

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

A Community Workshop of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, November 5, 2009 at 10:00 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:

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
Chuck Adams	Wrathell, Hart, Hunt & Associates, LLC
Barry Kloptosky	Operations Manager
Howard McGaffney	Amenity Center Manager
Jane Sedelmyer	Resident
Terri Langan	Resident
Tom Lawrence	Resident
Mary Alice Brandt	Resident
Gary Noble	Resident
Sandy Hollenbeck	Resident
Marti Garziglia	Resident
Diane Newman	Resident
Joan Zuen	Resident
Ron Bianchi	Resident
R. Hopkins	Resident
Bob	Resident
Ken	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at 10:10 a.m., and Supervisors Cross, Halley and Davidson 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 Community Workshop Dates

Mr. Wrathell presented the Affidavit of Publication for the Notice of Fiscal Year 2009-2010 Community Workshop Dates.

FOURTH ORDER OF BUSINESS

Discussion Items:

- **District Management Transition Matters (SJD)**

Mr. Wrathell discussed the number of unpaid invoices remaining and stated Staff is working with Barry and Jessica to make sure vendors are paid. He stated he is having Barry review invoices in order to review everything in detail.

Supervisor Davidson expressed his wish to have the paperwork burden on Barry decreased by the Management company. Mr. Wrathell took note and stated he needs to work with the Operations Manager, in order to ensure that the expenses are covered. He thanked Barry for all the help in providing information regarding all the details of the District.

- **Constant Contact Email Blast System Procedures (SJD)**

Supervisor Davidson discussed the use of the email blasts as a benefit to the community. He noted the email blast is used for information regarding the notice of meetings for the Community Emergency Response Team (CERT) on new policies and procedures; announcement of membership recruitment meetings and verified emergency notifications. He noted general or regularly scheduled CERT meetings were announced in the AMG monthly e-blast. The e-blast content is reviewed by the sponsoring agency; for neighborhood watch, it was the Flagler County Sheriff's Office; the CDD Operations Manager, for the appropriate use of facilities, and was to review it before it was sent to the community; the District Manager was to ensure there was no apparent violation of public policy. He noted the system ran very well and there were no complaints about receiving too many emails. The Board requested that seven (7) days before a regular meeting or workshop, a reminder e-blast go out to the community; three (3) days before the meeting, the major content of the established agenda are pasted onto a new e-blast as a second reminder, containing the items to be discussed in the meetings, through a hyperlink. He

provided examples. Supervisor Davidson requested a nicer looking template or background to the email blast and wanted to use the company Constant Contact.

- **Process for Emergency Infrastructure Repairs (SJD & CW)**
 - **Master Agreement from Malcolm Pirnie, Inc., for Disaster Debris Monitoring Services-SWCD**
 - **Master Agreement from Phillips and Jordan, Incorporated, for Disaster Debris Removal Services-SWCD**

Mr. Wrathell discussed the potential need for the District to hire a company to handle disaster clean up services. He provided two (2) examples of current agreements from another District. He stated the companies are experts in handling disaster recovery issues and preparing the invoices for eligible reimbursements, such as FEMA.

Mr. Wrathell discussed finding a procedure that gives the responsiveness to the residents and, at the same time, provides prices that are not excessive. He stated the District can advertise for bids or have a list of contractors available.

Mr. Adams noted there are different levels of response for an emergency and Management needs to be able to make decisions during an emergency. He recommended the District establish a threshold that Management can spend in an emergency situation; anything beyond the threshold requires coordination with the Chairman of the Board. Mr. Adams stated sinkholes, water leaks and electric issues are significant problems in the community and need to be handled quickly. He noted, during Hurricane Wilma, there were incidents that cost anywhere from \$100,000 to \$3 million; most of the issues pertained to vegetation relative to landscaping, the need for quick response in terms of clearing roadways, pathways; inventory of the debris and tactfully removing debris. He noted the contracts are put together in a way that requires the landscaper to provide hourly rates for special circumstances. He recommended having storm shutters on the facilities.

Supervisor Cross questioned whether it is more beneficial to have a general contractor to take care of all types of emergencies, or to have an individual person for specific jobs. Mr. Adams stated he generally has a direct relationship with those that are going to complete the work; as that avoids marked up prices. He suggested having a price list for emergency situations and non-emergency situations, as well as additional contractors that would serve to provide support. Discussion was held as to utilizing other possible contractors within the area. Supervisor Cross recommended finding out the contractor employed by the city. Mr. Adams

suggested the city might have additional back up from in-house resources. He discussed the possible contacts that Jim Abernathy could provide to the District. Mr. Kloptosky stated he tried to do such with the sinkhole situation and the only contractor to reply was Cline. Mr. Wrathell recommended to the Board that he and Barry work together to get additional contractors pricing and bring it to the next Board meeting. Mr. Adams noted the District's capability to pay bills in a timely manner, which should attract contractors. Supervisor Halley noted the CDD pays the bill on time, but they do not pay for contractual services that LandMar set up that the Board did not authorize. Mr. Adams noted the contractors may have a tough time separating the District from LandMar. Mr. Wrathell noted check runs are completed every week and the invoices are quickly paid; within a two (2) to four (4) week timeframe.

Supervisor Davidson questioned the cost of having a company "on-call". Mr. Wrathell explained that Philips and Jordan are not paid anything until the storm event happens. He noted there are not any ongoing costs of keeping a retainer; they are the ones that will coordinate the contractors. Supervisor Davidson questioned if FEMA reimburses special districts. Mr. Adams stated FEMA can be slow, but he was successful in getting a payment for damage from Hurricane Wilma in 2005. He stated they will pay for things related to public safety, health and welfare, such as the clearing of roadways. He noted insurance was not engaged for any of the damage; instead, the District took out a line of credit with a 60-month repayment plan. Supervisor Davidson questioned how much money the District took out of pocket to pay for the \$3 million worth of damage. Mr. Adams said the District had to pay \$2.9 million; with the repayment schedule set up so that appropriations could be made in the next budget cycle. The loan was a five (5)-year loan with a one (1)-year draw down period.

Mr. Wrathell stated he wants to work with the Engineer and meet with the Contractors. He explained the District wants to gain their confidence and explain exactly that the District is trying to engage contractors that are committed to the functions of the District, in emergency situations. Mr. Adams stated the District is looking for additional contractors that the District does not have past relationships; as well as a list of resources, references, certificate of insurance and a price list. Mr. Wrathell recommended obtaining two (2) to three (3) contractors for emergency and non-emergency situations for each discipline, i.e. infrastructure and electric issues; the District can maintain Austin Outdoor, as the main contractor, for daily landscaping maintenance.

Discussion was held regarding the current contract with Austin Outdoor. Supervisor Halley stated the contract expires on April 1, 2010. Mr. Adams stated he reviewed the contract and has some revisions and additions for the next contract. He recommended the new contract include a price list for additional services. Supervisor Halley noted the significant amount of time needed to review the scope of services necessary for the bid package.

Mr. McGaffney stated he began the formal process to attach CDDs to FEMA dollars, pre approved. He stated there is a process in place and requested to talk to management.

Mr. Wrathell stated they will begin to review the Austin Outdoor contract and come back around in the Spring. Mr. Adams requested the Austin Outdoor contract be reviewed in the January workshop, and will go out to bid in March.

- **Performance Review Systems and Procedures (SJD)**
 - **Sample SWCD Performance Evaluations (Non Exempt Personnel & Managerial Employee)**

Mr. Wrathell stated Staff is going to review the existing job descriptions and organizational chart. He stated they are primarily focused on the District Staff. He provided the evaluation, noting the different criteria. Discussion was held regarding different evaluations for which the Operations Manager must complete on District employees and the evaluation the Board must complete on the District Staff. Supervisor Davidson noted that some of the job descriptions have changed, due to the Field Operations Manager and the current job descriptions may not be accurate. Mr. Wrathell discussed comparing the needs of the District to the current organizational structure. He recommended reviewing the organizational structure, job descriptions and the roles of the contractors in the District. Mr. Paton noted he is reviewing the current organizational structure and trying to define the jobs and the functions. Supervisor Davidson stated he believes the Board's responsibility is to review the managerial component of its employees and the Field Operations Manager is responsible for viewing the subordinate employees of the field operations manager.

- **Additions to Regular Meeting Open Items List (SJD)**

There being no discussion, the next item followed.

- **CDARS Investment (SJD)**
 - **Correspondence from First Colony Bank**
 - **New Account Notice – First National Bank of Central Florida**

- **Updated CDARS Rates – First National Bank of Central Florida**
- **Deposit Insurance Summary**
- **CDARS Interest Rate Comparison as of 10/5/09**

Mr. Wrathell explained the Board approved the First Colony Bank of Florida, who offered the 13-week CDAR at 1.45%; however, they were not offering that to anyone outside of the marketing area. He stated Management discussed it with the Chairman and Staff decided to invest in First National Bank of Central Florida at 0.85%. Mr. Wrathell provided the breakout of the banks in which the money is invested and noted the funds are covered under the FDIC limit. He stated Staff is in the process of completing the analysis for the anticipated tax revenues to be received, beginning in December and funds will probably be invested in money market accounts yielding around 0.05%.

******The meeting was recessed at 11:40 a.m.******

******The meeting was reconvened at 11:50 a.m.******

- **Continual Heating of Creekside Pool (BOS)**

******This item was discussed out of order.******

Ms. Jane Sedelmyer presented a petition to keep Creekside Pool open and heated. Supervisor Davidson stated there was not a Board motion to close the pool or to not heat the pool; it was closed last year, due to a lack of use. Supervisor Cross noted there is a definite use of the pool by young families during the holidays. Mr. Kloptosky clarified that last year the pool was never officially closed; however, the heat pump was turned off in order to prevent damage to the equipment and save money. He noted the heat pumps will have to be shut off once the air temperature goes below a certain level; the Creekside Pool does not have an auxiliary heater like the main pool utilizes during the winter months. A resident requested an auxiliary heater be installed at the Creekside Pool. Mr. Wrathell stated a proposal for an auxiliary pump can be added to the next agenda. Terri Langan, a resident, stated the baby pool is not heated. Supervisor Cross stated the auxiliary heating issue will be added to the next agenda for discussion, with the understanding that the pool will continue to be heated.

- **Gate Post Orders Update (SJD)**

- **Draft – Revised 10/28/09**

Mr. Wrathell stated the current Post Orders appear to be a set of policies adopted along the way and expressed the need to merge the policies into a clean, flowing document. He noted

Staff did not alter any policies and will present this to the Board at next Board meeting. Mr. Adams explained the majority of the changes involve formatting issues and adding the point of contacts for a given procedure. He noted the previous Post Orders appeared to be a series of Site Memos, he stressed the importance of the access procedures. since the District involves public roads funded with tax exempt bonds. An audience member questioned the procedure for any future changes to the Post Orders. Mr. Wrathell stated any future issues or revisions should, ultimately, be presented before the Board. Mr. Bob Hopkins, a resident, stated there is not a way to confirm the identification of a person entering the community, at the guard gate and suggested asking for a driver's license to confirm identification. Supervisor Halley suggested presenting the issue to District Counsel. Mr. Adams noted any procedures in the Post Orders must take into consideration the reasonableness of the policy. Mr. Hopkins explained the convoluted issues, such as a divorced family in which a spouse uses a known name on the preferred list to enter the community and surprises an ex-spouse. Another issue involves the issuance of passes to landscapers in which they can access the community 24 hours a day. They are discussing with Southern States Property Management to try to get the passes turned in. Mr. Kloptosky stated there are about ten (10) cards issued to Southern States and a list of who the cards were issued to and the specific project. He discussed the possibility of a backup at the main gate, if the cards are taken away from the landscapers. Mr. Adams stated, if they are sliding cards, the software may have the ability to allow access during specific hours/days. Mr. Wrathell requested a fact finding memo to present at the next board meeting regarding the gate access issues.

- **Tennis Advisory Group Report Update (SJD)**

Mr. McGaffney stated he is currently gathering information on the pros and cons of league play, times of day for play and the residents' reaction to league play. Supervisor Davidson requested the consensus or recommendation of the Tennis Advisory Group regarding policy issues. Mr. McGaffney requested to give a presentation at a Board meeting. Supervisor Cross clarified the Tennis Advisory Group reports to Mr. McGaffney and is not an ad hoc group.

- **Wildfire Mitigation Project Update (SJD)**

Supervisor Davidson reported the economic stimulus and recovery funds from the Federal Government have not been transferred to the State of Florida; the state will not release funds until the federal funds are received; thus, the project is on hold. He stated they have started working on the fire exit gates, specifically the one (1) broken gate. Mr. Kloptosky

reported he was trying to find an entity to take responsibility for the gate off of Kite Court; it is designated as an emergency exit out of the community. He stated the Parks and Recreation Department is willing to accept responsibility, as long as the District can provide a letter showing the county designating the gate as a fire exit. Supervisor Davidson stated the supervisor at the county requested to defer to the agreement between the developer and the county, before paying for the repairs. He discussed putting fire exit signs, facing into the community, on the emergency exit gates and using the email blast to notify the community of the availability of the gates, should a wild fire occur. Mr. Wrathell stated the District and county can enter into an agreement regarding the maintenance of the gate and the ability to access the property. Mr. Kloptosky stated the county offered to enter into an agreement. Mr. Wrathell stated the county may view the gate as a construction gate and questioned if the county would want the District to take ownership. Supervisor Cross dissented, since the gate is on a county road that accesses a county park. Supervisor Davidson stated the District has been given permission to open the gates, in an emergency; he noted this procedure needs to be added to the Post Orders, along with the map. Mr. Adams stressed the importance of including the process of how/when to open the emergency gates. Mr. Wrathell clarified that the Board would like for the county to maintain the gates; should the county refuse to repair the gate, the Board would like permission from the county to make the repairs without having to enter into an agreement that makes the District responsible for future repairs or issues. Supervisor Cross identified the gate as Herschel King South Park Road Gate. Mr. Tom Lawrence clarified, as part of the developer order, the developer was required to put a right-of-way fence in the gates, on county property; the county Public Works has made repairs to the barb wired fence.

- **Pond Project Update (SJD)**

Supervisor Davidson stated the volunteers from the Pond Project completed data forms for all of the ponds; prior to the decision to do mitigation treatments. He discussed Pond 6 & 7 were littoral shelf planted; however, other invasive shoreline weeds are interfering and are in danger of taking over the littoral shelf plants. He stated the littoral plants are designed to soak up some of the nutrients that would otherwise flow into the pond and provide shade along the bank so that the algae would not form on the top of the pond. Supervisor Davidson discussed Pond 20 containing aerators and micro treatments and the accumulation of the algae. Mr. Kloptosky clarified Pond 20 was not treated. Supervisor Davidson stated Pond 17 is the most perfect; it was

treated with littoral plants and contains nearly no algae; most likely due to the preserve woods surrounding three-quarters of the pond. He noted Pond 19, Hidden Lake, has algae mass across the entire pond; it contains three (3) aerators that are constantly in use and the bacteria packets were used to try to treat the algae. He said this pond is very shallow, contains little outflow and is completely surrounded by developed lots. Dr. Clark agreed to treat this pond with three (3) treatments of copper sulfate, in stages to avoid oxygen depletion.

Supervisor Davidson discussed having a symposium, part II, where Dr. Clark will provide the results of all his data collection and his recommendations to the District, as well as discussing the landscaping fertilizers and the use of reclaimed water. Supervisor Davidson questioned if the presence of all Supervisors at the symposium would be a violation of the Sunshine Law. Mr. Wrathell recommended advertising the meeting to avoid a violation of the Sunshine Law. Supervisor Davidson recommended treating the symposium as a workshop and inviting the DEP and the Master Homeowners Association Board. He discussed the change in laws regarding landscaping and water quality. Supervisor Halley proposed allowing residents to use the pond water as reclaimed water and the ponds will be less likely to overflow during the rainy season. Supervisor Cross recommended that the next symposium should be treated as the original symposium, advertised as a workshop and have a workshop around March, with Dr. Clark's presentation as the only item.

- **Continual Heating of Creekside Pool (BOS)**

****This item was discussed earlier in the meeting.****

Mr. Wrathell clarified that a proposal for auxiliary heating will be presented at the next Board Meeting.

- **Preferred Contractors from City of Palm Coast (CW)**

- **Listing of Preferred Contractors**

Mr. Wrathell stated the City refers to this list as a list of approved contractors. He noted the process of handling emergency situations will resolve who will complete work for the District.

- **Update Austin Outdoor, Inc., Date Palm Reimbursement (CW)**

Mr. Wrathell explained he discussed replacing the infested canary palm tree with Mr. Todd Fonda. Mr. Fonda stated the normal replacement cost, including the removal of the existing palm, is \$6,950; however, he was willing to reduce the price for this particular palm by

\$1,800. Mr. Wrathell stated he asked Todd to review the existing agreement and supply the Board with a memo outlining the proactive steps that could be taken to reduce the likelihood of a tree dying. Supervisor Cross stated he does not support paying \$5,000 for another palm tree. He recommended transporting three (3) of the Washingtonians, to a triangle planting at the front monument. Supervisor Davidson requested the opinion of a horticulturist regarding the survival of the trees. Mr. Kloptosky noted that, in order to ensure the trees survive a transplant, a large size root ball must be dug up and such may be impossible due to the fiber optic cables in the area. Supervisor Davidson requested the utility company complete a utility locating. Supervisor Halley stated he did not support replacing the palm tree, at the cost to the District. Mr. Wrathell clarified that Barry will check to see if the Washingtonians can be successfully uprooted and a horticulturist will be consulted for an expert opinion.

- **AMG Agreement – Purchase of Supplies (e.g., chlorine) (CW)**

Mr. Wrathell stated the AMG Agreement was modified and the District can directly purchase pool supplies.

- **Wild Oaks Gate Open – Concern Over Dumping (BOS)**

Mr. Wrathell stated, at the last Board meeting, the Board requested this be a discussion item. Mr. Kloptosky noted that there were not any members of the ad hoc committee present to discuss the security camera upgrade. Ms. Mary Alice Brandt stated about three (3) lots are currently under construction from two (2) different builders. Supervisor Davidson suggested programming their cards so that the builders have access Monday thru Friday, until 5:00 p.m. Mr. Kloptosky noted the concern of having the code released to more individuals than the contractor. Mr. Adams proposed having a rotation change out of the code. Discussion was held regarding whether the roads in Wild Oaks Phase II were paid by the developer or the bonds.

Mr. Kloptosky read a recommendation from the ad hoc committee for the Wild Oaks Gate to include two (2) new low-light, color cameras, to take pictures of license plates, one (1) new low-light, color camera, for the whole area, one (1) new low-light, color camera, to see the person in the vehicle at the call box. Supervisor Cross noted the recommendation stated none of the existing cameras can read a vehicle license plate as they enter/exit the gate. Mr. Kloptosky noted the cameras in place for general viewing are poor quality and, due to the vast size of the community, the request for proposals was divided according to location. Mr. Adams stressed the quality of the camera is very important and recommended to not rely on a secondary light source

for night time pictures. Supervisor Cross requested to upgrade in phases and pay for high quality cameras.

Mr. Gary Noble, a resident, stated a neighbor's car was broken into while the car was parked in her driveway; the incident was reported to law enforcement.

Mr. Wrathell stated the use of cameras serves as a solution to the tax exempt bonds issue, allows the guard to reasonably evaluate the people entering the community; access to the community is not restricted, but a copy of the license plate is taken. This provides a reasonable log to provide to law enforcement officials in the event of a crime.

FIFTH ORDER OF BUSINESS

Open Items

- **Obtain Engineer to Help CDD Create a Solar Panel Proposal (*Prime Responsibility: Barry*) (PC)**

Mr. Kloptosky stated he discussed this at the last Board meeting. He called four (4) different engineers regarding the use of a solar panel to heat the pool. He noted only one (1) individual was interested and agreed to visit the site, provide specs and review the bids; he charged \$150 per hour. The firm was Paul Estes, P.E., out of Daytona Beach, Florida, and he said he could recommend a few contractors. The Board recalled they already received a bid for a solar panel, but rescinded the motion, for multiple reasons. Supervisor Davidson explained the District installed new roofs on the buildings and the panel was going to be screwed into the new roof; under heavy wind, the new roof and panel would be ruined. He stated the Board would like someone who can provide a set of specs and then re-bid the project. Supervisor Davidson requested background information regarding the engineering firm.

- **Fence Outside Main Gate (*Prime Responsibility: Barry*) (PC)**

Mr. Kloptosky stated the fence was ordered and should arrive next week.

- **All Erosion Issues (*Prime Responsibility: Barry*) (PC)**

Mr. Kloptosky said the erosion issue on Osprey was completed. The Wild Oaks sinkhole was completed. The next issue is the walkway on Jasmine that is waiting on additional bidders. He stated he worked with Cline to get the price down to a reasonable amount. Supervisor Halley questioned if there were any additional bidders, besides Cline. Mr. Kloptosky stated Mr. Abernathy put the bid out, two (2) different times, and no other firm responded. Supervisor

Halley questioned who installed the original walkway and expressed disappointment in the lack of responses to the bid.

- **Tennis League TAG Input (*Prime Responsibility: Mac*) (PC)**

This item was discussed earlier in the meeting.

- **All Pond Issues (*Prime Responsibility: Dr. Davidson*) (PC & SJD)**

This item was discussed earlier in the meeting.

- **Marlin Drive Pump House Drive Project (SJD)**

Mr. Wrathell stated he has a proposal for \$20,000; with fence work around \$3,500. He stated Mr. Clark already reviewed the contract and the agreement is ready for execution.

- **Pool Solar Energy Heating Initiative (SJD)**

This item was discussed earlier in the meeting.

- **Kite Court Fire Exit Fence Repairs (SJD)**

This item was discussed earlier in the meeting.

- **CPC Stormwater Maintenance Reimbursement (SJD)**

Mr. Wrathell stated he sent a letter to the City and received a response requesting copies of the District's current aquatic management agreements.

- **Irrigation Line Filter Performance (SJD)**

Mr. Kloptosky stated Austin Outdoor requested doing a seasonal or annual check of the irrigation line, in order to obtain an accurate report. He stated the report should be provided toward the end of this year, around December.

*****The meeting recessed at 2:15 p.m.*****

*****The meeting reconvened at 2:22 p.m.*****

- **Wildfire Mitigation Project (SJD)**

This item was discussed earlier in the meeting.

- **Marlin Pump Station (*Open since January 15, 2009, Minutes, Page 5*) (DC)**

This item was discussed earlier in the meeting.

- **Wild Oaks Reclaimed Water Rates (DC)**

Mr. Wrathell stated he will discuss this issue with Supervisor Cross. Supervisor Cross discussed the need to compare reuse water rates with other county facilities. Mr. Lawrence noted the variance in the rate is due to the ability to purchase water in bulk and the different meter sizes, as it is stated in a county ordinance. Supervisor Cross noted the homes in Wild Oaks

have reclaimed water, but the other homes do not have reclaimed water. Mr. Wrathell noted the water is going to the residence and speculated the county would charge all customers the same rate. Supervisor Cross stated he would like to the county to review the District's water use rate.

- **Operations Manager Request (*Open since January 15, 2009, Minutes, Page 7*) (DC)**

Mr. Wrathell clarified that Supervisor Cross requested to know how much time Mr. Finnimore spends doing administrative work, in order to help create a job description. Mr. Kloptosky estimated Mr. Finnimore spends about 10-12% of his time on administrative duties; the rest of his time is spent on maintenance issues.

- **Overdue Acct/Hampton Golf (*Invoice dated March 30, 2009*) (DC)**

Supervisor Cross stated the original construction of the parking lot for Hampton Golf was \$1,006,000 and was charged to the 1997 B Bond; thus, the residents paid for the parking lot. The original easement/agreement had the CDD paying for 100% of the maintenance; the agreement was amended in July 2005 to have Hampton Golf pay for 50% of the maintenance. The first invoice was rendered and paid. The easement states Hampton Golf can be billed no more than two (2) times per year. The second invoice was rendered and contained the real estate taxes, as the Tax Collector ruled the property is not tax exempt because it is being used for commercial property. He noted the invoice from July 2009 that contains the real estate taxes is, continually, an overdue account receivable. Mr. Wrathell discussed that if Hampton Golf does not fulfill their obligation, as stipulated in the easement, then the easement, assuming it is not permanent, becomes void and the property becomes non commercial; thus, it can be used by all members of the public and the property becomes tax exempt. Supervisor Cross noted the Creekside Amenities Center used to be the LandMar Sales Center and the Tax Collector ruled the property was not tax exempt and the District had to pay \$12,000 a year real estate taxes. The month that LandMar notified the District that they were not going to renew their lease, the property was removed from the tax roll. Mr. Wrathell discussed that the Tax Collector is correct in assessing the parking lot a real estate tax, because the easement agreement is with a revenue generating entity. Mr. Wrathell recommended legal counsel provide his opinion at the next Board meeting.

- **Main Gate Landscaping (*Open since March 19, 2009, Minutes, Page 4*) (DC)**

Mr. Wrathell recommended creating a big picture landscape plan, since the laws regarding landscaping are changing. Supervisor Davidson stated Hammock Dunes and Ocean Hammocks started to renovate their landscaping according to the upcoming new requirements;

the master gardeners are working with the volunteers and rejuvenated the circles, based on the new regulations. Supervisor Davidson questioned if the entire Board can tour the facility. Mr. Wrathell stated the tour would be noticed, with the public able to attend the site visit, and a set schedule for the visit would be established. Supervisor Halley noted he wants to ensure that the natural landscaping is done the right way, the first time around. Discussion was held as to the process of rejuvenating the circles and implementing the new landscaping regulations. Mr. Kloptosky discussed Mr. Clark's dissent to allow the ad hoc group to design a landscaping plot, as well as the need to ensure the new landscaping is consistent with the rest of the community. Discussion was held as to the previous desire of the Board regarding the circles. Supervisor Cross stated it has been seven (7) months since the Board approved the action to remove the current landscaping in the Main Gate Islands and no action has been completed. Supervisor Davidson commented that removal of the existing vegetation, without a plan to re-landscape, may incur a time frame of unsightly circles. Mr. Kloptosky stated the residents may not be forgiving if the circles are bare. Supervisor Cross clarified that the vine, located behind the fence, is to be removed. Supervisor Davidson expressed concern regarding transplanting vines due to the ability to properly care for the vegetation and recommended seeking a professional opinion as to what vegetation can survive a transplant. Supervisor Halley stated he would like the vines removed at the South Gate and does not want Austin Outdoor charging for trimming the vines. Supervisor Davidson proposed to have the Board visit the Hammocks circles. Mr. Wrathell summarized the Board would like the vines removed on the South Gate; obtain bids for the fencing at South Gate and Supervisor Davidson will discuss setting up a tour of Hammock Dune and Ocean Hammock, at the next Board meeting. Supervisor Halley expressed that the South entrance should look like the main entrance, with vinyl fencing. Mr. Kloptosky will present such bids at the next Board meeting. Mr. Kloptosky clarified that the existing wooden fence at the main gate will be removed; four (4) sections of the vinyl fence will be replaced to match the existing vinyl fence; the remaining vines at the South Gate will be removed. Mr. Wrathell stated, for the next Board meeting, there will be a discussion item to have a tour of Ocean Hammock and Hammock Dunes; the Main Gate existing wood fence will be removed and replace the existing fence with four (4) sections of vinyl fence, consistent with the current vinyl fence and remove any existing vine at the Main Gate and South Gate.

- **Stormwater Reimbursement from City** (*Open since May 21, 2009, Minutes, Pages 6 & 7 and June 23, 2009, Minutes, Page 2*) (DC)

This item was discussed earlier in the meeting.

- **City Water Meter Charges** (*Open since October 15, 2009, Board Meeting*) (DC)

Mr. Wrathell stated there are meters in some of the circles and the Board has not taken any action, since it has not been determined what is going to be placed in the circle. Supervisor Cross stated he did not plan to plant anything requiring irrigation and that the water should be reclaimed water, rather than potable water. Mr. Kloptosky stated that meters are different for potable water and reclaimed water; they are color coded. He noted the existing potable water meters can be removed, if they were replaced with a reclaimed water meter. The remaining potable water meters have not been used and will not be used if the Board does not plan on using the meters for irrigation. Mr. Kloptosky stated only three (3) locations were switched to reclaimed waters. Supervisor Cross noted the ad hoc task force is to provide a report at the next Board meeting.

SIXTH ORDER OF BUSINESS

District Manager's Updates

There were no Manager updates and the meeting was adjourned at 3:25 p.m.

<p>On MOTION by Supervisor Halley and seconded by Supervisor Davidson, with all in favor of adjourning.</p>
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Secretary/Assistant Secretary



Chairman/Vice Chairman