

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

A Regular Meeting of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, October 15, 2009 at 9:30 a.m.**, in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting and constituting a quorum were:

Pete Chiodo	Chairman
Charles Trautwein	Vice Chairman
Dennis Cross	Assistant Secretary
Samuel Halley	Assistant Secretary
Dr. Stephen Davidson	Assistant Secretary

Also present were:

Craig Wrathell	Wrathell, Hart, Hunt & Associates, LLC
Doug Paton	Wrathell, Hart, Hunt & Associates, LLC
Barry Kloptosky	Operations Manager
Scott Clark	Clark & Albaugh, LLP
Roy Deary	AMG
Bill Goudy	AMG
Ron	Café Management
Renee DeAngelis	Tennis League
Todd Fonda	Austin Outdoor
Otto Bohmueller	Resident
Jane Sedelmyer	Resident
Diane Lang	Resident
Judy Reese	Resident
Rick Morris	Resident
Joyce Cruz	Resident
Richard Burns	Resident
Bob Hopkins	Resident
Mary Alice Brandt	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at 9:40 a.m., and all Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Affidavit of Publication for Notice of Fiscal Year 2009-2010 Public Meeting Dates

Mr. Wrathell presented the Affidavit of Publication for the Notice of Fiscal Year 2009-2010 Public Meeting Dates, as advertised by Rizzetta and Company.

FOURTH ORDER OF BUSINESS

Audience/Resident Response Report & Comments

Mr. Wrathell clarified that there is a three (3)-minute time limit per person.

Resident Jane Sedelmyer presented a petition requesting the CDD Board maintain the Creekside pool and leave it heated year round.

Resident Otto Bohmueller, 59 River Trail Drive, questioned if the new management group will be responsible for the Fiscal Year 2008-2009 finances. Mr. Wrathell stated Rizzetta closed out Fiscal Year 2009 and an audit of the financial statements will be completed. Mr. Wrathell stated Wrathell, Hart, Hunt and Associates (WHHA) will be working with the auditor to complete the closeout of Fiscal Year 2009 financials.

Ms. Diane Lang expressed concern regarding the safety of the amenities and the main gate. She questioned if residents are allowed keys to the amenities, to have potlucks at Creekside and if the Tiki Hut is available for potlucks. She questioned the rules of alcoholic beverages. She questioned the Board's donation to the Neighborhood Watch Program and if the Neighborhood Watch Program is a HOA responsibility.

Ms. Judy Reese, 71 Front Street, stated the poolside chairs and tables are not comfortable and requested new, more comfortable poolside furniture. She requested Creekside pool be open year around.

Mr. Rick Morris, 32 Lakeside Drive, requested the Creekside pool be open year around, with an alternative energy source used to heat the pool.

Ms. Joyce Cruz, 22 Lakeside Drive, requested the Creekside pool be open year round.

Mr. Richard Burns, 3 Wood Park Lane, requested replacing the Creekside lawn furniture as many pieces are broken and need to be replaced.

Mr. Bob Hopkins stated he has amenity keys if the District would like them returned; however, the keys serve as a backup set in the event of CERT activation

Supervisor Davidson clarified that his keys will be transferred to West Priest.

FIFTH ORDER OF BUSINESS

Operation Managers Report: Austin Outdoor

******This was an addition to the Agenda.******

Mr. Todd Fonda discussed the current flower rotation. Due to the high levels of rain, he noted many plants have died and need replacement 5½ weeks before the scheduled change. He recommended a combination of dianthus and dusty miller to provide longevity and last into March. Supervisor Chiodo clarified that the change will not cost the District additional funds, with the anticipation that the plants will survive until the next rotation. Discussion was held regarding other plant possibilities. He noted the dusty miller must be trimmed periodically.

Discussion was held regarding the possibility of residents using the flowers that will be disposed of by Austin Outdoors.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of Austin Outdoors completing the plant rotation early, replacing the vegetation with dusty miller and dianthus and allowing Mr. Kloptosky to designate a location in which residents can pick up the removed plants.

Supervisor Trautwein questioned the invasive vine on Waterside Parkway. Mr. Fonda stated they are aware of the vine. He noted the vine is kept off of the main areas and it stems from the preserve areas. Mr. Fonda noted the oak trees were trimmed on Waterside Parkway. Discussion was held regarding vine removal.

******Supervisor Chiodo stepped out of the meeting.******

SIXTH ORDER OF BUSINESS

Audience/Resident Comments for Non-Agenda Topics

******This item, originally the Fifth Order of Business, was presented out of order.******

There being no comments, the next Order of Business followed.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2010-1, Designating Craig Wrathell as Registered Agent, Designating the Offices of Wrathell, Hart, Hunt and Associates, LLC, as Registered Office and Re-Designating the Location of 2 N. Village Pkwy., Palm Coast, Florida 32137 as the Office of Record

****This item, originally the Sixth Order of Business, was presented out of order.****

Mr. Wrathell presented Resolution 2010-1 for the Board’s approval.

On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor of adopting Resolution 2010-1, Designating Craig Wrathell as Registered Agent, Designating the Offices of Wrathell, Hart, Hunt and Associates, LLC, as Registered Office and Re-Designating the Location of 2 N. Village Parkway, Palm Coast, Florida 32137 as the Office of Record.

****Supervisor Chiodo returned to the meeting.****

EIGHTH ORDER OF BUSINESS

Consideration of Banks for CDARS Program

****This item, originally the Seventh Order of Business, was presented out of order.****

- **Bank Atlantic**
- **BB&T**
- **Community Bank of Broward**
- **EverBank**
- **First Colony Bank of Florida**
- **First National Bank of Central Florida**

Mr. Wrathell explained the CDARS Program is protected by the FDIC. He discussed the proposed interest rates and recommended the District reinvest the funds with First Colony Bank of Florida. Discussion was held regarding the ratings of the banks and possible percentage rates. Mr. Wrathell discussed the Florida State Board of Administration that allows local governments

to invest money, similar to a money market account. He noted some money was released from the State Board, while some money is still being held, with a high probability of loss.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor, except Supervisor Cross, to approving investing in a three (3) month CDARS with First Colony Bank of Florida in the amount of \$1,033,000. (Motion passed 4-1)

Mr. Bohmueller questioned if the CDARS program will accommodate the decreased FDIC coverage, beginning in January. Mr. Wrathell stated he will confirm the program will accommodate the changes in FDIC coverage.

Discussion was held as to how to invest the upcoming tax revenues that are anticipated as of November 30th. Mr. Wrathell stated he will provide a recommendation at the next meeting.

On MOTION by Supervisor Chiodo and seconded by Supervisor Davidson, with all in favor of approving Resolution 2009-2, Authorizing Wrathell, Hart, Hunt & Associates, LLC, to open a checking account for the CDARS program at First Colony Bank of Florida.

NINTH ORDER OF BUSINESS

Review/Discussion: Security Post Orders

******This item, originally the Eighth Order of Business, was presented out of order.******

Mr. Wrathell stated the management firm reviewed the District’s Post Orders. He stated Staff will work to reformat the existing Post Orders and present a recommendation at the next Board meeting under Open Items.

A resident, Mary Alice Brandt of Wild Oaks, requested the gates be closed all day, as people are trespassing on vacant lots, and requested the Board repair the street lights that are not working.

Mr. Wrathell questioned if the Wild Oaks gate has the capability of being operated from the Main gate. Supervisor Chiodo stated the Wild Oaks gate was, originally, left open to accommodate construction traffic; however, the traffic has significantly decreased. Tom

Lawrence noted the Wild Oaks gate does not have the same technology as the Crossing gate. This item was tabled to the next workshop.

TENTH ORDER OF BUSINESS

Consideration of Service Agreement between Grand Haven Community Development District and Atlas Professional Services for Website Maintenance

******This item, originally the Ninth Order of Business, was presented out of order.******

Mr. Wrathell presented the Atlas agreement for website maintenance for the Board's consideration.

On MOTION by Supervisor Trautwein and seconded by Supervisor Cross, with all in favor of adopting the Atlas Professional Services Agreement for Website Maintenance.

Supervisor Davidson discussed the Constant Contact agreement for email blasts to residents. He requested a nicer face sheet for future email blasts.

ELEVENTH ORDER OF BUSINESS

Discussion: Workshop Meeting Dates: (Preferred Dates: First Thursday of Each Month)

******This item, originally the Tenth Order of Business, was presented out of order.******

Mr. Wrathell proposed moving future Workshops to the first Thursday of each month at 10:00 a.m. He recommended moving the scheduled Workshop from October 27th to November 5th.

******The meeting was recessed at 11:05 a.m.******

******The meeting was reconvened at 11:20 a.m.******

Mr. Wrathell noted a yoga class is scheduled for the room on the Thursday. Supervisor Chiodo noted they can move to Creekside, as they have moved in the past.

On MOTION by Supervisor Halley and seconded by Supervisor Cross, with all in favor of approving the Revised Workshop Meeting Schedule and moving the Workshop to the first Thursday of each month, on an as-needed basis.

TWELFTH ORDER OF BUSINESS

Consideration of the Development of Accurate Job Descriptions, Performance Criteria, Measurement Standard and Performance Evaluation Systems and Schedules (Supervisor Davidson)

****This item, originally the Eleventh Order of Business, was presented out of order.****

- **Board of Supervisors to Review Performance of District Manager, District Counsel, District Engineer and Field/Operations Manager**
- **Field/Operations Manager to Review Performance of Operations: Maintenance and Administrative Staff**

Supervisor Davidson presented the Board with examples of performance evaluations. Mr. Wrathell recommended allowing for more structure within the District personnel through more defined processes, which will allow for a more accurate performance evaluation system.

Supervisor Halley noted the change in classification of job description for Dave changed when he went from hourly to salary; now the District must pay other workers for specific tasked jobs.

Supervisor Trautwein requested an annual report of each employee's completed work.

Mr. Wrathell noted the different levels of response time may depend on the District's employees being able to complete certain tasks and accrue different costs. Supervisor Davidson stated, from his understanding, it is the Board's job to review the managers' performance and the manager reviews the performance of subordinate employees. Once the job descriptions are refined, they are to be used by the field operations manager and the performance evaluation is provided to the Board of Supervisors; thus, it being inappropriate for the individuals, in a public forum, to make a comment about a subordinate employee of the field operations manager. He made a motion to approve such process. Supervisor Cross discussed documents, provided by the previous management company, which led to further legal issues of an individual being legally capable to complete work on behalf of the District.

Mr. Wrathell recommended that he and Barry create an organizational chart for the District, including the current job descriptions and allowing room for improvement. Supervisor Chiodo stated he would like to understand the job descriptions for the employees that Barry supervises; including a list of expectations for the employee and a list of things the employee cannot complete. He noted Barry and Craig need to be allotted time to deal with the transition and any remaining open items.

Supervisor Davidson motioned for the Board not to make any comments regarding subordinate employees, on the public record. As the District plans to use performance evaluations, comments should be made directly to the operations manager.

Mr. Clark stated Board Members' discussion regarding an employee must be held in the public forum, in order to avoid violation of the Sunshine Law.

Supervisor Davidson rescinded the motion, as the motion is too restrictive.

Mr. Wrathell noted he would like to create processes that would eliminate any potential communication issues between the Board and the Operations Manager.

Mr. Wrathell stated he is going to prepare an organizational chart with the existing job descriptions. He will also provide examples of performance criteria surveys. Supervisor Chiodo noted revised job descriptions are needed to accurately define the expectations of the Board.

THIRTEENTH ORDER OF BUSINESS

Management Objectives (Supervisor Halley)

******This item, originally the Twelfth Order of Business, was presented out of order.******

- **Use More of Management Resources**
- **Improve Communications**
- **Bring Back Integrity**
- **Have Management Company Start Doing Bidding Procedure**
- **Issue Work Orders**
- **Maintenance Worker #3's Job Description and Pay Scale**
- **Austin Invoice Not Payable after 60 Days**
- **Make a List and Follow Up and Report Back to CDD Board**
- **Get a List of Contractors from the City**

Supervisor Halley stated he would like to use WHHA to complete the outside bidding, as Barry spends a lot of time getting bids. He requested a list of contractors.

Mr. Wrathell stated the current management agreement is not focused around operations management. Mr. Adams has been working with Barry in completing current bids, such as the various sinkhole issues throughout the community. Mr. Wrathell recommended creating a preferred contractors list, in order to provide issues for emergency situations. He noted that the bidding process is a delicate process and you do not want to constrict the Operations Manager or the District Manager.

Discussion was held regarding invoices being billed within a reasonable timeframe.

Mr. Clark stated the legally allowable billing period may be dependent upon the contract. He recommended amending the contract to reflect a given billing timeframe.

Supervisor Chiodo stated he would like to understand the process when Austin Outdoors goes to Barry regarding work outside of the contract; whether the work should be done, the timeframe for completion, which will provide information regarding the billing issues.

Mr. Kloptosky stated Austin Outdoor went through a Field Supervisor change a few months ago, which may account for the lack of completed items. He noted there were irrigation issues that were never reported to the office; thus, they were never handled. He stated he meets with Austin on a weekly basis to review the issues. He stated the process in place involves monthly irrigation checks, completed by field personnel, at which time they complete necessary repairs. He stated he signs off on such work completed by Austin, which makes it difficult to provide instant invoices. He noted that he just approved the September invoice for the replacement of irrigation heads and it should be on the next check run. He stated the other extras include clock and timing issues, which are presented via a proposal and he authorizes Austin to fix the problems, depending on the price and budget. He noted the process is a lengthy timeframe, but appears to have been addressed by Austin Outdoor.

Discussion was held regarding ensuring that all requests made by the Board are followed through and completed.

Supervisor Chiodo discussed items that were never completed, such as the engineer presenting a solar panel. Mr. Wrathell asked Board Members to email any pending issues that have not been addressed. He stated a start date can be included on the Agenda.

Supervisor Halley recommended that Mr. Wrathell go to the City to obtain a preferred list of contractors.

FOURTEENTH ORDER OF BUSINESS**Discussion: League Tennis (Chairman Chiodo)**

******This item, originally the Thirteenth Order of Business, was presented out of order.******

Supervisor Chiodo discussed a proposal to start a Tennis League on Thursday evening. He noted Renee DeAngelis went to the Tennis Advisory Group and received a positive response. He stated the Board did not approve the Tennis League. Renee DeAngelis proposed using the tennis courts for league tennis on Thursday evenings. She stated, previously, the league tennis played at other facilities, in order to not interfere with daily activity. She noted increased revenues for the District since, after the games, the teams eat at the Café; in addition, the guest fees and the increased revenue could provide funds for maintenance of the courts.

Supervisor Trautwein noted that the Board has tried to stop outside league play in the community, due to potential lawsuits. Supervisor Davidson said that, according to the record from a year ago, the tennis courts are an amenity for the use of all residents. They were constructed with public bond funds and are maintained with non ad valorem assessments to lot owners or daily, yearly user fees, to non lot owners. A report was completed a year ago to help keep accurate court records and for AMG to create a Tennis Advisory Group (TAG). Supervisor Davidson presented a handout of the Tennis Advisory Group Process, included as Exhibit A. According to the report, about 4% of the resident population uses the tennis courts and the Board of Supervisors is to deal with policy issues. Supervisor Davidson stated the records reflect minimal usage after 7:00 p.m. He stated the money issue is resolved since money will be collected by Staff; the liability issue is solved because players sign a waiver every time they begin play. The policy of blocked play time can be established by the Board. Mr. Clark stated the Board can set policy regarding blocked time, as long as it does not create exclusivity or a de facto private use situation. He requested to see the regulations when they are completed. Supervisor Davidson questioned if they can ban deliberate interference, such as blocking time and not showing up. Mr. Clark answered affirmatively. Supervisor Davidson recommended allowing time for TAG to formulate a recommendation, to be reviewed by the Board and District Counsel. Supervisor Chiodo recommended the TAG address the issue of how to decide which

league uses a certain number of courts, such as two (2) different leagues requesting the courts at the same time. He also noted the concerned residents that do not support the league play due to maintenance issues.

Discussion was held regarding various types of players using the tennis courts.

*****The meeting was recessed at 1:00 p.m.*****

*****The meeting was reconvened at 1:11 p.m.*****

FIFTEENTH ORDER OF BUSINESS

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

*****This item, originally the Fourteenth Order of Business, was presented out of order.*****

Mr. Wrathell noted the Board would like to reestablish an ad hoc group for landscaping. Supervisor Cross stated that, at the last Board meeting, the Board approved the formation of the ad hoc fact finding group for landscaping; however, the Board has two (2) people to add to the group

Discussion was held regarding members for the landscaping ad hoc group.

On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor of appointing Warren Purdy, Mary Ann Shields and Carol Penrose to serve on the Ad Hoc Circle Landscaping Fact Finding Group, in accordance with the guidelines previously established.

Supervisor Davidson questioned if the members of the group can create their own design and standards, since Supervisor Cross previously provided information regarding the current standard for the circle landscaping. Supervisor Cross clarified the standard is a guideline. Discussion was held regarding how to approach the design.

Supervisor Davidson questioned if the group will violate Chapter 190, if they were to create the actual landscape design.

Mr. Clark referred to a memo from August 2008, as ad hoc groups fall into a narrow scope. He discussed previous problem areas, including a citizens advisory group that was appointed to make recommendations to the City Council regarding the structure of city government and services; an ad hoc committee appointed for the purpose of making

recommendations to the Mayor concerning pending legislation in the city; an ad hoc committee appointed by a university president to screen applications to make recommendations for the position of the dean of the law school. He noted the court stated the ad hoc group exercised a decision making function and excluded a group of applicants. He noted an example upheld by the court included an ad hoc group appointed to study employee conditions within a college. He noted in the case of the recommendations for the dean, the court stated the group could have presented all the applicants with their qualifications, rather than presenting five (5) of the ten (10) applications. Mr. Clark stated the groups can provide facts for the Board to consider.

Supervisor Chiodo asked if it is okay for the group to evaluate the circles against the standard they have been provided. Mr. Clark responded affirmatively and stated the Board needs to provide the group with the standard.

Mr. Clark noted that the group, given their training, can indicate which plants will survive, etc. He noted the group providing recommendations to the Board is not allowed under the Sunshine Law. Mr. Clark noted the group's duty is only fact finding and they cannot be charged with the duty of making a recommendation.

Discussion was held regarding water criteria for the State of Florida. Supervisor Davidson noted the comprehensive landscaping design criteria for common areas are complex and should be completed by someone who knows the criteria.

Mr. Wrathell proposed going to different communities and taking pictures of their landscaping.

SIXTEENTH ORDER OF BUSINESS

Update: AFB Café Update

******This item, originally the Fifteenth Order of Business, was presented out of order.******

Roy discussed the memo regarding the consultant's findings. The Board commended the efforts to try to cut costs and make the Café more profitable.

SEVENTEENTH ORDER OF BUSINESS

Consent Agenda Items

******This item, originally the Sixteenth Order of Business, was presented out of order.******

- **Approval of September 17, 2009 Regular Meeting Minutes**

• **Approval of September 22, 2009 Workshop Minutes**

Supervisor Cross clarified that all minutes should reflect the word “Supervisor” before a Board Member’s name. Supervisor Davidson stated the September 17, 2009 minutes, line 349 should read, “University of Florida Cooperative Extension Agency”, not the whole County.

Mr. Wrathell stated WHHA does not include exhibits in the minutes; however, all District handouts and documents are kept in the District files.

On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor of approving the September 17, 2009 Regular Meeting Minutes, as amended.

On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor of approving the September 22, 2009 Workshop Meeting Minutes, as amended.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

****This item, originally the Seventeenth Order of Business, was presented out of order.****

a. Field/Operations Manager’s

Mr. Kloptosky discussed the erosion issues within the community. He noted the major sinkhole in Osprey Circle is almost complete; the sidewalk still has to be poured. He noted the high cost was due to the digging that was necessary to get to the cracks in the pipes; a well point system, or dewatering system, had to be complete to keep the water level low while completing the repairs. Mr. Kloptosky stated he is not aware of any problems with the current piping. Supervisor Cross questioned if the Engineer evaluated the issues. Mr. Kloptosky said the Engineer did an original evaluation and he did a spec repair; the company who completed the repair followed the Engineer’s recommendation. He noted the work was a repair and not a retrofit. He said the sinkholes will be completed depending on the level of safety issues. He noted some jobs will be completed on a T&M basis, thus saving the District money. Mr. Kloptosky said he is working with the contractor to obtain proposals for the remaining sinkholes.

Mr. Kloptosky provided an update on Wild Oaks Phase II; Tract H spill away was completed by the City of Palm Coast and the walking path is safer than it was before. He noted

this repair may or may not hold up over time. Supervisor Cross stated this area was not the responsibility of the District. Mr. Clark stated he cannot find any easement right for anyone. He noted, when ITT obtained the permit, the ditch was preexisting; it is not clear who built it and how long it has been in existence. He noted the permit does not refer to the ditch, but the plat reflects it belongs to the CDD; however, it has not gone through Chapter 4 procedures.

Mr. Kloptosky noted the contractor, Favoretta, has been working in Wild Oak Phase II. He noted he contacted FPL regarding the street lights in Phase II; they verified the power exists to the locations, but they will do nothing further. He stated there are two (2) lights that are not wired; the District is paying the FPL bill. The Board confirmed they wanted the street lights operating.

Discussion was held regarding the ongoing pond issues. Barry Kloptosky stated he sent a sample of the water and vegetation to Mr. Keeton. Supervisor Davidson requested Mr. Kloptosky send pictures and another sample to Mr. Keeton. He noted other issues on Pond 7 and the need to treat it and to protect the littoral shelf.

Mr. Kloptosky stated he received the additional shipment of microbes and they should last through the season. They are being put in Ponds 2, 19 and 20.

Mr. Kloptosky discussed turning off the heater at the Creekside pool. He noted an auxiliary heater would cost about \$3,500 for installation, plus electrical and propane charges. He discussed that the electrical heater has to be shut off to avoid damage to the coils from the cool temperatures. Supervisor Cross stated he supported keeping the pool open, but not necessarily heated.

Barry Kloptosky stated a resident complained about the gate at Kite Court. He noted he contacted the county and they verified the gate and fence are in the county right-of-way; the District can repair it at the District's expense, with the county's approval. He stated he emailed the Department of Parks and Recreation to see if it falls under their control.

Mr. Kloptosky stated he looked into the prices of park benches; \$300-\$600 per bench made up of the composite material.

b. District Counsel

Mr. Clark stated the city has made a decision regarding the bond on the reconstruction of the broken weir. They made a demand and the bonding company had until a day ago to decide if they were going to pay the bond or hire someone to complete the work. He stated he received an

email from St. Johns indicating they were scheduling a site visit with the developer to review a list of things necessary to be completed, in order to be in compliance with the permit. He concluded that the dead tree, provided under the Austin contract, is a violation if the tree is dying from a fungicide. He recommended the Board pursue Austin Outdoor for reimbursement. Mr. Kloptosky commented that Austin applied two (2) scheduled, insecticide treatments, rather than the normal four (4) treatments. Mr. Clark stated it is Austin's duty to directly consult the CDD in the event of extraordinary disease or pests that do not respond to chemical treatment. Mr. Wrathell recommended asking Austin Outdoor to replace the palm. Supervisor Davidson requested to see if Austin will increase treatment to the other palms to four (4) times a year.

c. District Engineer

An attempt was made to get Mr. Joe Schoefield on the phone.

Mr. Wrathell stated he reviewed Requisitions 150 and 151. He summarized they include the seven (7) lots that Landmar wanted to include in the District, but failed to do so when the resident Board voted not to expand. He stated he discussed with Joe, from Arcadis, if the lots located outside of the District receive a benefit from the pump stations mentioned in Requisitions 150 and 151; the lots do not receive a benefit. Mr. Wrathell stated Arcadis is open to refunding the District, in the amount of \$7,200, provided that the Board pays the current Arcadis invoices.

Supervisor Cross inquired if the current invoices are accurate. Mr. Wrathell stated he asked Supervisor Chiodo and Mr. Kloptosky to review the invoices.

<p>On MOTION by Supervisor Cross and seconded by Supervisor Trautwein, with all in favor of accepting the \$7,200 refund from Arcadis and the payment of \$13,163 for the outstanding Arcadis invoices.</p>
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d. Program Manager

There was no report and the next item followed.

e. Amenity Center Manager

The Board clarified they do not approve expenditures for Special Events.

f. District Liaison

There was no report and the next item followed.

g. District Manager

i. Discussion: Unaudited Financial Statements and/or Consideration of Operation and Maintenance Expenditures

Mr. Wrathell noted the check run was the final check run completed by the Rizzetta. He suggested including the Unaudited Financial Statements for the District in the Agenda.

Supervisor Davidson requested monthly totals of expenditures, sorted alphabetically. Supervisors Halley and Cross requested double-sided, hard copies of the invoices.

Supervisor Cross questioned the total September O&M expenditure amount. Supervisor Cross questioned when the meters were converted. Mr. Kloptosky stated some meters are working and some are not. He noted the material on the island is different; some are turf and some are not turf. He noted city water was not charged a use charge for the islands with turf, only a base charge. He discussed the charges to reinstall meters should the District want to change the material on the islands and begin using city water. He also noted the District will have to recharge the meters.

Mr. Kloptosky explained the salad chiller was replaced in the kitchen because it was not holding the temperature and he wanted to avoid a possible penalty.

Discussion was held regarding numbering all units in order to track completed work. Mr. Kloptosky stated he told DG Meyer to reflect the unit on the work order and he asked the management company to help ensure the unit is being reflected at the time of repair. Supervisor Halley requested an itemized list of work completed in the kitchen.

On MOTION by Supervisor Cross and seconded by Supervisor Trautwein, with all in favor of approving the September O&M expenditures, in the amount of \$236,000.

Mr. Wrathell questioned if the Board desired to approve the requisitions before they go to the trustee. Supervisor Davidson clarified that the current system involves the Engineer's and Chairman's approval. Supervisor Cross stated the Board is supposed to see all requisitions before payment. Supervisor Chiodo noted such approval may present time issues on a timely payment. This item was deferred to the Workshop.

ii. Discussion: Donation to the Neighborhood Watch

Mr. Wrathell stated Rizzetta cut a check to the Neighborhood Watch. He noted that, going forward, the District would like to cut checks to an entity, rather than individuals, on

behalf of an entity. He stated WHHA split the checks and provided the individuals with W-9 forms; indicating it is the responsibility of the individual to report the taxes.

iii. For Informational Purposes Only

- **Stormwater Utility Expense Credit**

Mr. Wrathell stated he sent the City of Palm Coast a letter reflecting the District’s position regarding the lack of an appropriate amount of expense credit from the City.

- **Certificate of Liability Insurance for Wrathell, Hart, Hunt and Associates, LLC**

Mr. Wrathell presented a copy of the Certificate of Insurance, with the Errors and Omissions coverage to be updated. Mr. Clark stated he is content with the insurance.

iv. Discussion: ARCADIS Invoices

This item was discussed earlier in the meeting.

v. NEXT WORKSHOP/MEETING DATE:

- **October 27, 2009 at 10:00 a.m. - WORKSHOP**
- **November 19, 2009 at 9:30 a.m. – MEETING**

Mr. Wrathell noted the next Workshop is November 5, 2009.

NINETEENTH ORDER OF BUSINESS

Supervisors’ Requests

****This item, originally the Eighteenth Order of Business, was presented out of order.****

Supervisor Davidson presented information regarding the current Florida landscaping criteria and the possible future criteria. He noted these new regulations are driven by the state and federal government.

TWENTIETH ORDER OF BUSINESS

Adjournment

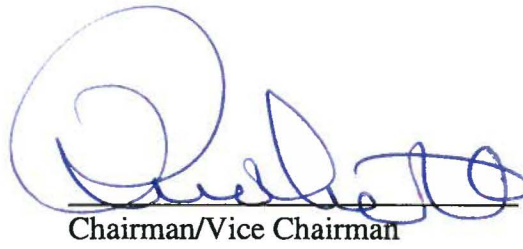
****This item, originally the Nineteenth Order of Business, was presented out of order.****

<p>On MOTION by Supervisor Davidson and seconded by Supervisor Trautwein, with all in favor, the meeting was adjourned at 4:07 p.m.</p>
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The meeting was adjourned at 4:07 p.m.



Secretary/Assistant Secretary



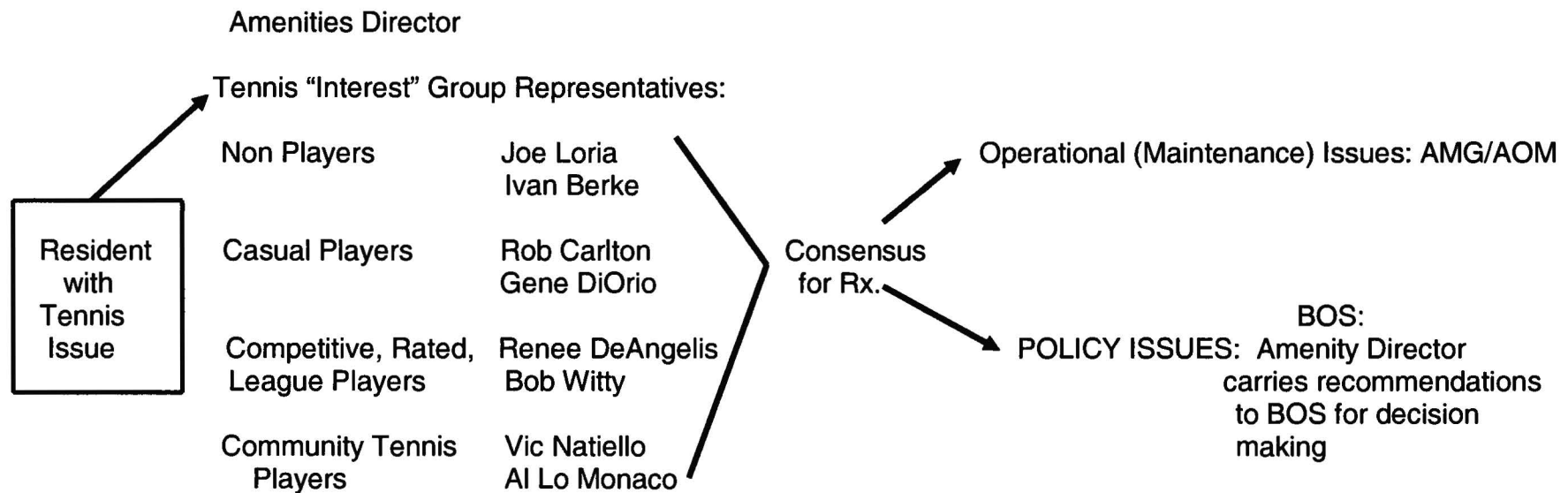
Chairman/Vice Chairman

EXHIBIT A

175 Active Players/1700 Residences x 2.5=4250 potential player pool= 4.1% of Resident Population Utilizing Tennis Amenity (Estimated)

Grand Haven Tennis Advisory Group Processes

TAG



Resident to provide input to respective TAG member representing their interest group. TAG Meetings not an open forum. TAG is an advisory group created by the Amenity Director. Can make routine maintenance recommendations which the Amenity Director may implement. TAG recommendations regarding major issues requiring POLICIES must be brought by Amenity Director to the BOS for discussion and implementation by majority vote.

Current Court Usage Records (10.12.09)

Court usage records demonstrate minimal to no usage after 7 PM. One court used by Pro till 7:30 PM.
No reservations currently taken after 7 PM due to no demand.

Summer 7 days 8-11 AM, 5 PM M, W, Th
Winter 7 days 8-12:30 PM " " " "

After 7 pm no big demand, at 8:30 PM back gate and amenities closed, front gate open, café open

What does "League Play" actually mean?

~~League Play~~ = Non- Resident, Non-Overnight Guest Using Reserved (Blocked), Repetitive, Court Time (NRNOG)
Intramural vs. Extramural Play Blocks

Issues:

\$\$ (Public vs Private, free reciprocal play) – resolved - \$ collected by Amenity Staff
Liability – resolved – Waivers signed at each play period, verified by Amenity Staff
"Foot in the Door" Syndrome- control by legislating specific, very limited play blocks – BOS Policy
Compliance Assurance, Verification- Amenity Director cross-training of Amenity staff
Court Time Availability for All Residents (95.9% of Community)- must be monitored by Amenity Director

?? for District Counsel: Can CDD BOS Establish Usage Schedules, Restrictions for Amenities? Legislate permitted days,
hrs., # of courts
of Guests, # of Times Guest Plays in X Specified Time Period?
Ban Deliberate Interference (Sign Up to Block, Then No-Show?)

Amenity Director Feedback: NEED TO GATHER MORE INFORMATION RE POSSIBILITY OF NRNOG BLOCK PLAY
ALONG WITH INTRAMURAL BLOCK PLAY. TO BE DISCUSSED AND RX GENERATED AT NOVEMBER TAG
MEETING.

SJD recommendation: Allow time for TAG to formulate recommendations to be brought to a BOS Workshop
for discussion, then review by District Counsel, then discussion and Policy decision by BOS.