 4) Waterside Phase 2
- 5) Creekside
- 6) Estates 1
- 7) Estates 2

Transfer of items #1 and #6 have been completed. Item #7 (Wild Oaks Phase 2) is in process. Therefore, as the CDD Board Liaison, I would like to know the following:

- A) Which is the next property you plan to transfer?
- B) When do you plan to submit your application form to the District Manager?

If Creekside Village is next, we require a corrected subdivision plat. The existing Creekside Village subdivision plat (approved Nov. 2, 2004, by the City) includes properties beyond the CDD boundary which were planned to be part of Creekside at that time. As you are aware, the District was never expanded to include North Park Estates.

Thanks.....Dennis Cross

Exhibit T

Tennis at Grand Haven

The GH tennis courts are a community amenity provided for the use of all residents. The tennis courts were constructed with public (bond) funds and are maintained thru non ad-valorem o+m assessments to lot owners or daily/yearly user fees to non-lot owners.

There are currently 1664 occupied homes x 2.5=4160 estimated potential resident users.
At full build-out of 1901 occupied homes x 2.5=4752 " (14% increase.)

Informal groups report an estimated 230 active regular players: $230/4160=5.5\%$ of community.
Estimated 60 block players/ 230 total players = 26% of total players.
Current schedule includes 8 slots/day x 7 courts x 7days/wk = 392 slots/wk.
12 slots/wk tentatively block scheduled up to 48 hrs. in advance: $12/392 = 3\%$ of weekly slots

I/we as (a) GHCCDD Board Supervisor/s, keeping in mind that the tennis courts are a community amenity open to all, would like to accommodate the active player groups as equitably as possible in evaluating whether a change in Tennis Amenity Policy is necessary. Two key issues are involved in the analysis:

- A. An evaluation of the current scheduling system.
- B. Distribution of blocked time for special play.

Scheduling system

The current scheduling system involves paper and pencil (P&P), via in-person or call-in request commencing 2 days in advance for date, court, and time of play. The current "round-robin" players sign up in a separate book 1 week up to 48 hours in advance.

Other available systems include a card and online computer reservation (Chelsea) system. A survey of local area tennis facilities has produced the following information:

City of Palm Coast Tennis Ctr. 10 courts, D>C, Chelsea System in house "best system when every court, every time period, every day, every season is in constant use. Always keeps court assignments fair and impartial."

Florida Tennis Ctr. 24 courts, C>D, P&P (did not renew Chelsea System), "most courts not fully booked on daily basis, cost \$10/month/court not justified. P&P works."

The Trails Racquet Club 8 courts, D=C, P&P (no card system) "too much volume only in morning, generally assigned 2 days ahead, assigned earlier for off peak times, limit pro teaching times."

Ormond Tennis Ctr.

8 courts, C>D, P&P (request slips 4 days in advance with random draw)

Result: until D>total C, i.e. until demand for every court, every time slot, every day, every season, cannot be met, P&P utilized by most facilities.

Rx: AMG to keep accurate as possible weekly record of court use, including last names of all players in currently blocked times. AMG to (spot) check players signed-up 48 hrs. in advance actually use courts as scheduled.

Results of VC email survey do not demonstrate a desire on part of respondents to change scheduling system to card system. AMG staff report current system works fine.

Recommendation: until such a time as D>total C, the current P&P system remains in effect AMG begin to collect weekly court usage statistics as above.

Distribution of blocked time for special play.

Some players have anecdotally complained that the current block scheduling of 4 courts 3 days/week, for "round Robin" play, has created a D>C problem. Although the community has no accurate statistics on court use at this time, anecdotal reports indicate that the problem is more of a competition for specific time slots at specific times of the day during specific seasons. The following steps are recommended to address this problem:

Short term:

1. Accurate court usage ^{RECORDS} statistics be kept by AMG
2. AMG relabel men's and women's round robin blocks as "Community Tennis."
3. Names of all Community Tennis players to be recorded up to 48 hours in advance.
- ~~4. Minimum of 6 players/court for each CT slot, i.e. 4 courts - 24 players~~
- 4 -5. If ~~48~~ hours ahead, insufficient players signed-up, court/s released for general play

Long Term:

6. AMG to create a Tennis Advisory Group:
 - Amenities Director
 - 2 Community Tennis Players,
 - 2 Competitive (Intra/extramural league)
 - 2 Casual players, working + non
 - 2 Non-players.

The group to develop an equitable distribution of blocked time for special play, such as Community Tennis and Intramural League play (to be developed.) The Amenities Director should present the results to the GHCCD BOS for policy decisions. The GHCCD BOS should not micromanage the tennis amenity courts schedule unless it becomes apparent that the community is so divided and uncompromising that a totally impartial, computer generated, weighted lottery system or a rationing system becomes necessary. Then all will be unhappy equally.

Exhibit U

David Berman

From: Bonnie Cross [bcross5@cfl.rr.com]
Sent: Friday, October 31, 2008 6:25 PM
To: Melissa G. Dobbins
Cc: David Berman; Kull, Donald
Subject: Fw: Grand Haven Email Blasts

Amenity Policy Violation:

Melissa/Dave.....Please review the attached complaint from Mr. Kull and the Newsletter Item from Mr. Messer of Sotheby's Realty.

Amenity Policy (page 5) states, "The amenity facilities shall not be used for commercial purposes.....without written permission from the Amenity Manager and the District Manager."

Why was this commercial use approved?

Dennis Cross

----- Original Message -----

From: Donald Kull
To: bcross5@cfl.rr.com
Sent: Friday, October 31, 2008 3:14 PM
Subject: Grand Haven Email Blasts

Dennis

Are we now in the advertising and marketing business for outside businesses? I thought the email blast program had guidelines!! I hope the CDD was compensated for this.

Donald

Hammock Sotheby's International Realty

I would like to thank those of you who attended our Meet & Greet Real Estate Night Hosting at the Village Center on October 14th.

For those of you who were not able to join us, we think your neighbors would agree that it was an informative evening. Our company explained how we are planning to focus our efforts within Grand Haven as we believe that there are excellent values within the community. We will be spending marketing and advertising dollars to promote Grand Haven.

Jay Gardner, the Flagler County Property Appraiser, explained the process used to evaluate your properties and explained what actions to take if you are not in agreement. He welcomed the opportunity to have a Q&A session with the attendees.

If you would like any further information, please contact Bob Witty, Broker Associate with Hammock Sotheby's International Realty. Or, simply stop in at our office on the opposite side of the Hammock Dunes bridge.

We would be happy to chat with you to see if we can help with your real estate needs.

12/8/2008

Very truly yours,
Alan Messer
Executive Vice President
Hammock Sotheby's International Realty
Number Two Camino del Mar
Palm Coast, Florida 32137
1-866-749-6934 - 386-446-6328
info@hammocksothebysrealty.com
www.HammockSIR.com

Exhibit V

Review Board may at any time prohibit mobile homes, motor homes, campers, trailers of any kind, or any of them, from being kept, placed, stored, maintained, or operated upon any portion of the Development if in the opinion of the Architectural Review Board such prohibition shall be in the best interests of the Development. No Owners or other Occupants of any portion of the Development shall repair or restore any vehicle of any kind upon or within a property subject to this Declaration except (a) within enclosed garages or workshops, or (b) for emergency repairs, and then only to the extent necessary to enable the movement thereof to a proper repair facility.

4.18.1 Golf Carts. No golf carts other than those from time to time generally in use in connection with the operations and activities conducted upon the Golf Course and Country Club Property, or operated by Declarant and/or the Association, shall be permitted to be used or stored on the Property or used on the Common Area or the Golf and Country Club Property unless first approved and licensed in writing by the Association. The Association, however, shall not be authorized to approve and license any golf cart for use on any of the Property unless it is (a) in proper mechanical condition and a good state of repair and appearance, (b) of the same type, make, model and color of the golf carts generally used or previously approved by the Owner or operator, from time to time, of the Golf and Country Club Property for use on the golf course situate on the Golf and Country Club Property and (c) licensed by the Owner and/or operator, from time to time, of the Golf and Country Club Property for use on such golf course. In no event shall the Association be permitted to approve and license any golf carts equipped with a radio, television, horn, buzzer or other sound equipment of any type or decorated in any manner not approved by the Owner or operator, from time to time, of the Golf and Country Club Property. The Association shall be entitled to establish and charge a uniform reasonable fee for its inspection, approval and licensing of golf carts. Such fee of the Association shall be separate and apart from, and in addition to, any title, trail or license fee charged by the Owner or operator, from time to time, of the Golf and Country Club Property in connection with the use of any golf cart on the golf course.

4.19 Activities of Declarant and Association. Notwithstanding any provision or restrictions contained in this Declaration to the contrary, it shall be expressly permissible for Declarant and the Association and their respective agents, employees, contractors, licensees, successors, and assigns to carry on such activities as may be reasonably required, convenient, or incidental to the construction, completion, improvement, maintenance, repair, operation and sale of the whole or any portion of the Property and the Additional Property, including, without limitation, the installation and operation of sales and construction trailers and offices, signs and model Dwellings, provided that the location of any construction trailers of any assignees of Declarant's rights under this Section 4.19 shall be subject to Declarant's approval. The right of Declarant to maintain and carry on such facilities and activities shall include specifically the right to use Dwellings as model residences, and to use any Dwelling as an office for the sale of Lots and/or Dwellings and for related activities and such rights shall continue until Declarant has sold all of its Lots and Dwellings in the Property and the Additional Property.

of the Neighborhood Areas and in which Dwellings are not constructed or erected; (d) all portions of the Golf and Country Club Property in which buildings and improvements are not constructed (to the extent not in conflict with the design and operation of the golf course and related amenities); (e) those strips of land, ten (10') feet in width, running adjacent to and parallel with the front and rear lines of Lots, and fifteen (15') feet in width running seven and one-half (7 ½) feet on either side of the side lot line of each Lot, not to conflict with any drainage easements thereon; and (f) such other such easement areas shown on any plat or recited in any Supplemental Declaration for the purpose of installing, replacing, repairing, maintaining, and using master television antenna and/or cable systems, security and similar systems, and all utilities, including, but not limited to, improvements of the Surface Water Management System, and electrical, gas, telephone, water, and sewer lines. Such easements may be granted or accepted by Declarant, its successors or assigns, or by the Board of Directors, provided, however, that for so long as Declarant has the right to appoint and remove any member or members of the Board of Directors or any officer or officers of the Association pursuant to Sections 10.1 and 13.1, the Board of Directors must obtain the written consent of Declarant prior to granting and accepting any such easements. To the extent practical, in Declarant's sole discretion, all utility lines and facilities serving the Development and located therein shall be located underground. By virtue of any such easement and facilities, it shall be expressly permissible for the providing utility company or other supplier or servicer, with respect to the portions of the Development so encumbered, (i) to erect and maintain pipes, lines, manholes, pumps, and other necessary equipment and facilities, (ii) to cut and remove any trees, bushes, or shrubbery, (iii) to grade, excavate, or fill or (iv) to take any other similar action reasonable necessary to provide economical and safe installation, maintenance, repair, replacement, and use of such utilities and systems.

→ 5.8 Easement for Walks, Trails and Signs. There is hereby reserved for the benefit of Declarant, the Association, and their respective successors and assigns, the alienable, transferrable, and perpetual right and easement upon, over and across (a) all portions of the Neighborhood Areas in which Dwellings are not constructed or erected, (b) all portions of the Common Areas in which improvements are not constructed or erected, and (c) all areas shown and noted on any plat or described in any Supplemental Declaration for the installation maintenance, and use of sidewalks, leisure trails, bike paths, traffic directional signs, and related improvements.

5.9 Easements for Association. There is hereby reserved a general right and easement for the benefit of the Association, its directors, officers, agents, employees and licensees, including, but not limited to, the Architectural Review Board, its agents and representatives, and any manager employed by the Association and employees of such manager, to enter upon any Lot, Dwelling, Neighborhood Area, Multi-Family Tract or Development Unit Parcel, or any portion thereof, in the performance of their respective duties. Except in the event of emergencies, this easement is to be exercised only during normal business hours and then, whenever practicable, only upon advance notice to and with permission of the Owner directly affected thereby.

assignment and notice, such Owner and his family and guests shall thenceforth have access to and use of the Recreational Amenities on the same basis and for the same Recreational Charges as guests of an Owner of a Lot or Dwelling, until such assignment is terminated and the Board of Directors is given written notice of such termination by such Owner. Nothing herein shall be construed as requiring the Board of Directors to establish Recreational Charges for the use of Recreational Amenities, use of which may be, in the sole discretion of the Board of Directors, covered solely by the Annual Assessment under Section 11.3. Nothing contained herein shall be construed to create, grant or convey any interest in or right to use any Golf and Country Club Property or related amenities and facilities now existing or hereafter constructed or operated by Declarant or any other party.

5.3.2 Access and Use By Multiple Owners. The Board of Directors may, in its sole discretion, establish a rule that in the event of any multiple ownership of a Lot or Dwelling which is permitted by Section 4.20 hereof only the Owner of such Lot or Dwelling designated in writing to the Board of Directors by all co-Owners, as well as his spouse and Dependent Children, shall be entitled to the use of the Recreational Amenities without user fees as provided above. The remaining co-Owners of such Lot or Dwelling and their families and guests shall be entitled to access to and use of the Recreational Amenities in accordance with the rules, regulations, fees, and charges relating to Owner's guests, Tenants, and non-Dependent Children which are from time to time established by the Board of Directors. If no such designation is made by such co-Owners, then all such co-Owners shall have access to and use of the Recreational Amenities on the same basis and for the same fees and charges as Owner's guests, Tenants, and non-Dependent Children. Any designation made pursuant to this Section 5.3.2 shall not be permitted to be changed within six (6) months after such designation is so made, except in the event of a sale or other transfer of the Lot or Dwelling. For purposes of this Section 5.3.2, multiple ownership shall include ownership of a Lot or Dwelling by a partnership or a corporation, so that any such partnership or corporation shall designate to the Board one natural person who is a partner or stockholder and who, with his spouse and Dependent Children shall be entitled to access to and use of the Recreational Amenities on the same basis as Owners. In the absence of the establishment of any such rule of access and use by multiple Owners by the Board of Directors, all co-Owners shall have access to Recreational Amenities equal to that of all other Owners.

5.3.3 Declarant's Access and Use. In addition to the rights of Owners with respect to the access to and use and enjoyment of the Recreational Amenities and the rights therein of owners of residential dwellings within the Additional Property as provided in Section 5.10, Declarant reserves the right to from time to time designate individuals who shall have access to and use of the Recreational Amenities on a basis which is equal and equivalent to that which is enjoyed by Owners. Declarant shall designate such individuals by written notice to the Board of Directors in accordance with Section 13.15, and Declarant reserves the right to from time to time add and remove individuals to and from such designated list, provided that for so long as Declarant owns a Lot or Dwelling

primarily for the purpose of sale or has the unexpired option to add the Additional Property or any portion hereof to the Development, there shall be no more than a total of fifty (50) individuals so designated by Declarant at any one time, and after such time as Declarant no longer owns a Lot or Dwelling primarily for the purpose of sale and no longer has the unexpired option to add the Additional Property or any portion thereof to the Development, the Declarant shall designate no more than a total of twenty-five (25) individuals at any one time. In addition, all such designated individuals shall either be officers, directors, or employees of Declarant or any of its affiliates, or real estate brokers and sales agents who are selling and/or listing Lots and Dwellings within the Development. Spouses and Dependent Children of such designated individuals shall have access to and use of the Recreational Amenities on an equal and equivalent basis as Owners' spouses and Dependent Children, and such designated individuals' guests and non-Dependent Children shall have access to and use of the Recreational Amenities in accordance with such rules, regulations, fees, and charges as are from time to time established by the Board with respect to Owners' guests, Tenants, and non-Dependent Children.

5.3.4 Guests and Children Accompanied By Owner. All guests and children of Owners and of individuals designated by Declarant pursuant to this Section 5.3, as well as Tenants of Owners who are not assigned their respective Owners' rights pursuant to the provisions herein above provided, shall at all times when using the Recreational Amenities be accompanied by an Owner or their spouses or by individuals designated by Declarant in accordance herewith or their spouses, provided that a waiver of such requirement may be made at any time in accordance with rules and regulations promulgated by the Board of Directors.

5.3.5 Excepting Development Unit Parcels. Anything contained herein to the contrary notwithstanding, access to and use of the Recreational Amenities shall be available only to Owners of Lots and Dwellings, and to persons designated by Declarant, and their respective family, guests, and Tenants, as herein provided, and shall not be available to Owners of Development Unit Parcels.

5.4 Access, Ingress and Egress: Roadways. All Owners, by accepting title to property conveyed subject to this Declaration, waive all rights of uncontrolled and unlimited access, ingress, and egress to and from such property and acknowledge and agree that such access, ingress, and egress shall be limited to roads, sidewalks, walkways, trails, and waterways located within the Development from time to time, provided that pedestrian and vehicular access to and from all such property shall be provided at all times. There is reserved unto Declarant, the Association, and their respective successors and assigns the right and privilege, but not the obligation to maintain guarded or electronically-monitored gates controlling vehicular access to and from the Development.

5.4.1 Regulation of Traffic. In order to provide for safe and effective regulation of traffic, the Declarant reserves the right to promulgate from time to time additional parking and