

**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, May 20, 2010, 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:**

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

**Also present were:**

Craig Wrathell	District Manager
Matt Kozak	Wrathell, Hunt & Associates, LLC
Doug Paton	Client Services Manager
Scott Clark	District Counsel
Barry Kloptosky	Operations Manager
Roy Deary	AMG
Rhonda Leandro	AMG
Brian Simms	Applied Technology
Howard (Mac) McGaffney	Amenities Manager
Grant Misterly	District Engineer
Mr. Munster	Resident
Mary Gaeta	Resident
Mr. Lawrence	Resident
Richard Burns	Resident
Bob Hopkins	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 9:35 a.m., and noted, for the record, that all Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**Firewise Proclamation**

Supervisor Davidson read the Firewise Proclamation, as given by the mayor and city council:

“Proclamation, whereas the National Firewise Communities, USA program’s goal is to promote community wide participation in the use and technology, policy and practices that minimize the disastrous loss of life and property due to a wildfire; and

Whereas, the Grand Haven Community, in Palm Coast, has partnered with the Department of Forestry, as a conscientious group of neighbors helping neighbors, working together to complete the required elements for an action plan for residents to reduce home ignition potential and develop fire mitigation solutions; and

Whereas, the Grand Haven Firewise Board walked the entire property and developed a map to identify properties for underbrush mowing due to vegetation sitting within thirty from adjoining homes; and

Whereas, the Grand Haven Firewise Board uncovered, cleaned, prepared and designated emergency gates located in their community as accessible emergency exits; and

Whereas, the Grand Haven Community in Palm Coast has completed the necessary requirements to achieve Firewise Communities/USA Recognition status from the National organization.

Now, therefore, be it proclaimed that the Palm Coast City Council congratulates the Grand Haven Community for becoming a Firewise Communities/USA and thank all of the participating neighborhood residents for making safety, preparedness, and protection of life a priority in Grand Haven”.

The Board thanked the volunteers for their work.

**FOURTH ORDER OF BUSINESS**

**Audience/Resident Response, Report & Comments**

Supervisor Cross stated a resident, Ms. Betty Ubanks, was concerned about setting a precedent in allowing the use of banners to advertise for events. Mr. Kloptosky recalled his conversation with the resident in explaining that this is a community event and is being paid through special events funds. He noted the lot signage issue pertains to lot/property owners and

the sign is in a common area that does not fall under the existing rules. Mr. Clark agreed with Mr. Kloptosky.

Ms. Marie Gaeta questioned if the District ever reaches out beyond the community boundaries. She noted a need in the Flagler County Fire Department and questioned if the District can take a collection. Mr. Wrathell recommended that a collection process for a particular cause should not flow into the actual District accounts. Discussion ensued on allowing certain organizations to take a collection at District functions. Mr. Clark noted the CDD does not have the power to take money from people and give it to organizations for private use.

Mr. Chip Howden questioned the general non-solicitation rule. Supervisor Halley stated that there is a rule that does not allow solicitation in the neighborhood.

## **FIFTH ORDER OF BUSINESS**

### **Consent Agenda Items**

Mr. Wrathell presented the consent agenda items for the Boards review.

#### **a. Approval of Minutes**

- **April 1, 2010 Community Workshop**
- **April 15, 2010 Regular Meeting**

The following change was made to the April 15, 2010 Regular Meeting Minutes:

Line 433: Delete “to the Current Waterway Management Program”

Discussion ensued on the details of the Aquatic Systems Contract amount.

#### **b. Approval of Requisition**

- **Number 183, Clark & Albaugh, LLP - \$164.50 (2004B Construction Account)**

#### **c. Maintenance Worker III Job Classification**

#### **d. Supervisor Davidson to Serve as Board Liaison to Horticulture Consultant**

#### **e. Austin Outdoor Proposals**

- **Waterside/Reserve Screening, \$3,200**
- **Grandview Entry Landscape Upgrades, \$4,381.95**
- **Egret Drive Landscape Upgrades, \$4,905**
- **Village Center Intersection Transplants, \$1,361**

#### **f. Check Detail, April 2010**

#### **g. Unaudited Financial Statements as of April 30, 2010**

#### **h. Approval of Operations and Maintenance Expenditures**

**On MOTION by Supervisor Trautwein and seconded by Supervisor Davidson, with all in favor, the Consent Agenda Items were approved.**

**SIXTH ORDER OF BUSINESS****District Engineer's Report****i. Speeding/Traffic Issues on Marlin Drive and Sailfish Drive**

Mr. Misterly noted the Marlin and Sailfish Drive areas serve as a connector between the main Waterside Parkway and the amenity center, which may be the reason for higher volumes of traffic. He noted the lack of speed limit signs throughout the community. He presented a memo that outlined various options including installation of speed bumps, addition of speed limit signs and/or invitation of police department to complete speed monitoring. Supervisor Davidson stated the police department has already been in the community. Discussion ensued on establishing an enforceable speed limit. Mr. Misterly stated he will confirm as to the entity responsible for enforcement and regulation. Mr. Clark discussed the District's jurisdiction in establishing a speed limit in the community is based on the willingness of other bodies of government.

This item was deferred to the next workshop.

**ii. Wild Oaks Road Issues**

Mr. Misterly stated the District's main road issue is the subsiding of the paving around manholes, on the upstream side of the manhole. He indicated the issue may stem from groundwater entering the sewer pipes and recommended the issue may lie with the city, as it is their storm water drainage. As an attempt to fix the problem, beyond the aesthetics, he contacted Palm Coast Utilities to see if they can use their resources to see if the pipe's joints are leaking. Supervisor Trautwein noted previous flooding issues in the area. Supervisor Halley questioned if the city would be willing to pay for the repairs.

Mr. Clark requested the Board authorize Counsel to send a Notice Letter to RA Scott and the engineer, under that contract, to inform them that the District is investigating issues and intends on filing a claim. He requested that Mr. Misterly inform Staff of the details as to construction and repairs. Mr. Misterly stated he is trying to find the drawings of the road. He stated he will continue investigating the source of the problem.

**iii. 5-Year CIP**

Mr. Misterly explained, after touring the District's property, he is reviewing the current condition of the District and recommended limiting the Capital Improvement Plan (CIP) to the roadways and storm water, with needed additions to be included later. He noted the District's sinkholes, erosion around ponds and cracking of outfall structures. He anticipated a draft CIP for presentation at the June meeting.

Supervisor Trautwein noted flooding issues in the Lakeside area. Mr. Kloptosky stated he was aware and investigating the flooding.

Supervisor Cross questioned if an estimate for repaving was completed. Mr. Wrathell stated the engineering fees were doubled in the budget for the upcoming year.

Mr. Chip Howden questioned if the five (5)-year plan will fit into the budget. Mr. Wrathell noted the budget has estimated numbers to reflect anticipated projects. He explained year one (1) includes smaller pieces of the program. Discussion ensued on investing money in the District to address capital improvements. Mr. Wrathell discussed the need for reserves.

**SEVENTH ORDER OF BUSINESS****Amenity Center Manager's Report****i. AMG Budget Submission**

Mr. Wrathell discussed the proposed contract prices for AMG services. The Board discussed the Café Management proposals. Supervisor Trautwein stated he is happy with the existing service. Supervisor Davidson questioned District Counsel as to the appropriate action for competing operators to give presentations. Mr. Clark stated parties can be invited for ideas; however, if the Board is looking for proposals, a procedure needs to be followed. Discussion ensued on the need for presentations, versus proposals.

**\*\*\*The meeting recessed at 11:00 a.m.\*\*\***

**\*\*\*The meeting reconvened at 11:12 a.m.\*\*\***

Mr. Wrathell proposed having Mr. Roy Deary review the FY2011 proposed fees at the next Board meeting or workshop.

**\*\*\*This item was discussed after the Eighth Order of Business.\*\*\***

Mr. McGaffney noted the upcoming Health and Safety Week. Supervisor Davidson questioned the possibility of all Supervisors being present during the mayor's presentation. Mr.

Clark stated District matters can not be discussed. Mr. Wrathell recommended advertising a Notice of Gathering.

Mr. McGaffney reported courts 5, 6, 7 and 1 were resurfaced. Discussion was held on the \$10 guest fee for the cookout.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2010-8, for Placing Special District Candidates on General Election Ballot**

Mr. Wrathell presented Resolution 2010-8 for the Board's consideration.

**On MOTION by Supervisor Davidson and seconded by Supervisor Cross, with all in favor, Resolution 2010-8, for Placing Special District Candidates on General Election Ballot, was adopted.**

**NINTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2009, Prepared by Grau & Associates**

Mr. Wrathell presented the Audited Financial Report for fiscal year ended September 30, 2009. He noted the District's assets exceed their liabilities, as expected, and the total net assets have decreased due to a reduction in the District's cash flow and depreciation of assets. He noted the maintenance costs of assets were moved to capital, as it is a positive reflection. He summarized the balance sheet, capital projects fund and effect of depreciation. Supervisor Davidson questioned the status of the State Board of Administration (SBA) funds. Mr. Wrathell stated the SBA's unofficial response anticipated eight (8) to ten (10) years to recoup the funds. He noted the audit was a clean audit as reported in the Report on Internal Control over Financial Report; however, the budget exceeded appropriations by \$50,000, which is duly noted. Mr. Wrathell explained it is normal practice to complete a budget amendment when the District is over budget; however, the previous fiscal year was closed out with the previous management company and a budget amendment was not completed.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2010-9,  
Accepting the Audited Financial Report  
for the Fiscal Year Ended September 30,  
2009**

Mr. Wrathell presented Resolution 2010-9 for the Board's consideration.

**On MOTION by Supervisor Cross and seconded by  
Supervisor Trautwein, with all in favor, Resolution 2010-9,  
Accepting the Audited Financial Report for the Fiscal Year  
Ended September 30, 2009 was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2010-10,  
Approving the District's Proposed Budget  
for Fiscal Year 2011 and Setting a Public  
Hearing Thereon Pursuant to Florida  
Law**

- **Schedule of Assets as Prepared by Workshop Committee**
- **Additional Proposed Capital Budget Expenses**

Mr. Wrathell presented the proposed budget for Fiscal Year 2011, with a proposed public hearing date of August 19, 2010. He summarized Pages 1-4 are expense items. Discussion ensued on the projected costs through the end of the fiscal year. Mr. Clark requested an increase of \$10 per hour but did not anticipate an increase in the budget, as the meetings are shorter. He requested the litigation line item be increased to \$50,000, unless a settlement is reached. Mr. Wrathell explained the District insurance is split and displayed with the fee associated for property and the fee associated with officers' liability. He reviewed the District's expenditures.

The Board discussed the budgeted details. Mr. Wrathell explained the pool chemicals are a direct expense of the District and should be deducted from AMG's contract. Mr. Kloptosky noted potential items to include in the budget.

Discussion ensued on the amenity maintenance cost. Mr. Wrathell asked Mr. Kloptosky to provide more detail on the maintenance items. Mr. Wrathell continued reviewing the budget's line items. Mr. Kloptosky recommended removing the budgeted downspouts, as it is not necessary. Mr. Wrathell budgeted \$3,500 for the Marlin Drive reuse pump. Mr. Wrathell noted the security fence is not budgeted, because it is on schedule to be completed by 2011.

Discussion continued regarding the Marlin Drive Pump House and the relationship with Hampton Golf. Mr. Wrathell recalled a meeting with Mr. Robert Lyons. Supervisor Chiodo explained that Hampton Golf requested gate entry cards for invitational members of the golf course.

**On MOTION by Supervisor Halley and seconded by Supervisor Davidson, with all in favor, the issuance of gate entry cards to Hampton Golf Invitational Members, for the hours of 7:00 a.m., to 4:00 p.m., was approved.**

Discussion ensued on the assessment amount. Mr. Wrathell noted the proposed assessment for Fiscal Year 2011, for a single family, is \$1,827 and \$1,924 for the larger, single family parcel. He stated the District was \$50,000 over budget for the fiscal year ended September 30, 2009.

Mr. Wrathell explained the notice of assessment letter is necessary, per Chapter 197. He explained that the proposed budget is necessary, per Chapter 190, for transmittal to the local municipality.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, Resolution 2010-10, Approving the District's Proposed Budget for Fiscal Year 2011 and Setting a Public Hearing for August 19, 2010 at 5:00 p.m., with the Regular Board Meeting commencing at 3:00 p.m.**

The Board requested a budget summary page that reflects revenue and major expenditures.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**a. Operations/ Field Manager**

**i. Project Tracking Form**

**o Marlin Drive Expansion Project**

Mr. Kloptosky stated the expansion is complete.

**o Security Camera System Installation**



Mr. Kloptosky stated the security camera installation is about 50% complete.

- **Streetlight Painting/Refurbishment**

Mr. Kloptosky stated the streetlight painting is about 40% complete.

- **42 Eastlake Sinkhole Repair**

Mr. Kloptosky stated the sinkhole repair is complete.

An audience member questioned if gravel was going to be used in the Marlin Drive Expansion Project. Mr. Kloptosky explained that the bidding specs were changed to lower the cost and the gravel was not used. He explained that he talked to Ms. Libby and Kline completed the job in accordance with Arcadis' specs. He noted the maintenance issue and that it looks like a construction driveway and proposed various options. Discussion ensued regarding the Creekside fence.

**b. District Counsel**

- i. Consideration of Release of District E-mail Database to Master Association for E-blasts (*deferred from April 15, 2010 Regular Meeting*)**

Mr. Clark recommended a conditional release to the Master Association, stipulating the list be used solely for the Master Association's use and not be supplied to any other party. Supervisor Davidson recommended inviting the Master Association to the next meeting to discuss the terms. Discussion continued on the property owners' ability to opt out of the emails. Supervisor Cross requested that the list not be used for commercial, political or personal agenda.

**On MOTION by Supervisor Cross and seconded by Supervisor Halley, with all in favor, the invitation for Ms. Kenny O'Connor to attend the June 3<sup>rd</sup> Workshop to propose the release of the e-mail database to the Master Association, stipulating no commercial, political or personal agenda or release of the list to a third part, was approved.**

Supervisor Cross discussed the storm water charges with the city and stated he is doing research on the effect of the ordinance on the community.

**c. District Manager**

- i. Reuse Irrigation Billing Revenues**

- ii. Community Bank of Broward – FDIC Coverage**

- iii. Letter to City of Palm Coast Regarding the Last Two (2) Years of Stormwater Reimbursement Not Received
- iv. 2,162 Registered Voters in District as of April 15, 2010
- v. NEXT WORKSHOP/MEETING:
  - June 3, 2010 at 10:00 a.m. - WORKSHOP
  - June 17, 2010 at 9:30 a.m. - MEETING

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**


There being no Supervisors' Requests, the next item followed.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

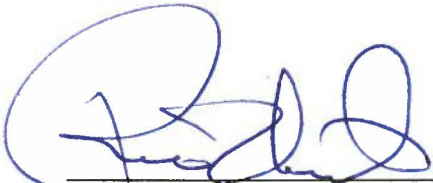
There being no further business, all were in agreement with adjourning.

**On MOTION by Supervisor Trautwein and seconded by Supervisor Chiodo, with all in favor, the meeting adjourned at 1:38 p.m.**



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Secretary/Assistant Secretary



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Chairman/Vice Chairman