

**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, November 19, 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            |
| 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                                    |
| Howard (Mac) McGaffney | Amenities Manager                      |
| Josh Well              | Austin Outdoor                         |
| Sandy Hollenbeck       | Resident                               |
| Jane Sedelmyer         | Resident                               |
| Bob Million            | Resident                               |
| Don Beveridge          | Resident                               |
| George B. Cominsky     | Resident                               |
| Tom Milidantri         | Resident                               |
| Bob Hopkins            | Resident                               |
| Wes Priest             | Resident                               |
| Peter Kuhn             | Resident                               |
| Tom Lawrence           | Resident                               |
| Glenn Laury            | Resident                               |
| Mary Alice Brandt      | Resident                               |
| Patricia Maloney       | Resident                               |
| Emily Cook             | Resident                               |
| Jim Cook               | Resident                               |

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 9:35 a.m., and announced that Supervisors Chiodo, Cross, Davidson and Halley were present at Roll Call; Supervisor Trautwein was not present.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

Those present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**Audience/Resident Response Report & Comments**

Mr. Wrathell opened the floor to Audience Comments and called the first speaker.

Ms. Sandra Hollenbeck, of 15 Egret Drive, thanked the Board for their time on the issue of auxiliary heating of the Creekside pool. She said she hoped the Board's decision today would be in support of the auxiliary heating. She stated there are more than enough residents to support this amenity being fully operational year round. Ms. Hollenbeck asked the Board to approve the purchase and installation of an auxiliary heating system for the Creekside pool, per the request of the Grand Haven residents. She indicated more than 400 signatures were submitted to the Board in support of the heating of Creekside pool year round. She noted this item has been a topic of discussion for the past three (3) years with the cost estimates each year increasing. She mentioned discussions during recent CDD Workshops regarding heating of the pool. Ms. Hollenbeck spoke of the community benefits to having the pool open year round.

Mr. George B. Cominsky, of 19 Egret Drive, spoke of a portion of Culbert Lane, immediately to the right after exiting the main gate, that he feels looks deplorable. He asked the Board if anything can be done to improve that area. Mr. Cominsky clarified he means the road surface, not the area around the road. Supervisor Cross indicated that is a county road. A speaker indicated he checked with the county and there is currently no plan to resurface the road, but suggested Mr. Cominsky could go to the county commission meetings to see if anything can be done.

Ms. Emily Cook, of 4 Players Circle, spoke of an area of Pond #6, where plantings were put in and have grown and now obstruct their view, for which they paid extra. She said there was some spraying and some plants are disintegrating, but it looks bad. She indicated the residents would like that area cleared.

Mr. Jim Cook, of 4 Players Circle, distributed and read a letter from Hal and Joan Herbert, of 10 Players Circle, regarding the deteriorating conditions of the pond behind their home.

Ms. Mary Alice Brandt, a resident, asked if the Board would be discussing closing of the gates in Wild Oaks today. Supervisor Davidson indicated he will be discussing it during his report.

Ms. Patricia Maloney, of 9 Crosstie Court, asked for discussion or update on being a firewise community and asked if the application was approved and when work will begin. It was noted this item will be discussed later in the meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of Proposal for Auxiliary Heater for Creekside Pool**

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

Mr. Wrathell indicated, at the Workshop, the Board discussed turning on the heater for the months of December, January and February. He noted, if it gets too cold, the heater must be shut down. Mr. Wrathell stated the plan was to secure a proposal for an auxiliary heater and present it to the Board at today's meeting. He turned the discussion over to Mr. Barry Kloptosky, Operations Manager.

Mr. Kloptosky indicated he secured a proposal for the auxiliary heater. He said this is a four (4) step process: 1) purchase of the unit, 2) hooking up of the gas, 3) hooking up electric and 4) connection of the pool piping. He stated the total of all of those components is \$3,136.61, with the possibility of some contingent work; he felt the cost should not exceed \$3,500.

Mr. Wrathell called for a motion to proceed with the work to install the auxiliary heater for the Creekside pool, with a not to exceed amount of \$3,500. Being motioned and seconded, Mr. Wrathell opened the floor to discussion.

Supervisor Chiodo noted the auxiliary heater will not be capable of bringing the heat in the pool up to an acceptable level if the air temperature is too low and asked what temperature that temperature is.

Mr. Kloptosky indicated he was told the units will shut down completely when the air temperature reaches 40 degrees. He clarified, as the air temperature drops, the capacity of the

heaters becomes less efficient, so the water temperature will drop as the air temperature drops. He stated that is when the need for auxiliary heat, by way of propane heaters, is necessary.

Discussion ensued regarding the use of auxiliary heat and/or solar panels. Mr. Kloptosky indicated solar was checked on in the past and the CDD and all but one (1) company said it could not be done. He said he was told by some solar companies that, even with solar, in the winter time, it will help, but it will not heat the water 100% to the desired temperature; thus, solar systems, oftentimes, also work in conjunction with an auxiliary heater.

Ms. Jane Sedelmyer was asked if the water aerobics classes were held year round regardless of the air temperature; she indicated classes have been held and will continue to be held when the air temperature was as low as 58 degrees.

A question was about whether the splash pool is connected in a way that it could be heated if an auxiliary heater were put in. Mr. Kloptosky said right now it is independent and he would need to check regulations and find out about running separate piping to it.

Discussion ensued regarding the heating of the pool with the main heating system, auxiliary heat, temperatures at which the main heating system will shut down, heating efficiency and options.

A Supervisor asked if there was a reasonable temperature at which the Board would be willing to allow the auxiliary heater to be run, to bring the pool temperature up to the desired temperature. He suggested a compromise of if the air temperature is 50 degrees or above, then the auxiliary heat could be used. He specified, if that is done, he would like to have checks done to see how many people are actually using the pool when the temperature is 50 degrees and the auxiliary heat is being used. He suggested if very few are using the pool then the Board would need to readdress the issue.

Discussion continued regarding air and water temperatures and the influence of each on usage of the pool facilities by residents.

Supervisor Chiodo summarized the issue on the table is to contract for and purchase an auxiliary heater and the Board is discussing the parameters around which they would finalize that proposal. He stated if the Board were to set an air temperature of 50 degrees, at or above which the auxiliary heaters would be turned on, as required, to raise the water temperature up to the desired level of 78 – 80 degrees, there would be a cost and, if they chose a lower temperature, it would cost even more money. He said the issue is coming up with an agreed temperature. It



was suggested that logs be kept during those times to track resident usage of the pool and propane usage. Discussion ensued regarding whether the heater thermostat would be triggered by the air or by the water temperature. It was determined that the thermostat is triggered by water temperature; therefore, the heater would need to be manually controlled.

Mr. Don Beveridge, a resident, voiced his opinion that \$3,000 for an auxiliary heater is not an expense; rather, it is an investment in the pool.

Discussion returned to usage of the pool by the water aerobics class and winter usage, in general, and heating requirements to maintain the desired temperature.

Supervisor Chiodo highlighted numerous outstanding questions to be answered prior to the Board making a decision on the matter.

Mr. Wrathell summarized that the concept is to go ahead with the auxiliary heater, with a cost not to exceed \$3,500 and investigate the solar blanket concept and in line with that, determine what temperature to shut down the system.

A Board Member voiced his agreement with Supervisor Chiodo that more investigation is necessary, prior to making a decision.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with Supervisors Cross and Halley dissenting, proceeding with installation of the auxiliary heater at Creekside pool, with a not to exceed cost of \$3,500, review installing a solar blanket and derive the cost benefit and establish a temperature point at which the heater would be shut down. (Motion died 2-2)**

Supervisor expressed the Board's understanding that this is an important issue to residents and asked Staff to ensure that the information necessary to make a decision is available for the December Meeting. Mr. Wrathell indicated this will be brought back as an open item on the next agenda. Mr. Wrathell was requested to have the information available for the December 3<sup>rd</sup> Workshop. Mr. Wrathell said he will try, but if it is not ready, he will make sure it is in the agenda package for the next meeting.

**FIFTH ORDER OF BUSINESS**

**Review of Open Items/Issues**

***\*\*\*This item, previously the Fourth Order of Business, was presented out of order.\*\*\****

- **Pond Project Update**

**\*\*\*This item was discussed out of sequence.\*\*\***

- ***Pond #6 and the meeting that took place between Dr. Clark and the residents in October***

Supervisor Davidson, with input from Mr. Kloptosky, gave an audio-visual Pond Project Update presentation. He discussed the ponds, general conditions of the ponds, pond area plants, algae and plant treatments, problems, causes and possible solutions. Supervisor explained the lawsuit against the Environmental Protection Agency (EPA) and resulting in proposed limits on nitrate and phosphorus runoff pollutants, due to take effect in January, 2010, and the possible impact on the CDD and its ponds. He discussed two (2) bills signed by Florida's Governor this past summer. The first relates to water conservation and creates an ordinance for Florida friendly fertilizer use. The second provides model Florida friendly landscaping ordinances to local governments. Supervisor Davidson explained monitoring and options being looked at to address these matters in anticipation of potential issues related to the new regulations. He stressed the District needs to look at what it can do to reduce the water and landscape pollutants that are going into the ponds. He indicated there was a symposium two (2) years ago and wants to have another with Dr. Clark coming in to present his scientific results and his recommendations. Supervisor Davidson noted Dr. Clark is available in February and he also has at least three (3) people in agreement for either February 8<sup>th</sup> or 12<sup>th</sup>. He suggested a tour of Ocean Hammocks to see its landscaping.

Supervisor Cross suggested finishing the first symposium before initiating another. It will be done in March and he wants to see the cost-benefit analysis.

Discussion returned to Pond 6 and when it was last sprayed. It was determined it was sprayed two (2) weeks ago. Supervisor Cross concluded it still looks hideous and proposed removing it along the wall, next to the homeowners. Discussion continued regarding possible remedies. Mr. Wrathell summarized the discussion, concluding a quote will be obtained for removing all of the plants on the bulkhead side. Supervisor Chiodo suggested it should be in proposal form and with a not to exceed amount and, if it is below that level, the work is done.

Mr. Wrathell suggested obtaining quotes/proposals for removal of all vegetation along the bulkhead side and bringing them back to the next meeting. The Board agreed.

The Board returned to discussion on the current and a future symposium. A Supervisor questioned whether anything in the first symposium has worked. Supervisor Davidson indicated Dr. Clark was available to present a benefit analysis on either February 8<sup>th</sup> or 12<sup>th</sup>.

**\*\*\*The meeting recessed at 10:56 a.m.\*\*\***

**\*\*\*The meeting reconvened at 11:06 a.m.\*\*\***

▪ **Wildfire Update**

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

Supervisor Davidson updated the Board on the underbrush mowing plan and identified the areas involved. He indicated FDOF found stimulus money to fund the mowing and Ranger Weller received a call from Tallahassee asking if a local community had a mowing project ready to go immediately. Grand Haven is the first community in line. As the funds must be expended and billed by December 15<sup>th</sup>, Supervisor Davidson said Ranger Weller is rewriting a bid request to send out tomorrow and felt the vendors would make themselves available and the mowing should be done within 30 days. He stressed the necessity of using the email blast system to update residents. Discussion ensued regarding The Crossings being completed first and Supervisor Davidson indicated the whole project should only take two (2) or three (3) days.

Brief discussion ensued about emergency exiting in The Crossings and if additional exits could be added.

Supervisor Davidson discussed installing signage on the inside of emergency exit gates for a cost of about \$300.

**On MOTION by Supervisor Davidson and seconded by Supervisor Cross with all in favor of having four (4) Firewise signs made and installed on the inside of emergency gates for a cost not to exceed \$300.**

• **Austin Outdoor Date Palm Reimbursement**

**\*\*\*This item was discussed out of sequence.\*\*\***

Mr. Kloptosky introduced Mr. Josh Well, of Austin Outdoor, to speak on several items discussed at the recent Workshop; transplanting palms from the front entrance to where the specialty palms had died on Riverfront Drive, a second specialty palm at the main entrance that is dying and doing utility locates at the front entrance to try to remove palms for the transplant.

Mr. Well distributed information from the University of Florida and spoke of a soil bearing fungus that is killing some palms, noting there is nothing that can prevent or treat it and it is 100% fatal. Discussion ensued regarding the necessity of removing the trees to alleviate contamination of other trees. He also discussed options and costs related to transplanting, versus replacement of palms. Mr. Kloptosky reminded the Board that utility locates are needed and past resident complaints, related to utility locates/markings, was noted.

**On MOTION by Supervisor Davidson and seconded by Supervisor Cross with all in favor of removing the diseased date palm at a cost not to exceed \$1,000.**

**On MOTION by Supervisor Cross and seconded by Supervisor Chiodo with all in favor of removing the six (6) sable palms along the south side of the main gate.**

**On MOTION by Supervisor Cross and seconded by Supervisor Chiodo with all in favor of removing the dead canary palm located behind the monument sign on Riverfront Drive and authorizing installation of three (3) new sable palms for a total cost not to exceed \$1,500.**

A resident asked if the issue of palm disease should be brought to the attention of the residents. Mr. Well indicated it would be beneficial to notify the residents. A suggestion was made to add it to the website and it was noted this is a Master Association matter.

- **South Gate Vines**

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

Mr. Wrathell noted concern that removing vines on the south gate sign might cause it to not be as aesthetically appealing as the sign at the main gate. The Board agreed direct Mr. Kloptosky to start with a small test section first and remove some of the vines, power wash, then, if necessary, sand blast. It was also decided to keep the fence in place at the south gate and remove the vines and vegetation on, or blocking, the fence front view.

- **Constant Contact/E-Blast Update**

- ***No contract required***

Mr. Wrathell informed the Board that no contract is required, the service is in place and Management is working with Supervisor Davidson, who provided some pictures. Supervisor Davidson indicated different mockups should be ready for review at the next workshop. He asked if the Board could make a decision on something like this at a workshop. Mr. Wrathell indicated it did not seem like a policy decision, so it should not be a problem.

Mr. Wrathell asked Supervisor Davidson if he was drafting an email for the E-Blast related to the firewise notification.

- **Process for Emergency Infrastructure Repairs**

Mr. Wrathell indicated Mr. Kloptosky and Mr. Adams are working on this and worked with the engineer to get a schedule of hourly fees and equipment costs from several different contractors and are in the process of scheduling a meeting. Mr. Kloptosky added Arcadis gave them names of some contractors that might be interested and Arcadis prepared a sample proposal to issue to contractors.

- **Performance Review Systems and Procedures**

- *Organizational Chart*

- *Job Descriptions*

Mr. Wrathell stated Management provided the Board with some information and Mr. Paton is working on a full analysis that lays it all out. He said he envisions it will be more like a booklet, with an actual analysis the Board can utilize.

Discussion ensued regarding to whom Amenity Management Group Inc., (AMG) should report. At the Boards request, AMG will report to the District Manager, in addition to the Operations Manager. Mr. Wrathell surmised, the District Manager will oversee the overall contract administration, the macro performance of the contract, which will be called Macro Contract Administration. He added, the Operations Manager will interact regarding the actual day-to-day functional reporting, which will be called day-to-day functional reporting.

Mr. Kloptosky explained what he does on a day-to-day basis as the Operations Manager and the improvement in performance since he took over those responsibilities. Mr. Wrathell explained the benefit of having an “on-site” person to make sure the contractors are performing to the standards of their contracts, on a day-to-day basis.

- **Post Orders**

- *Consideration of Resolution 2010-4, Adopting the Amended Post Orders of the District*

Mr. Wrathell expressed appreciation to Mr. Kloptosky and Ms. Rodriguez for putting together and revising the Post Orders. It was noted that some residents want to voice their thoughts. Mr. Wrathell suggested, so as to avoid Sunshine Law problems, individual residents should express their comments to the Board, not make recommendations. As questions and comments continue, this item remained open and will be addressed during the December 3<sup>rd</sup> Workshop.

It was noted that, on Page 3, “Jason Stasa” should be updated to “Mark Bowlus” and the phone number corrected to be 386-445-2327.

- **Fence by Main Gate**

Regarding the earlier discussion about Dr. Clark’s presentation, Supervisor Davidson asked the Board what date works best, February 8<sup>th</sup> or 12<sup>th</sup>. Mr. Wrathell suggested the Board Members check their schedules and get back to him on this at the December 3<sup>rd</sup> Workshop.

Mr. Kloptosky gave an update regarding the wooden fence removal and replacement. He said the company has the fencing material, but is holding off pending payment of \$5,000 for the garbage enclosure. Discussion ensued regarding whether the costs were approved. Mr. Wrathell is checking on the \$5,000 payment due to Senco Fence.

- **Marlin Drive Pump House Drive Project**

Mr. Kloptosky indicated he received the signed contract from Cline Construction and gave Mr. Wrathell the hard copy this morning. He said Cline is ready to proceed and will apply for the fence permit and the fence company is also ready. A Board Member asked who else bid on the project. Mr. Kloptosky deferred to Mr. Jim Abernathy, who put this out to bid.

- **City of Palm Coast Stormwater Reimbursement**

Mr. Wrathell indicated he has not heard back from the City of Palm Coast; the city requested contracts and thought the city was looking into it.

- **Irrigation Line Filter Performance**

Mr. Kloptosky indicated he had a meeting with Austin Outdoor yesterday and they are prepared to do a presentation at the December meeting regarding the results of the analysis.

- **Main Gate Landscaping**

This item was discussed earlier in the meeting. Mr. Wrathell indicated they are having their workshop to visit Hammock Dunes.

- **City of Palm Coast Water Meter Charges**

Mr. Wrathell indicated this is about the landscape areas that have water and reuse meters in the same location and noted the Board talked about it in their Workshop, but could not offer any direction. He said, from Staff perspective, it seemed logical that in any landscape area sections that had both a water meter and a reuse meter, the water meters would be removed. Mr. Kloptosky indicated he contacted the City of Palm Coast and they will proceed with removal of four (4) potable water meters.

- **Security/Camera System**

Mr. Wrathell stated Mr. Adams was working with Mr. Kloptosky to evaluate the proposals that are in place and what the CDD's needs are, to upgrade the camera system. He said a big issue that was discussed at the Workshop was that some cameras, or areas without cameras, did not have the ability to record license plates both day and night. For this reason, they were looking into an upgrade that could provide that.

Mr. Kloptosky referred to the handout containing the latest information. He indicated it was sent out to bid to three (3) companies and he has proposals from two (2) of the companies. He said the prices are fairly close and he needs to know, from the Board, whether they would like to invite the companies to present.

Supervisor Halley suggested the Board read the Ad Hoc Advisory Group Report and then discuss what they want, establish some objectives. Mr. Kloptosky made and distributed copies of the report and Mr. Wrathell made a note to email it to Supervisor Trautwein. Mr. Wrathell said this item will be brought back to the December Workshop.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2010-3, Authorizing Wrathell, Hart, Hunt & Associates, LLC, to Reinvest Funds in CDARS Program with First National Bank of Central Florida After Receiving Notification from First Colony Bank of Florida Advising that CDARS Products Were Not Being Offered to Customers Outside of Marketing Area**



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

Mr. Wrathell indicated the funds were invested and explained the bank offering the best rate backed out on the premise that the CDD was out of their area. He said Management went to the second choice and was able to negotiate an increase in the interest rate of ten (10) basis points and went forward with reinvesting the funds. He asked for a motion to approve Resolution 2010-3.

**On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor of adopting Resolution 2010-3, Authorizing Wrathell, Hart, Hunt & Associates, LLC, to Reinvest Funds in CDARS Program with First National Bank of Central Florida After Receiving Notification from First Colony Bank of Florida Advising that CDARS Products Were Not Being Offered to Customers Outside of Marketing Area.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Requisition #176, Series 2004 B Bonds**

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

Mr. Wrathell presented Requisition #176 and asked for a motion to approve.

**On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor of approving Requisition #176, Series 2004 B Bonds.**

**EIGHTH ORDER OF BUSINESS**

**Right to Cure Letter from US Bank**

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

Mr. Wrathell presented the Right to Cure letter received from US Bank, noting there is an Annual Engineer's Certification that is required, per a section of the Trust Indenture and it has not been done for the last two (2) years. He indicated the District Engineer is already working on this. He stated, because bonds are defaulting all over the state of Florida, trustees are paying more attention to this sort of thing. This matter is being addressed and there should be no



problem complying with the 60-day timeline. He noted he will keep this as an open item and copy the Board on this when the work is done.

**NINTH ORDER OF BUSINESS**

**Proposed Investment & Cash Flow Analysis**

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

Mr. Wrathell reminded the Board of discussions last month, regarding cash flow related to tax receipts and presented the hypothetical Proposed Investment & Cash Flow Analysis of where money can sit, investment wise or preservation of capital. He explained his concern about the District's cash on hand exceeding FDIC limits and the need to change that, so the funds are more protected. He continued outlining the analysis and indicated he would like the Board's authorization to establish two (2) money market funds that are primarily US Treasury based. He indicated the yields are very low, but, from Management's perspective, preservation of the CDD's capital and protecting its money is important. Mr. Wrathell explained investment options, FDIC insurance coverage limits and Securities Investor Protection Corporation (SIPC) coverage. Mr. Wrathell will provide a prospectus for those money markets, at the next meeting.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor of authorizing Management to open two (2) US Treasury based SIPC protected money market funds.**

**TENTH ORDER OF BUSINESS**

**Consideration of Engaging Solar Panel Design Engineer**

Mr. Wrathell indicated this item was discussed during the Workshop and Mr. Kloptosky was contacting Arcadis regarding the qualification of Paul Estes, his hourly billing and a not to exceed proposal to develop the specifications for the Village Center Pool Solar Heating bid package.

Mr. Kloptosky stated he spoke with Mr. Jim Abernathy about this issue. He read an email received from Mr. Abernathy regarding Mr. Estes and his feeling that Mr. Estes can do this, given specifics about what the CDD wants.

In response to a question, Mr. Kloptosky confirmed Mr. Estes is to create a design plan so it could be used in a bid package. Mr. Estes would also assist in reviewing any proposals received.

Mr. Wrathell summarized, at this point, the Board is awaiting Mr. Estes' commercial experience, references and an hourly fee schedule.

**ELEVENTH ORDER OF BUSINESS**

**Discussion: Overdue Hampton Golf Parking Lot Invoice**

- **Easement Agreement between the District and Crescent Resources, LLC**

Mr. Wrathell indicated he received an email from District Counsel, Mr. Clark, and reviewed the easement agreement.

Mr. Clark explained the easement and discussed his findings. He felt the Board should approve the invoice and get the part they can get. He further explained the bankruptcy proceeding related to this matter.

A suggestion was made to separate the maintenance invoice from the real estate invoice and the possibility of sending a letter to Mr. Mark Bowlus, of Hampton Golf, saying, if the amount is not paid within 30 days, interest will be charged. Discussion ensued regarding who is really liable for the amount owed and the possibility of letting it go to a tax sale. Mr. Clark felt the easement probably survives the tax deed, so they would continue to have the use rights. Mr. Wrathell summarized, LandMar/Crescent Resources said we own the dirt that the parking lot sits on, so to convey ownership of the land to the Grand Haven CDD, in exchange for that, LandMar/Crescent Resources want the easement giving them the perpetual right to have preferred parking on it. A Board Member provided a historic explanation of the golf parking lot issues over the past few years.

Mr. Wrathell asked, if the CDD does not pay the tax bill and ultimately, down the road, it becomes someone else's property, would the CDD still retain an operation and maintenance agreement easement on the asset. Mr. Clark was not sure that would be the case. Mr. Wrathell further questioned, supposing the asset, the parking lot, is protected, could the new owner affect the CDD by doing something such as not maintaining the landscaping. He concluded, these are the types of things the CDD needs to be sure of, prior to not paying the tax bill. Mr. Clark offered to review the possible consequences of not paying the tax bill.

Mr. Wrathell explained the general terms and benefits of having an operation and maintenance easement in place.

Mr. Wrathell suggested, and the Board agreed, to keep this matter open, give Mr. Clark time to ponder the issue and then, draft the letter at the next meeting.

**\*\*\*The meeting recessed at 1:12 p.m.\*\*\***

**\*\*\*The meeting reconvened at 1:25 p.m.\*\*\***

**TWELFTH ORDER OF BUSINESS**

**Discussion: Tour of Ocean Hammocks and Hammock Dunes to Evaluate Landscaping Options for GHCDD**

Mr. Wrathell noted this will be an open item for the Workshop. Supervisor Davidson is working on scheduling a tour of just Ocean Hammocks in January or February, possibly the same day as the workshop. Brief discussion ensued regarding who would be invited to attend the tour.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Landscape/Grounds Maintenance Services Agreement between Grand Haven CDD and Favoretta Lawn and Garden, Inc.**

Mr. Wrathell indicated the contract was approved in July and the work has started, but the agreement was unsigned. It was noted that the effective date of the agreement needs to be researched. Mr. Wrathell asked for a motion to approve the agreement and have it signed.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor of re-approving the Landscape/Grounds Maintenance Services Agreement between Grand Haven CDD and Favoretta Lawn and Garden, Inc.**

**FOURTEENTH ORDER OF BUSINESS**

**Consent Agenda Items**

- **Approval of October 15, 2009 Regular Meeting Minutes**

Mr. Wrathell presented the October 15, 2009 Regular Meeting Minutes and asked if there were any additions, deletions or corrections. The following changes were noted:

Line 36: Add "Brandt" after "Mary Alice"

- Line 59: Replace “open” with “heated”
- Line 79: Replace “Dr. Davidson is absent” with “of CERT activation”
- Line 80: Replace “Halley” with “Davidson”, replace “his” with “CERT” and replace “Wes Preiss” with “Wes Priest”
- Line 180: Add “Brandt” after “Alice”
- Line 184: Add “Lawrence” after “Tom”
- Line 314: Replace “Davidson” with “Halley”
- Line 323: Add “DeAngelis” after “Renee”
- Lines 363 - 364: Strike entire sentence beginning “A copy of the Grand Haven Tennis...”
- Line 399: Replace “He” with “Supervisor Davidson”
- Line 450: Add “II” after “Phase” and replace “stow” with “spill”
- Line 462 - 463: Strike entire sentence beginning “He stated the aeration treatment....”
- Line 463: Replace “He” with “Supervisor Davidson”
- Line 464: Replace “He” with “Barry Kloptosky” and replace “Tiki” with “Keeton”
- Line 465: Insert “to Mr. Keeton” after “sample”
- Line 474: Replace “He” with “Barry Kloptosky”

**On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor of approving the October 15, 2009 Regular Meeting Minutes, as amended.**

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

**a. Field/Operations Manager**

Mr. Kloptosky distributed and presented the Field/Operations Manager’s Report. He noted several items were discussed earlier. He highlighted and provided updates on the Pond 19 treatments and erosion issues and repairs.

**On MOTION by Supervisor Chiodo and seconded by Supervisor Davidson, with all in favor of authorizing engagement of Cline Construction, on a time and materials basis, to repair erosion/sink hole issues on two (2) outfall erosion repairs on Pond 19, not to exceed \$7,500 and \$8,500 and outfall/sink hole repair on Pond 37 on Eastlake Drive, up to \$15,000, or more, with the Chair's approval.**

Discussion continued regarding the firewise emergency exit update to Post Orders and exit signs, common area underbrush mowing, Marlin Drive expansion project, Wild Oaks Phase II streetlight repairs, Wild Oaks contractor access issues, Wild Oaks road issues, resident tree removal issues/requests for removal of trees in common areas and various landscape repair issues. Questions and concerns regarding the various topics were addressed.

The following items remained open: Wild Oaks Access, City of Palm Coast weir repair and the City of Palm Coast Boardwalk Project.

Discussion ensued regarding gate access cards and the Board agreed to reprogram the contractor gate access cards to only provide access during certain times.

Regarding Wild Oaks road issues, Arcadis is to provide a report on construction of the road.

Mr. Kloptosky notified the Board that Mr. Joe Schoefield informed him he is not to contact Mr. Jim Abernathy, directly, he must go through Mr. Schoefield, on every issue.

**b. District Counsel**

There being no report, the next item followed.

**c. District Engineer**

Mr. Wrathell indicated the District Engineer submitted a report and confirmed most of the items were covered by Mr. Kloptosky, during his report.

**d. Amenity Center Manager**

Mr. Roy Dreary, of AMG, asked if it would be possible to move the Amenity Center Manager report to the beginning of the Agenda, just after resident comments.

Mr. McGaffney reported preventative maintenance of the tennis courts has begun.

A Board Member referenced the proposed holiday schedule with the Café closed all day November 25<sup>th</sup>. It was clarified that the request is to close at 3:00 p.m., on November 25<sup>th</sup>. It was noted that there were hardly any sales on December 24<sup>th</sup>, so it does not make sense to open.

Furniture for the croquet course was discussed and it was suggested it be added to the open items list. Mr. Kloptosky described the furniture under consideration and proposals to be obtained. This will be an open item on the Workshop Agenda.

It was noted that last year there was a high volume of traffic the two (2) days prior to Thanksgiving and Christmas. The security company is asking for an additional guard, at the booth, leading up to Thanksgiving and Christmas and will charge its regular rate, not an overtime rate. The Board agreed to this request.

Discussion ensued regarding those seeking donations within the community. It was stated that the District's policy is does not allow solicitation. There was brief discussion regarding content in E-Blasts and potential issues with HOA emails.

**e. District Manager**

Regarding the E-Blast, Mr. Wrathell indicated there seems to be better and increased communication with the residents. Discussion took place regarding some of the resident emails and how or when these can be addressed. Mr. Wrathell wondered if some items should be placed on workshop or meeting agendas. The Board asked that the emails be circulated to the Board via email and, if desired, a Board Member could bring an item for discussion. It was also determined Mr. Kloptosky should also be copied and should respond, if necessary or possible.

**i. Unaudited Financial Statements as of October 31, 2009**

Mr. Wrathell reviewed and explained the Unaudited Financial Statements as of October 31, 2009 and answered Supervisor questions. At the Board's request, Management will get a list of what constitutes the total due from developer on the General Fund Balance Sheet.

Mr. Wrathell explained the Debt Service Fund Series' 2004 and 2008 May principal and interest and November interest payment due dates and the Capital Projects Fund Series' 2004 and 2008 fund balances. Supervisor Davidson asked if there is a point when unused Capital Projects funds must be returned. Mr. Wrathell indicated the CDD is required, at some point, to shut down the construction account and, depending on what the Trust Indenture says, the money could either be applied to additional capital projects or may be put towards the revenue account or used to pay down the bonds.

Discussion ensued regarding past use of construction funds and funds owed to the City.

The Board requested the layout of the check register be vertical, rather than horizontal.

The Board requested the September 30, 2009 fiscal year-end financials. Mr. Wrathell indicated that is a Rizzetta matter and they are responsible for providing year-end closed out books. Mr. Wrathell will follow up with Rizzetta to obtain the information.

Mr. Wrathell completed his review of the financial statements.

**On MOTION by Supervisor Chiodo and seconded by Supervisor Cross, with all in favor of accepting the Unaudited Financial Statements as of October 31, 2009.**

**ii. Ad Hoc Fact Finding Groups**

Mr. Wrathell presented this item and asked for any additions or corrections.

▪ **Circle Rejuvenation Landscaping**

Frank Marokovich should be added as a member of the Circle Rejuvenation Landscaping Group.

▪ **Security/Camera System**

There were no changes.

**iii. Certificate of Liability Insurance – *for informational purposes only***

Mr. Wrathell presented a copy of the Certificate of Insurance, with Grand Haven Community Development District is named as an additional insured, on the policy.

**iv. Supervisors Compensation**

***\*\*\*This item was discussed prior to Items ii. and iii.\*\*\****

Mr. Wrathell confirmed the Board’s desire to compensate Supervisors for both meetings and workshops. He explained Management’s preference of running the compensation through payroll, meaning it will be taxed. In response to a Board Members concern about being classified as an employee, should the compensation go through payroll, Mr. Clark indicated he would not advise placing the Supervisors in the position of employees. Several Board Members voiced their desire to remain status quo and continue to be paid in full and issued a 1099.

**On MOTION by Supervisor Halley and seconded by Supervisor Cross, with all in favor of authorizing Management to continue compensation of Supervisors and issuance of 1099 forms, for tax reporting purposes.**

v. **NEXT WORKSHOP/MEETING**

- **December 3, 2009 at 10:00 a.m. - WORKSHOP**
- **December 17, 2009 at 9:30 a.m. - MEETING**

Mr. Wrathell noted the next Workshop is December 3, 2009 and the next Meeting is December 17, 2009.

**SIXTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Supervisor Cross asked about O&M expenses. He indicated, whenever a Supervisor requests a new expense, they should also look at things in the budget to cut. Supervisors Cross and Halley also asked about several Austin Outdoor invoices and a discussion of charges ensued. Mr. Wrathell indicated Management will ask Austin Outdoor to provide more detail and bill within 30 days after services were provided.

Supervisor Halley noted the Lake Project is over the \$30,000 budgeted. He also questioned the Coastal Supply invoice and the DG Meyers work orders.

Supervisor Cross asked about stamps approved at the August meeting that were to be made to stamp invoices. Mr. Wrathell said he will check with Rizzetta on the status of the stamps and whether they were made and/or distributed and, if necessary, Management will have the stamps made.

Discussion continued regarding individual invoices.

Mr. Clark explained costs related to responding to a homeowner foreclosure action.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business, all were in agreement with adjourning.

**On MOTION by Supervisor Cross and seconded by Supervisor Davidson, with all in favor, the meeting was adjourned at 4:29 p.m.**





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Secretary/Assistant Secretary



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Chairman/Vice Chairman