

**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, January 20, 2011, 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:**

Dr. Stephen Davidson	Chair
Peter Chiodo	Vice Chair
Tom Lawrence	Assistant Secretary
Marie Gaeta	Assistant Secretary
John F. Pollinger	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Matt Kozak	Wrathell, Hunt & Associates, LLC
Doug Paton	Wrathell, Hunt & Associates, LLC
Barry Kloptosky	Operations Manager
Brian Simms	District Engineer
Howard McGaffney	Amenity Center Manager
Scott Clark	General Counsel
Al LoMonaco	Resident
Ray Smith	Resident
Frank Benham	Resident
Vic Natiello	Resident
Lisa Mrakovcic	Resident
Frank Mrakovcic	Resident
Ron Merlo	Resident
Gary Noble	Resident
Bob Hopkins	Resident
Joanna Salkovitz	Resident
Ron Leal	Resident
Maggie Fischer	Resident
Louise Leister	Horticultural Consultant

**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 Supervisors Lawrence, Chiodo, Gaeta and Davidson were present, in person.

**SECOND ORDER OF BUSINESS**

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**VACANT SEAT APPOINTMENT  
(CW/MK)**

Mr. Wrathell noted that Seat 2 is vacant and summarized the process for prospective candidates. Supervisor Davidson thanked all the applicants for their presentations at the last workshop.

- **Ranking of Applicants**

Mr. Wrathell clarified that the applicants were assigned as follows: Applicant A was Mr. Charles Trautwein, Applicant B was Mr. Ray Smith and Applicant C was Mr. John F. Pollinger. Mr. John F. Pollinger was the number one ranked applicant.

**On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, Mr. John F. Pollinger, Applicant C, was accepted as the number one ranked applicant.**

- **Appointment of Newest Board Member**

**On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, Mr. John F. Pollinger was appointed to fill Seat 2.**

- **Administration of Oath of Office (*the following to be provided in separate package*)**

Mr. Wrathell, a duly authorized Notary of the State of Florida, administered the Oath of Office to Mr. John F. Pollinger. He provided and summarized the following documents to Mr. Pollinger:

- **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- **Membership, Obligations and Responsibilities**
- **Form 1: Statement of Financial Interests**

- **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- **Form 1F: Final Statement of Financial Interests**

Mr. Wrathell noted that Supervisor Pollinger will need to sign the District’s Code of Conduct policy. He thanked the applicants for their participation.

- **Copies of Letters to Applicants (*for informational purposes*)**

**FOURTH ORDER OF BUSINESS**

**AUDIENCE/RESIDENT RESPONSE, REPORT & COMMENTS (*3-Minute Rule; Non-Agenda Items*)**

There were no audience/resident responses or comments.

**FIFTH ORDER OF BUSINESS**

**DISTRICT ENGINEER’S REPORT**

- **Outfall Repair Proposal Submitted by Cline**
- **Questions (*both for the board and from the board*)**

Mr. Brian Simms reported that the proposal from Cline, for the repair of the outfalls, was received; however, the proposal does not include the outfalls on the golf course. Cline anticipated the golf course work to be an additional \$90,000. The bid totals \$276,447 for the repair work. Mr. Simms summarized the scope of work and noted the proposal does not deal with landscaping or the sod between houses to get to the areas in question. He recommended negotiating the price.

Mr. Kloptosky stated he discussed the proposal with Cline, who included 200 square feet of sod in each repair for stabilizing the actual repair; however, Cline did not include the landscape repair for areas between the houses, as they were unsure of the actual repairs that would be necessary.

Mr. Wrathell noted that the District will be required to bid the project.

Discussion was held on the ability to complete the project in small increments and the need to use the bidding process for the project.

Supervisor Davidson requested an explanation for the project. He asked if the number of pipes listed match the number of outfalls. Mr. Simms replied the numbers are broken down by the pipe size for a certain type of repair. Supervisor Davidson questioned if the methods are in accordance with priorities. Mr. Simms explained that the priorities do not necessarily

correspond with the repair method. Discussion ensued on the priority status of each project. Mr. Simms recommended completing a time and materials basis list reflecting the priority status of the projects and completing the projects in a given area, at the same time, to save money. Mr. Simms recommended prioritizing the ponds that need the most work, as priority 1 and 2, then focusing on the ponds having the most outfalls with priority 1 and 2.

Supervisor Davidson noted the need to take action soon, to take advantage of the low water level. Supervisor Lawrence noted that the lower priority ponds damage may get worse, if they are not addressed, and end up costing the District more money, if the repairs are not completed now. Mr. Simms confirmed that the lower priority outfalls need repair. He recalled that the 2009 estimate included only one (1) priority 1 repair. Right now there are nine (9) priority 1 repairs. In 2009, there were 14 repair method B projects and now there are 19. In 2009, there were 7 repair method C projects and now there are 8. In 2009, there were 22 repair method D projects and now there are 37.

Supervisor Gaeta questioned if Mr. Simms would be able to define which areas need attention, even if they contain priority 1, 2 and 3. Mr. Simms stated that those areas were already identified but he can prioritize the ponds and negotiate with Cline on the pricing.

Supervisor Chiodo noted the requirement to advertise and recommended looking at a cost estimate, broken into a priority list.

Mr. Clark commented that the threshold is \$195,000 and there are some exceptions in the bid requirements under Chapter 255. He stated there is an exception for a project undertaken to replace, reconstruct or repair an existing public building structure or other public construction works damaged or destroyed by a sudden, unexpected turn of events (i.e. act of God, fire, flood, riot, accident). The damage creates an immediate danger to public health or safety or loss of public or private property, which requires emergency government action or an interruption of essential governmental services. He noted this situation may fall under an interruption of essential governmental services. Mr. Clark noted there is another provision that applies to a project undertaken as a repair or maintenance of an existing public facility. Repair meaning a corrective action to restore an existing public facility to a safe and functional condition. Maintenance meaning a preventative or corrective action to maintain the existing public facility in an operational state or to preserve the facility from failure or decline. Mr. Clark noted the aforementioned provision applies but cautioned that, if it is identified and the District considers it

repair and maintenance, the use of bond funds may be questioned. Mr. Clark noted the District has leeway to proceed under the first provision, if the Board declared that there is an urgent circumstance that action needs to be taken to avoid interruption of the District's stormwater management services; the District can then move forward without the bidding requirements applying.

Supervisor Gaeta questioned how much bond money was being considered for use on the project. Mr. Wrathell commented that the Board discussed the ability to utilize the 2008 bond proceeds which, as of December 31, 2010, has an account balance of has \$147,000; however, today's agenda presents about \$60,000 in expense draws from that account. Supervisor Davidson stated the proceeds do not cover the project. He recommended prioritizing the ponds and providing an estimate for each priority level. He did not recommend completing the entire project and requested a decision be made at the next workshop. Discussion followed on the time for the continued meeting.

Supervisor Lawrence questioned if Cline made any comment on the method of repair for the projects. Mr. Kloptosky stated he has not discussed that with Cline. Supervisor Lawrence questioned if a time and material (T&M) estimate can be provided. Mr. Kloptosky replied, in the past, T&M has been completed based on a proposal outlining the time and material not to exceed amount; a number is provided and, typically, the completed work comes in below that number.

Mr. Simms commented that the Board needs to consider who is going to repair the access areas to the repair areas. He noted some areas have easements and some do not. Mr. Clark suggested identifying and reviewing each area.

Discussion ensued on access to the ponds.

Supervisor Gaeta questioned if residents with private lawn maintenance will need to be notified. Mr. Clark replied they are always best served by providing the most notice that the Board can provide.

Mr. Simms stated the priority 1 level may pose great danger or possible property destruction. Discussion ensued on the classification of the projects, as they are able to fall under Chapter 255 and the ability to use the bond funds.

Discussion ensued on the need to remove the mandated shrubbery surrounding homeowners' air conditioners. Mr. Simms noted there are areas where access can be made at one point; however, there are other areas that the landscaping goes all the way to the water and it

can not be accessed. Mr. Simms noted the access issue differs via area. Supervisor Davidson requested access information for each of the ponds. Mr. Simms confirmed the reports will be provided at the next workshop.

Supervisor Chiodo questioned if the District was using the ability to vary the water levels in the ponds. Mr. Kloptosky replied he was not aware of that ability. Mr. Simms stated he is not aware of any piping or pumps that provide the ability to regulate the water level; unless the pond is lined, the water level is subject to the ground water or a nearby well. He noted that the only lined pond is the reuse pond.

Mr. Simms questioned if the Board desired to complete any paving work on Sailfish Drive. Supervisor Davidson replied that he was waiting for an analysis of the District's CIP and reviewing what road surfaces need to be redone in the immediate future.

**SIXTH ORDER OF BUSINESS**

**CONSULTANTS, GUEST REPORTS & PRESENTATIONS**

- **Horticultural Consultant Update: Landscape Renovation and Rejuvenation Project (LL)**

Ms. Louise Leister reported that the RFP closed and Austin Outdoor was the lowest bidder. She noted the present contract with Austin was \$533,742 and did not include maintenance for Wild Oaks. The contract for Wild Oaks landscape maintenance, with Favoretta, was \$63,600, bringing the current, total landscape maintenance cost to \$597,342. Under the RFQ, Austin Outdoor's new price, including Wild Oaks, is \$519,036. Discussion was held on the anticipated savings in the general landscaping costs and water consumption. She recommended the Board accept the Austin Outdoor bid for landscape maintenance.

- **Circle Island Project**

Ms. Leister reported that work on the circle islands started and the first islands to be completed are in the South Lake area. She stated there are 35 islands and 33 islands are being renovated with a common theme, including the installation of new rock, new plant material and irrigation replacement/repair. She anticipated the work taking eight (8) weeks, from start to finish. Ms. Leister noted the rock and plant materials are being stored on District property, are properly irrigated and any damage made to the grass will be repaired.

- **Wild Oaks Entrance**

Ms. Leister discussed the poor state of the Wild Oaks Entrance, in which the oleander is beyond repair and should be removed. She recommended replacing it with a ligustrum and suggested transplanting four (4) crepe myrtles, already in the community on Waterside Parkway, to add height to the bridge, on the south side. She recommended adding plantings around the card reader, replacing the landscaping from a washout due to a broken pipe and adding uniform, ornamental grass at the main gate. The total cost for all changes would be \$7,004 and the Wild Oaks landscaping would look like the rest of the community.

Ms. Leister requested to remove the dead and/or damaged oleander trees at the south arbor of the Main Gate on the inside of the community. She recommended replacing them with five (5) Arizona Cypress trees and two (2) Arizona Cypress trees, at the north side entrance. The total cost would be \$504.

Ms. Leister recommended transplanting ligustrum trees on Front Street, in the South Park, that would otherwise die from the shade. They would be planted on Montague Street, in a circle island. She noted the line of sight on Waterside Drive, in Pelican, is almost done and Puffin is next. She recommended including the Puffin/Waterside line-of-sight work for an amount of \$2,467. The plants in the Puffin area can be reused in other areas on Waterside.

Ms. Leister summarized that the 2011 vine removal project budget was \$30,000 and the projects discussed total \$10,725. She recommended reducing the vine removal budget to \$19,275. She stated the new property manager for Austin Outdoor, David, requested to remove some vines that were not included in the contract, at no cost to the District.

Ms. Leister summarized the presented project list and noted that yellow items were completed. She stated Austin Outdoor will have proposals for the use of crepe myrtle and ligustrum around the lakes, as well as the screening for the solar panel. The Montague project will begin when the circle islands are completed.

Ms. Leister presented pictures of the spring plant rotations and discussed the renovation of the dog park. She reported the dianthus is coming back; the plants are not dead but the initial burst of flowers was lost due to the extremely cold Winter.

**On MOTION by Supervisor Chiodo and seconded by Supervisor Davidson, with all in favor, the Austin Outdoor agreements for Wild Oaks entrance work, installation of Arizona Cypress and line-of-sight work on Puffin and Waterside Drive, totaling \$10,725, were approved.**

Ms. Leister invited the community to a free irrigation clinic on Saturday, January 29<sup>th</sup>.

o **Status of RFP**

Ms. Leister recommended the Board approve the Austin Outdoor agreement for landscape maintenance services.

## SEVENTH ORDER OF BUSINESS

## STAFF REPORTS

### a. Operations/Field Manager

***\*\*\*This item, previously Item 7b., was discussed out of order.\*\*\****

- i. **Project Tracking Form**
  - o **Esplanade Easement Sidewalk Erosion**
- ii. **Update: New Pergolas**
- iii. **Quote: CDD Ponds – Outfall Repair**
- iv. **Quote: Golf Course Ponds – Outfall Repair**
- v. **Quote from Aquatic Systems: Spray Exposed Weeds on Banks**
- vi. **Quotes for Aluminum Option for Window Grating – 2 Windows**

Mr. Kloptosky reported he met with various contractors regarding the stucco repairs at the Village Center and noted the problems are extensive. The cost to repair the damage, the correct way, is upwards of \$25,000. He stated minor repairs can be made for a lower price that would last about two (2) to four (4) years. Mr. Kloptosky requested quotes on patching but they were not received. Supervisor Davidson recommended basic repair, as the gate and fence work has to be completed. Mr. Kloptosky requested to complete the patch work, prior to the completion of the gate and fencing. He discussed the City of Palm Coast requirements for permits for the completion of the stucco and the gate repair, in which a general contractor must pull the permit. Mr. Kloptosky stated he will get quotes to patch the areas and paint.

Supervisor Chiodo suggested including the stucco project in the CIP.



Mr. Kloptosky reported two (2) brand new heaters were installed in the spa and pool at the Village Center. He stated he ordered the new pool pump. The pergola contractor was contacted and an updated proposal will be ready at the workshop.

Mr. Kloptosky stated Aquatic Systems is already spraying the pond banks for weeds, as part of the existing contract. He reported that the easement behind the clubhouse will be finished when Cline has an available crew.

**b. Amenity Manager's Report**

***\*\*\*This item, previously Item 7a., was discussed out of order.\*\*\****

Mr. Roy Deary provided an updated quote for the elliptical machine, in which the price was reduced by \$500, with a final price of \$4,860. Mr. Kloptosky and Mr. Deary recommended the purchase for the Board's approval.

Mr. Deary reported that the Resident Directory proof was ready. Supervisor Gaeta reported she has a proof and recommended having residents provide any updates for inclusion in the proof. Mr. Deary confirmed that he will send an e-blast. Supervisor Davidson requested a CDD email blast. Supervisor Gaeta requested a flier be posted at Creekside and the Village Center.

Mr. Deary stated the semiannual Resident Appreciation Night is coming up.

Supervisor Chiodo noted there were three (3) treadmills out-of-service at Creekside and that one (1) treadmill is still down. Mr. Kloptosky noted that Lloyd's Fitness owns the equipment. He reported that one (1) treadmill was down for about two (2) weeks before he was notified. Mr. Kloptosky stated he discussed the issue with Mr. McGaffney and how to respond to the situation, in a more timely manner. He noted Mr. Robert Lloyd came to diagnose it and the treadmill that is still down needs parts that have been ordered. The other two (2) treadmills are working.

Mr. Bob Hopkins, a resident, stated he provided edits to the community's master database and the edits were not made. He outlined the edits that were made. Discussion followed on the use of the database, as it pertains to the directory. Supervisor Davidson stated Ms. Fagnoli will complete the edits. Supervisor Gaeta stated the information and any edits will be received by January 31<sup>st</sup>.

***\*\*\*The meeting recessed at 11:08 a.m.\*\*\****

***\*\*\*The meeting reconvened at 11:25 a.m.\*\*\****

**c. District Counsel**

Mr. Clark presented his report to the Board and discussed the provided map of the lakes on the golf course. He recommended the position that the ponds located within the golf course are the responsibility of the golf course. If an event occurs that causes backups, flooding, etc., then the District may have to review its position. He suggested correspondence with the golf course regarding the structures within the golf course's property and notify the golf course that the District is repairing the District's outfalls.

Discussion was held on the needed repairs on the golf course ponds. Mr. Clark recommended writing the golf course and asking them to complete the maintenance. He noted the District needs to consider if any of the issues with the golf course's ponds will affect the system, as a whole. Mr. Simms noted the system's main flow may be the responsibility of the District, as it may cause flooding, etc. Mr. Clark noted he has not identified any document giving the District the ability to go on the golf course property to perform maintenance or repairs.

Mr. Clark noted Supervisor Chiodo and himself have meetings next week regarding the R.A. Scott and developer issue. He stated those issues will be discussed in the shaded meeting on February 3<sup>rd</sup>.

Mr. Clark stated the City of Palm Coast is reviewing the stormwater ordinance and the process is moving slowly. He noted the refund is not the CDD's and did not believe the District has the authority to use its budget money to bring a legal action to get a refund. Supervisor Lawrence noted that part of the refund is the District's money; it used to be the District paid about \$10,000 in stormwater fees and the residents paid \$190,000. Mr. Clark stated the District is entitled to some reimbursements, due back from previous years, as they collected fees to perform things that the District has been performing. He stated this may have to be done as a class action lawsuit, using the HOA to bring the lawsuit. Supervisor Lawrence noted that the City of Palm Coast acknowledged, at their January 11<sup>th</sup> meeting, that the stormwater ordinance is flawed. The city acknowledged that, for communities maintain their own stormwater, a refund is owed them; they are willing to issue a refund, retroactive to March 2008, when they formally acknowledged the ordinance was flawed. The only criteria is that the city does not get sued. Supervisor Lawrence discussed how the city is trying to make up for the decreased revenue. The city will consider a new ordinance where they give the bulk landowners a 70% reduction in the

fees, consider the financial impact and present a new ordinance. The process will take about three (3) to four (4) months. He anticipated that everything east of Colbert would get 100% reduction, everything west of Colbert would get a 70% reduction.

Mr. Clark recommended sending a letter to the City of Palm Coast noting the refund process and the total amount the District paid to the city for stormwater management.

Mr. Wrathell noted Mr. Kozak prepared a stormwater analysis for review by the Board.

Supervisor Chiodo noted the old version of the ordinance includes the 100%/70% split across Colbert Lane and the city has not proposed any new information.

Mr. Kozak discussed the stormwater data, history and methodology used to bill the stormwater. He reviewed the spreadsheet and explained that the blue parcel ID numbers are found on the property appraiser's website and designated as lakes. He noted that retention ponds or lakes are not supposed to be charged a stormwater fee. Mr. Kozak summarized the formula used to calculate the bill. He noted the City of Palm Coast assumed the billing from the Palm Coast Community Service Corporation on October 1, 2004. For Fiscal Years 2010 and 2011, the City of Palm Coast billed in accordance with the ordinance, multiplying the number of equivalent residential units (ERUs) by the current rate. Prior to Fiscal Year 2010, the city was billing each unit as one (1) ERU. Mr. Kozak reviewed the provided spreadsheet, noting the accounts highlighted in yellow are new accounts that were not billed in the past but are currently being billed.

Supervisor Lawrence recalled previous discussion with Mr. John Moden in which they reviewed the maps and, for any pond or wetland accounts, load debris was reconsidered; however, it appears that everything that has a parcel is being billed.

Mr. Kozak stated the total amount in the paid/owed column should reflect about \$70,000, as the monthly payments for 2 N. Village Parkway of \$88 for Fiscal Years 2010 and 2009 should be included. He stated he attempted to calculate the total number of units billed to private property owners in the prior fiscal years by reviewing the assessment tables in prior adopted budgets. The assessable rate for the time period was multiplied by the units reflected in the budget, with a total of \$820,329, which falls in line with the GoToby article that reflects about \$800,000. Mr. Kozak noted the total amount paid by private property owners, from Fiscal Year 2005 to Fiscal Year 2010, is estimated to be around \$820,329. Discussion ensued on the City of Palm Coast's billing and the District's next step. Mr. Clark requested a copy of the invoices.

Mr. Ron Leal, a resident, questioned if the homeowner pays the city and the District for stormwater maintenance. Supervisor Davidson replied that is true and the question now is whether such charges are legal. Mr. Leal asked if there is recourse. Supervisor Lawrence explained the city acknowledged the issue in 2008 and agreed to rebate back to 2008 anyone who they believe was billed improperly. Supervisor Lawrence noted that includes all Grand Haven residents. Discussion ensued on how the District wants to proceed in seeking a refund. Mr. Clark noted that the District is in a unique position, as it does not use any part of the city's stormwater system. Discussion followed on the District's decision to seek a refund. Supervisor Lawrence recommended waiting to see what the city's new ordinance offers. Mr. Clark stated he will write a letter to the city.

Mr. Ray Smith, a member of the GHMA, reported the master association has an organizational meeting this evening to elect new members and encouraged attendance by a CDD Board Member. He questioned how the District can accept a refund from the city, if the District does not have the ability to file a class action lawsuit. He recommended the refund flow through the mechanism of the GHMA, due to their charter for personal property versus common property.

Mr. Wrathell stated he agreed with Mr. Smith.

Ms. Maggie Fischer, a resident, expressed support for the wait and see approach; however, she questioned if the CDD could enter into the GHMA's class action suit as an amicus. Mr. Clark replied the District would have to address the issue of appropriate use of public monies, if it is not the District's action.

Supervisor Davidson noted District Counsel will draft a letter to send to the city. He confirmed Supervisor Lawrence will attend the city meetings and Mr. Kozak will total the parcels for east and west of Colbert Lane. Supervisor Davidson stated the District will need to discuss this issue, sometime in March, with the master association.

Mr. Clark reported he completed the revisions to the amenity rules and suggested they be reviewed at a workshop. Discussion followed on the finalization of the directory and the amenity rules.

**\*\*\* Supervisor Chiodo left the meeting.\*\*\***

**On MOTION by Supervisor Davidson and seconded by Supervisor Pollinger, with all in favor, authorization to advertise for the Notice of Rule Making and Rule Development, with the Public Hearing to be held at the March Board of Supervisors Meeting, was approved. (Motion passed 4-0)**

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

Mr. Clark noted the shaded meeting will be held on February 3, 2011, at 12:00 p.m. He requested the advertisement list the attendees as the Board, District Counsel, District Manager and a court reporter.

Supervisor Lawrence recalled that Mr. Ray Smith provided a copy of the signed HUD that all residents signed when they purchased property in Grand Haven. The document stated the private homeowner would install the sidewalk and the District was responsible for maintenance. He questioned if there is any legal implication on the District.

Mr. Wrathell recalled that the sidewalks are not owned by the District and were not constructed with District funds. Mr. Clark stated the developer cannot contractually commit the CDD to anything and individuals unhappy with the District's decision can sue the developer for wrongful disclosure.

A resident asked about the status of the Ditch 10 weir. Mr. Kloptosky stated he talked to Mr. John Moden, who stated the contract was awarded to Cline and a final document, from St. Johns River Water Management District (SJRWMD), is pending. Mr. Clark recalled that the permit was issued, according to the website.

**d. District Manager**

**i. Letter from District Counsel Challenging Stormwater Bills (*on hold*)**

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

**ii. Status/Update: State Board of Administration**

Mr. Wrathell referred to the memo included in the agenda package and noted the District's State Board of Administration account previously included investments in mortgage backed securities. Mr. Kozak stated the account currently has \$19,594 that was moved from account B to account A, leaving a balance of approximately \$30,000 in account B.

Supervisor Chiodo asked if the District lost any money. Mr. Wrathell replied that the District may have lost money but the numbers will be available when the audit is completed.

**EIGHTH ORDER OF BUSINESS****BUSINESS ITEMS****a. Consideration of Proposal for Landscape Maintenance Services from Austin Outdoor**

Mr. Wrathell asked District Counsel to draft a new landscape maintenance agreement for consideration by the Board. Supervisor Davidson confirmed the contract is a two (2)-year contract, with a third year option. The Board thanked Ms. Leister for her specifications.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, the Austin Outdoor Landscape Maintenance Services agreement, to be drafted by District Counsel, was approved.**

**b. Discussion: Blended Mission and Vision Statements (MK)**

Mr. Kozak presented the mission and vision statements.

**c. Discussion: Business Plan (MK)**

Mr. Kozak presented the draft business plan for the Board's review. He explained the code of conduct, District rules, amenity overview, mission and vision statements and community summary will be included. He reviewed the sections of the plans. Mr. Kozak noted Supervisor Gaeta's recommendation to consider ways to increase the District's relationship with contractors. Discussion was held on the incorporation of the budget projection, infrastructure redevelopment and capital improvement plan. This item was deferred to the workshop.

Supervisor Gaeta questioned if the vision statement should be incorporated into the directory. Supervisor Davidson was in agreement, as long as it does not delay the final directory.

Discussion returned to the vision statement. This item was deferred to the workshop.

**d. Discussion/Consideration of Annual Performance Objectives (CW/MK) *(to be provided under separate cover)***

This item was deferred to the workshop.

**e. Salary Analysis for Field/Operations Manager (MK)**

Mr. Wrathell reviewed the salary survey. This item was deferred to the workshop.

**NINTH ORDER OF BUSINESS****OPEN TIMES****a. Crossings Road**

- b. **Pergola Replacement**
- c. **Safety & Security Ad Hoc Fact Finding Group**
- d. **Switch to LED Street Lights – Eliminate High Sodium Bulbs and Ballasts & Reduce Electricity Costs (BK)**
- e. **Request Energy Audit from FPL to Identify Potential Savings – Last Done in 2007 (BK)**
- f. **Evaluate Purchasing Propane Tanks to Be Able to Obtain Most Competitive Pricing on Every Order Rather Than Being Tied to One Supplier Who Owns Tanks (BK)**
- g. **Town Hall Meetings (*Supervisor Rotation*)**
- h. **Solar Report (BK)**
- i. **Sail Fish Drive Road Drainage**
- j. **FOM Bid Policy Guidelines**
- k. **Amenity Center’s Amended Trespass Policy (SC)**
- l. **Exercise Room Policy Amendment (SC)**

Supervisor Chiodo reported that the Safety and Security Ad Hoc Fact Finding Group is to present their report at the February 17<sup>th</sup> meeting.

Mr. Kloptosky reported he requested an addendum with a final statement from Mr. Healy.

Mr. Kloptosky stated the FPL audit was completed last week; however, he has not received a copy. He reported he is still investigating the LED street lights and he noted the costs are expensive, due to the new technology.

Mr. Kloptosky noted the existing propane tanks are owned and maintained by Amerigas. The purchase of tanks would involve removing the existing tanks and replacing them with new ones. The cost would be approximately \$1,500 per 500-gallon tank and \$3,000 for one (1) 1,000-gallon tank. The District would need two (2) 500-gallon tanks and one (1) 1,000-gallon tank. If purchased, the District would also be responsible for the maintenance of the tanks. Mr. Kloptosky stated he has been monitoring the price paid per gallon and did not think the District could get a better rate; there is no lease fee on the tank. He did not recommend the District make any changes now.

Mr. Kozak reported that last Friday, the city called to discuss The Crossing’s project. He stated all entities were helpful in being forthcoming with information and noted the width of the easement is set at 30 feet in the draft easement agreement. Discussion ensued on the benefits of

making the road narrower. Supervisor Davidson commented that the road is set at 30 feet to be able to accommodate the movement of fire equipment. He stated he contacted Mr. Troy Harper to discuss the width and noted there may or may not be a conservation easement over the area. Mr. Clark stated a typical conservation easement restricts any improvement or construction without the entity's consent and the SJRWMD consent would have to be obtained. Mr. Kozak noted he is awaiting a response from SJRWMD.

**TENTH ORDER OF BUSINESS**

**SUPERVISORS' REQUESTS**

- **Discussion: RFQ for District Engineer**

Mr. Wrathell recalled several conversations with Board Members about the possibility of an RFQ for District Engineer and stated the Board could either complete the RFQ process or accept the second ranked proposal from the prior RFQ process.

Mr. Clark discussed the possibility of going out to bid for either District Engineer or for portions of work.

Supervisor Lawrence noted the issue pertained to the level of expertise, particularly the roads.

Mr. Simms asked what kind of expertise the Board is seeking. Supervisor Lawrence stated he would like a firm that has a large staff involved in building roads and is up to speed on the latest road technology. Mr. Simms commented that the technology has not really changed over the last ten (10) years. He commented that it depends on what the Board would like to do with the roads. Mr. Simms noted the firm, and he himself, have designed subdivisions and have completed roadwork. He recommended that, if the Board has any issues they are uncomfortable with, they address the Engineer so the issues can be handled. Mr. Simms noted that the firm is very diverse and completes work in various areas, which is an asset to the District.

Supervisor Gaeta stated she agreed with Supervisor Lawrence, as ATM's expertise is more in the environmental field. Mr. Simms commented that the firm has a wide range of expertise, including environmental engineering, rain engineering, water modeling, land development, civil engineering, water engineering and utility engineering. Supervisor Gaeta questioned how many people in the firm work on road maintenance. Mr. Simms replied there are a couple of people, including himself. He commented that road maintenance depends on the condition of the road and that resurfacing will not correct all issues, such as alligator cracking.



Supervisor Chiodo suggested this be readdressed at the workshop, including the presentation of questions for ATM. Discussion ensued on the next step to take. Supervisor Lawrence questioned if the services were billed by the hour. Mr. Simms responded affirmatively. Supervisor Lawrence commented he was under the belief that the Engineer was only to attend the meeting to present their report. Supervisor Davidson agreed. Mr. Simms commented that, today, he will not charge for the time beyond his initial report and expressed interest in alleviating any concerns the Board has with ATM.

Supervisor Lawrence requested to place a review of the CIP on the next workshop agenda and anticipated having a draft by Tuesday. He noted residents approached him about the safety of the road by the entrance to Grand Haven. The road lining is worn away and recommended a letter to the county administrator notifying them of the road deterioration. Supervisor Davidson suggested getting residents involved in the letter signing. He recalled his attempt to get the county to address the issue several years ago and the county responded that they did not have any plans to complete any roadwork. Supervisor Lawrence stated he will prepare a draft letter for the workshop. Supervisor Davidson noted the need to get the GHMA involved.

Supervisor Lawrence commented on the time frame to replace the elliptical machine. He suggested the Board reconsider their decision making process and the allowable amount that the District Manager can spend between meetings.

**ELEVENTH ORDER OF BUSINESS**

**CONSENT AGENDA ITEMS**

**a. Approval of Minutes**

- **December 2, 2010 Community Workshop**
- **December 16, 2010 Regular Meeting**

Supervisor Davidson noted the meeting minutes are presented to the Board in a correctable, Word format.

**b. Unaudited Financial Statements as of December 31, 2010**

**c. Approval of Requisitions**

- **Number 22, Applied Technology & Management, Professional Fees-\$8,666.20 (2008 Construction Account)**
- **Number 23, City of Palm Coast, Reimbursement for Clearing Grading and Designing Waterfront Park - \$50,000**

- o **Number 187, Clark & Albaugh, LLP, Professional Fees - \$47 (2004B Construction Account)**
- d. **Quote for Elliptical Exercise Equipment Replacement in Village Center Gym (BK)**
- e. **Appointment of Resident Directory Liaison – Marie Gaeta**

Mr. Wrathell presented the consent agenda items for the Board’s consideration.

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

Supervisor Davidson noted the Board approved \$50,000 to pay for a long-standing obligation of the DRI and bond fund is reduced to \$79,843.80.

Supervisor Lawrence noted the length of the invoices and requested a paper copy. Supervisor Davidson noted the check run was not included in the agenda package. He requested the total amount of expenditures be provided. The Board concurred they do not need a hard copy of the invoices.

Supervisor Davidson provided copies of the irrigation clinic flier and thanked Daphne Gillyard for the efficient e-blasts.

Discussion was held on the continued meeting time.

**TWELFTH ORDER OF BUSINESS**


**Adjournment**

There being no further business, at 1:28 p.m., the Regular Meeting was continued to 11:00 a.m., on February 3, 2011, at the same location.

**On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, the Regular Meeting was continued to 11:00 a.m., February 3, 2011, at the same location.**



Secretary/Assistant Secretary



Chair/Vice Chair