

**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, April 21, 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	Wrathell, Hunt & Associates, LLC
Matt Kozak	Wrathell, Hunt & Associates, LLC
Doug Paton	Wrathell, Hunt & Associates, LLC
Grant Misterly	ATM
Scott Clark	General Counsel
Barry Kloptosky	Operations Manager
Howard McGaffney	Amenity Center Manager
Roy Deary	Amenity Management Group
Vic Natiello	Resident
Sandy Trautwein	Resident
Charles Trautwein	Resident
Al LoMonaco	Resident
Gene Murphy	Resident
Frank Benham	Resident
Kathy Rybacki	Resident
Judy Hackstaff	President, Master Association
Thomas Hosey	Resident
Troy Railsback	Property Manager, Southern States Management Group

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the meeting to order at 9:51 a.m. He noted Supervisors Gaeta, Davidson, Chiodo, Lawrence and Pollinger were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

PRESENTATION OF AWARDS TO FORMER SUPERVISORS – *In Appreciation of Dedication and Service to Community*

Supervisor Davidson presented former Board Supervisors, Mr. Charles Trautwein and Mr. Dennis Cross, with plaques recognizing their respective terms served on the Board of Supervisors. A plaque for former Board Supervisor Mr. Samuel Halley, who was unable to attend, will be forwarded to him.

FOURTH ORDER OF BUSINESS

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

Mr. Wrathell read a concern of Ms. Cheryl Pannone regarding the number of lounge chairs at the Village Center pool. The resident recommended purchasing sturdier lounge chairs that do not have straps. Mr. Wrathell stated the concern will be provided to Mr. McGaffney.

Mr. Gene Murphy, a resident, discussed the status of changing the name of Shinnecock Court to DaVinci Court. He stated the fire department and 911 did not have any issues; however, he is waiting to hear from the sheriff. Mr. Murphy stated he is going to discuss the change with the county and will prepare letters in writing.

FIFTH ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS & PRESENTATIONS

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

- **Carl Cote, City of Palm Coast – Wild Oaks Easement Modification**

- **Certificate of Final Inspection and Completion – Graham Swamp Trail**
- **Consideration of Agreement for Release of Bike Path Easements**
- **Consideration of Bike Path Easement**

Mr. Carl Cote, with the City of Palm Coast, discussed the ongoing Wild Oaks Easement Modification. He noted the original easement was through Wild Oaks and noted conflicts with existing trees throughout the easement. He provided an exhibit that shows the locations where the easements needed to shift, to save the trees. Mr. Cote explained he was waiting until the project was complete to process the final easement and reported the trail is complete. He referred to the as-built and completed surveys of the project. Mr. Cote presented the Consideration of Agreement for Release of Bike Path Easements and Consideration of Bike Path Easement, for the Board’s consideration.

Mr. Scott Clark reported he reviewed the agreements and found them to be acceptable. Supervisor Davidson referenced a phrase in the agreement. Mr. Clark stated the statement relates to the sovereign immunity of the city.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the Certificate of Final Inspection and Completion for Graham Swamp Trail, Agreement for Release of Bike Path Easements and Agreement for Bike Path Easement, were approved.

Mr. Vic Natiello, a resident, inquired as to whether the easement will allow for movement of the path. Supervisor Davidson explained the work is complete and the path was moved. He recalled the path was moved due to large trees being in the way but the general location was previously approved.

SIXTH ORDER OF BUSINESS

DISTRICT ENGINEER’S REPORT

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

- **Stormwater Outfall Construction Report**

Mr. Grant Misterly recalled the ongoing construction project to rehabilitate various stormwater outfalls that were undermined due to erosion. He reported the project was about 50%

complete and the progress is going well. He reviewed the site reports and pictures and reported the reviews are being completed about 2-3 times per week.

Supervisor Davidson asked for an electronic copy of the April 12, 2011 map. Mr. Mistry stated he is updating the map after each site visit and will provide the map with each report.

Discussion followed on the progress of the construction. Mr. Kloptosky noted the additional costs of the coquina rock are being completed within the existing time and materials (T&M) contract.

SEVENTH ORDER OF BUSINESS

STAFF REPORTS

A. Amenity Manager's Report

******This item was discussed after item 7B.******

Mr. Roy Deary provided a Profit and Loss Comparison Report for 2010 and 2009. He noted two (2) forms of revenue are reflected; one being the revenue from the contract to help subsidize the restaurant, which should be \$30,000, for both years but 2010 is missing \$2,500. The other revenue stems from the total sales of the café and operations itself, which is broken down into food and alcohol. Mr. McGaffney noted they are managing the cost of goods sold and labor better, so the bottom line improved significantly.

Supervisor Davidson requested a mild financial overview of the restaurant finances. Mr. Deary noted there is still room for improvement. Mr. Wrathell asked if the Board wanted Management to look at the statements now or in the future. Supervisor Davidson noted there is a proposal for a \$10,000 POS system, from ESI, and asked for Management to review. Mr. Deary stated receipts and line item details can be provided to Management.

Supervisor Lawrence questioned what the payroll expense included. Mr. Deary stated it is only employees working in the café and the operation is operated as lean as possible. Supervisor Davidson thanked Mr. Deary for the increased quality of the food. Mr. Wrathell noted the Profit and Loss Statement does not include the cost of management. Mr. Deary noted there is no rent or utilities on the statement. Mr. Wrathell explained the restaurant is a benefit of the community and offered as an amenity.

Mr. Deary noted the restaurant is not able to buy in bulk but the cost of goods sold can decrease. He noted next week is Administrative Professionals week and they will provide gift

cards to amenity staff. Discussion followed on the cost of the gift cards. Supervisor Gaeta recommended having the Board provide \$25 gift cards. Mr. Clark did not recommend the District interact financially with the individuals and recommended a payment directly to AMG, for AMG to distribute the funds. Mr. Wrathell noted the District's employees would be payroll oriented. Supervisor Pollinger noted the security officers at the gate. Supervisor Gaeta stated there are 30 people, total. Supervisor Davidson noted the District's Administrative/Professionals are Mr. Kloptosky and two (2) administrative assistants. Mr. Kloptosky noted Mr. Jeff Kilpatrick is now a supervisor in the field. Supervisor Davidson recommended the District take care of its employees. Discussion followed on the District's appreciation for the AMG staff.

On MOTION by Supervisor Gaeta and seconded by Supervisor Chiodo, with all in favor, bonuses in the amount of \$50 for District's Administrative/Professional Staff, including Mr. Kloptosky, two (2) administrative assistants and Mr. Jeff Kilpatrick, were approved.

Mr. McGaffney reviewed the provided quotes for the grill and POS system. Mr. McGaffney explained the complications in interrupting the café's POS system for selling tickets or other items. He stated he would have access to reports and potential reservations. The sales component includes sales associated with yoga, tennis, fitness, trips and community activities, while allowing access to debit cards. Mr. Wrathell noted potential issues in dealing with on-site cash. Mr. McGaffney noted the proposed POS system would integrate with the existing POS system.

Mr. McGaffney discussed re-strapping the chairs and provided a quote from ET&T Distributors, Inc. Mr. Kloptosky estimated the existing chairs to be about six (6) years old. Mr. McGaffney stated nearly all the chairs are torn and reviewed the quote. He noted 33 chairs could be purchased for about \$3,000 and provided pictures of the proposed chairs. Discussion followed on the appropriate color and material. Supervisor Chiodo asked if the strapping lasts longer on the upgraded chair. Mr. McGaffney explained that the company is not going to warranty the work if existing chairs are reslung. Discussion continued on the appropriate color and efficient structure. Supervisor Lawrence recommended the cost be included in the capital improvement plan. Supervisor Davidson stated the preference is for the new strapped chair in

one color or the other. Supervisor Lawrence and Supervisor Gaeta recommended the color brown. Discussion followed on the disposal of the existing chairs.

B. Operations/Field Manager

i. Project Tracking Form

- **Stormwater Pond Project “A”**
- **Stormwater Pond Project “B”**

Mr. Kloptosky reported the Village Center pergola drawings were expected to be received next week, for the Board’s review. The Village Center gates are in production and the stucco work is in progress. Mr. Kloptosky stated the upper sections were painted and sealed, as well as the expansion joints, in an effort to stop additional water from entering. He recalled that holes were cut into the columns and water poured out of the west wall. Mr. Kloptosky stated holes were drilled and left open, as water was still coming out. He did not anticipate the water to be coming from the roof, rather, from the outside wall. Mr. Kloptosky stated the stucco and painting for the lower portion will be completed after the gates are installed.

Mr. Kloptosky reported the rear storage doors were ordered and anticipated delivery in a couple of weeks. He noted the concern of the Esplanade benches rusting and the cost for new benches is about \$400, per bench. Mr. Kloptosky stated he received quotes to remove the plating and install new plates, with new powder coating, in the amount of \$58 to \$60, per bench.

Supervisor Chiodo inquired as to whether any progress was made on new benches for Waterside Parkway. Mr. Kloptosky stated the benches are about \$400, per bench, and asked for Board direction on the location of the benches. Supervisor Chiodo recommended adding it to the Open Items list. Mr. Kloptosky noted the benches would have to be mounted on a concrete slab that would need to be poured. He stated he will discuss the details with the District Engineer and will provide an update at the next meeting.

Mr. Kloptosky reported the database is being reviewed by Staff and anticipated a complete report at the next Board meeting. Supervisor Gaeta thanked Ms. Barbara Grossman for providing a Residential Rental Information Packet, as provided and required by the City of Palm Coast.

Supervisor Pollinger noted the concern of the gate access cards and fobs being deactivated on a random basis. Supervisor Gaeta reported that there was a software problem; the

current hardware is proprietary and trying to find local support has been an issue. She stated there is little room for maneuverability in the program.

Mr. Kloptosky stated the Staff requested input or permission as to how to handle the inconsistencies found in the database. This item was deferred for discussion later in the meeting. Mr. Kloptosky noted he is getting pricing for railings on the back of Creekside, where a resident slipped. He recalled a resident slipped near the croquet court, on a molded area of grass, and he requested pricing from Austin for installation of a bed.

Mr. Kloptosky reported the chairs at Creekside pool are ripping and noted the potential safety issues. He stated a company is re-strapping the existing chairs and noted the potential for additional chairs in the upcoming budget. Supervisor Gaeta asked if the covering is Sunbrella, as it withstands the elements and chlorine. Supervisor Davidson stated Mr. McGaffney is obtaining a quote for repairs.

C. District Counsel

Mr. Clark reviewed his report, as provided in the meeting agenda. He noted the RA Scott litigation is ongoing and the renovation expenses at Creekside, unpaid by the developer, can be reimbursed from the 2004 remaining bond proceeds. Mr. Clark reported the Whitehall property taxes were paid on March 29, 2011. He reviewed the provided memo regarding the ADA requirements as approved by the Department of Justice. Mr. Clark explained public facilities will be required to comply with the new rules by March 15, 2012. He noted pools, game areas, and play areas will require work.

Discussion followed on the work needed to comply with the guidelines. Supervisor Davidson noted the reference to the ADA Certified Consultants and Supervisor Pollinger agreed to assist in finding an appropriate consultant.

Mr. Clark discussed the situation with Mr. Dave Finnimore. He explained Mr. Finnimore was terminated in February for reasons unrelated to the overtime wages. He stated he reviewed the action with Staff and reviewed the complaints, the history and believed the termination was appropriate. Shortly before the termination, Mr. Finnimore sent a letter in writing stating he was entitled to overtime compensation, going back a number of years. Mr. Clark reported Management's office had records showing about \$16,000, going back a little less than two (2) years and there were records that Mr. Finnimore kept that showed \$26,000. Mr. Clark noted the issue could get very expensive; therefore, he tendered a release to Mr. Finnimore, with an offer

to pay the \$26,000 and Mr. Finnimore refused to sign the release. Mr. Clark discussed the federal law in which an employer, who does not pay overtime and was required to pay overtime, is liable for the overtime and for a liquidated damage penalty equal to the overtime; the prevailing attorney also receives attorney fees. As a condition of paying him the overtime, the District cannot require that he sign a release related to the overtime claim. Releases which have been received by paying the overtime, without paying the penalty, have been declared in the courts to be unenforceable. Discussion followed on the liability of the District and any potential lawsuits. Mr. Clark stated Mr. Finnimore is now seeking about \$29,000. He recommended having negotiations with his attorney to obtain the most reasonable settlement; however, there is a risk that the attorney may just file an action and not talk about the situation.

Mr. Wrathell discussed the existing time sheets used for the employees and clarified that the final \$29,000 was an accumulation of the overtime hours worked between the time the initial letter was written and Mr. Finnimore was terminated. Mr. Wrathell recalled that, prior to current management, Mr. Finnimore received payment through a 1099. Mr. Finnimore transitioned to a salary worker and the hours were not tracked on a time sheet. Discussion followed on whether overtime is due if the employee is salaried. Mr. Clark discussed the case law on potential overtime pay. Discussion followed on a potential payout and a lawsuit.

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, authorization for overtime compensation, in the amount of \$29,912.71, through payroll, to Mr. David Finnimore, to include a letter, from District Counsel, as to the District's position, was approved.

EIGHTH ORDER OF BUSINESS

BUSINESS ITEMS

******These items, previously Item 8C., and 8D., were discussed out of order.******

- C. Ad Hoc Safety Security Fact Finding Group Security Report – Action Items (BOS)
(deferred from April 7, 2011 Community Workshop)**
- D. Report from GHMA Regarding Rentals, Gate Access and Town Hall Meetings (SD)
(deferred from April 7, 2011 Community Workshop)**

Supervisor Davidson reported that the property management company is using a tracking form for rentals. He stated he developed a two (2)-page form regarding the amenity transfer.

Ms. Judy Hackstaff, President of the Master Association (MA), reported that, at the last MA board meeting, Mr. Rob Carlton presented a document. She discussed the issue of knowing what properties were being leased and noted the importance of the system being cleaned up. Ms. Hackstaff recommended having the parties reregister and complete the lease form. She explained the lease form can be utilized, by the MA, for inspection purposes. Ms. Hackstaff stated the MA board approved the process and form.

Supervisor Gaeta discussed the inaccuracies found in the database and issues with the gate access cards. She noted the need for policies and procedures in issuing resident ID cards, gate access cards and fobs, in order to help track property sales, rentals/leases and foreclosures. Supervisor Gaeta noted the District is under no obligation to provide non-owners with a gate access card or picture ID for access to the amenities. She referred to the adopted amenity policy and that, currently, a letter of conveyance is not being completed by the property owner to the renter. Supervisor Gaeta noted the need for a working relationship between the Master Association, CDD the City of Palm Coast regarding Residential Rental Registration. She reported about 150 gate access cards were previously activated without any correlation to the database, some leases were unsigned or not notarized. Supervisor Gaeta noted the need to upgrade the system.

Supervisor Davidson reviewed the proposed amenity membership transfer tracking form. He noted the amenity membership is associated with the property address. Supervisor Gaeta noted the issue of monthly leasing. Discussion followed on the length of time allowed for leasing. Mr. Hosey noted the covenants, conditions and restrictions (CC&Rs) stipulate the lease has to be more than 30 days; a property cannot be leased twice, to more than two (2) people, in a 12-month period. The CC&Rs provide for no more than one (1) family.

Mr. Clark discussed a federal law restricting disclosure of driver license information that may preempt the public records act. He stated he will provide additional information.

Discussion followed on the issuance of gate access devices. Supervisor Lawrence stated the standard is one (1) gate access device for every registered vehicle.

Supervisor Davidson discussed the amenity clause included on the tracking form. The Board discussed including an area for the property owner to print their name. The Board discussed the need to have everyone reregister. Supervisor Davidson asked if there was a need to have the form notarized. Mr. Clark did not see a reason for it not to be notarized, other than

administrative reasons. Supervisor Lawrence recommended including verbiage that the provided information is true and accurate, rather than having the form notarized. Discussion followed on the repercussions of a form that is completed inaccurately. Supervisor Davidson read the verbiage acknowledging the amenity transfer of facilities. He noted the access devices are considered an amenity. Mr. Clark noted the public street issue does not equal the right to bypass the gate house. The public street issue is honored by allowing people in and the ability to bypass the guard house is a privilege, not a limit on public access.

Supervisor Gaeta recalled Mr. Troy Railsback indicated a copy of the estoppel was not being provided to the CDD. Mr. Railsback recommended transferring information between the property management company and the CDD to help facilitate an accurate database. Supervisor Gaeta asked if the property management company currently requires a residential rental form from the City of Palm Coast. Mr. Railsback replied no and explained the Master Association does not have the ability to deny or review leases.

Mr. Clark believed the form to be acceptable, as it fairly implements what is already established in the District's policy and rule; the District is adopting some procedures for the rules.

Supervisor Davidson recalled that the office is establishing the database by property address and the need for all residents to reregister. Discussion followed on the format of the form and the ability to track individuals living in the community. Supervisor Davidson discussed Ms. Hackstaff's offer to have the CDD include information in the Master Association newsletter.

Mr. Kloptosky asked if the Board would like Staff to continue investigating the information found in the database. Supervisor Davidson suggested discussing it at the next workshop.

Mr. Natiello discussed the identity theft issue regarding the driver license number. He recommended making sure all realtors/leasing agents are aware of the changes.

The Board discussed including information in the Master Association newsletter, The Oak Tree. Ms. Hackstaff suggested including a quick statement that the CDD and the Master Association are working together reviewing gate access, lease agreements, amenities, and future information will be coming.

NINTH ORDER OF BUSINESS

STAFF REPORTS

****This item, previously item 7D., was discussed out of order.****

D. District Manager

i. Flood Insurance

Mr. Wrathell reviewed the provided quote for flood insurance to cover the District’s amenities and facilities, with an annual charge of \$1,444, with a limit up to \$4,000,000. The deductible would be \$1,000, except for the conspan and walking bridges. Supervisor Davidson asked if the deductible is per event. Mr. Kloptosky stated, currently, it is per event. Supervisor Lawrence asked if hurricanes are included. Supervisor Gaeta asked if the insurance relates to an event inherit in the District or a natural disaster flood. Discussion followed on the Creekside event and Mr. Kloptosky reported that the event is currently being disputed. The Board discussed the conditions that constitute a flood. Mr. Wrathell stated he will try to have the insurance agent available to answer the Board’s questions.

Mr. Wrathell recalled an email received from Mr. Sedelmyer and recommended a resident tracking log. Mr. Kloptosky stated he spoke with Mr. Sedelmyer. Mr. Wrathell read the email into the record in which Mr. Sedelmyer discussed people trespassing on property to fish in the District lakes and recalled the District’s policy is to allow recreational fishing on District property. He recommended that if someone is trespassing, the homeowner should contact the sheriff’s office. Mr. Kloptosky noted the easement around the ponds is for maintenance. Supervisor Davidson discussed creating signs. The Board discussed residents fishing from the beaches, due to the low water. The Board asked for Management to notify Mr. Sedelmyer that the Board sympathizes with the resident, the District will monitor the situation and when people trespass on the property, the appropriate law enforcement agency should be notified. Supervisor Davidson recommended having a resident inquiry available but not part of the public agenda package. Mr. Kloptosky noted there is an existing log in the District’s office.

TENTH ORDER OF BUSINESS

BUSINESS ITEMS

****This item, previously the Eighth Order of Business, was discussed out of order.****

A. Inappropriate Resident Interaction with Staff

Mr. Wrathell recalled three (3) incident reports that were received and forwarded to the Board Members. He stated all Staff members have accused the individual of overstepping his boundary, as a resident. Supervisor Davidson discussed the incidents and that, after discussions with the individual, the individual agreed to self-correct any previous actions and any actions going forward. The individual would like the matter to be considered settled. Supervisor Davidson stated he advised the individual that any further incidents will be treated with zero tolerance and Staff will create incident reports. Mr. Clark confirmed the incident reports are public records and Mr. Wrathell stated the records will be available. Supervisor Lawrence recommended implementing the Board's policy as to acceptable resident behavior. Supervisor Davidson explained that his discussion with the individual was the verbal warning.

Mr. Clark recalled the rule on Page 5, #5, that says a resident cannot treat District Staff or personnel, or employees of the amenity facility staff, in an unreasonable or abusive manner. The first offense solution is issuance of either a verbal or written warning, by Staff, of policy violations. If verbal, a follow-up written summary should be kept on file in the Village Center office, with a letter of confirmation sent by registered mail to the residence of the mailing address on file. Mr. Clark explained that if the incident is going to be treated as a verbal warning, it needs to be followed up in writing. If written correspondence is not completed and an incident happens again, the process would have to start from the beginning.

Supervisor Davidson asked if the Board would like to treat his discussion as a verbal warning and follow up with a written notification. Supervisor Pollinger and Supervisor Chiodo recommended following up in writing. Supervisor Gaeta questioned if the correspondence needs to come from District Counsel. Supervisor Davidson noted that is not the policy and offered to write the letter, documenting the conversation and stipulating the zero tolerance policy, going forward. Mr. Clark requested to review the letter before it is being mailed. Mr. Wrathell asked to receive a copy.

Mr. Kloptosky noted residents do come in the office and speak to the Staff in an unacceptable manner and requested that the procedure be followed by Staff and the Board. He commended the office Staff on handling the residents.

B. Updated Capital Improvement Plan (TL)

Supervisor Lawrence reviewed the draft capital improvement plan. He recommended the Board authorize Staff to begin the 2011 projects. Projects not completed in 2011 will fall over

into 2012. He recommended adding the POS systems, as Mr. McGaffney requested, the 33 new chairs at Creekside and \$2,500 for stop bars, for a total addition of \$7,754. Supervisor Lawrence requested the Board approve the 2011 column, with the total figure of \$457,409, plus \$7,754. He confirmed the 2012 numbers will be included in the 2012 budget. Mr. Wrathell explained that all capital related items, including landscaping rejuvenation, will be under the infrastructure reinvestment assessment. The expenses will be completely separated in the general fund and the CIP will be a backup to the budget, with all the individual line items.

Supervisor Chiodo noted the concept of no special assessments is missing and the need to understand and anticipate future assessments. Discussion followed on including funds for any unplanned events. Supervisor Lawrence noted the inclusion of 4% inflation guard that adds \$687,000 worth of unallocated funds and did not anticipate exceeding the budget. Mr. Wrathell noted the intent is to pay for projects as the District is able.

Discussion followed on the approval of the funds and approving additional items.

C. Ad Hoc Safety Security Fact Finding Group Security Report – Action Items (BOS)
(deferred from April 7, 2011 Community Workshop)

This item was discussed during the Eighth Order of Business.

D. Report from GHMA Regarding Rentals, Gate Access and Town Hall Meetings (SD)
(deferred from April 7, 2011 Community Workshop)

This item was discussed during the Eighth Order of Business.

E. Town Hall Meetings – Supervisor Rotation (TL) *(deferred from April 7, 2011 Community Workshop)*

This item was not discussed.

F. Amenity Membership Transfer Tracking Form (SD)

This item was discussed earlier in the meeting.

G. Marlin Pump House Zoning Issue/Plat Parcel Combining (TL)

This item was not discussed.

H. Correspondence from Fred and Catherine Rausch Requesting Installation of Speed Bump (CW)

This item was not discussed.

I. Discussion/Consideration of Proposed Options from Aquatic Systems, Inc., for Littoral Shelf Plan Removal on Pond #6 (BK)

- \$674
- \$2,546

This item was deferred to the Continued Meeting.

ELEVENTH ORDER OF BUSINESS**CONSENT AGENDA ITEMS**

*****This item, previously the Twelfth Order of Business, was discussed out of order.*****

A. Approval of Minutes

- **March 3, 2011 Community Workshop**
- **March 17, 2011 Regular Meeting**

B. Unaudited Financial Statements as of March 31, 2011**C. Quotes for Food Service Equipment**

- **Eagle 48" Gas Griddle – Redhots Chef's Line [\$1,357] (quote does not include gas hookup)**
- **Star-Max® Lava Rock Charbroiler [\$731]**

D. Proposal from Horticultural Consultant for Easement Review**E. Proposals from Austin Outdoor**

- **Utility Easement Landscape Repairs [not to exceed \$10,050]**
- **North Entrance Annual Beds [\$1,481]**
- **North Entrance Iris Beds – Outside the Gate [\$1,044]**
- **Work Proposal Authorization [\$2,339.55]**

F. Automatic Renewal of Aquatic Systems, Inc., Waterway Management Program**G. Property Damage Release – Claim/Case HCY6964****H. Chair Replacement for Creekside – [\$5,254]**

*****Item H was an addition to the Agenda.*****

The Board discussed the items provided for approval as Consent Agenda Items. Supervisor Davidson stated he did not want to approve the POS system as part of the Consent Agenda Items. The Board added the purchase of new chairs at Creekside, in the amount of \$5,254, for consideration.

On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, the Consent Agenda Items, including the chair replacement at Creekside as item H, were approved.

Supervisor Lawrence requested to continue the meeting to the May workshop in order to consider the capital improvement items. Supervisor Chiodo requested item 8I., for discussion at the continued meeting. Supervisor Pollinger requested item 10J., for discussion at the continued meeting. Mr. Wrathell stated the group health insurance is not budgeted and can be discussed at the continued meeting.

Discussion followed on the appropriate allocation for the construction account funds.

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, authorization to apply \$17,267 from the 2004 A and B Construction Account to the stormwater pond outfall repairs, was approved.

TWELFTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

****This item, previously the Eleventh Order of Business, was discussed out of order.****

A. Report on Water Supply Forum (SD)

****This item was discussed after item 12C.****

Supervisor Davidson discussed the water supply forum. He explained there is a region planner that runs from Volusia County to Tampa; however, Flagler County is excluded because it is not in the region. He reported the original projections estimated sustainable water to be used by 2013, they are now projecting 2015 and looking for other sources of water. Supervisor Davidson stated representatives from the desalination project, city council members and the head of the St. John's River Water Management District (SJRWMD) were present. SJRWMD is being defunded by 25% and it is anticipated that the desalination project will end. He stated they are considering digging wells to the lower Floridian aquifer, about 700 to 2,000 feet below ground, as a way to pull water.

B. Financial Review of Café Operations/P&L (SD)

This item was discussed earlier in the meeting.

C. Handicap Access Curb Cut at Entrance to Village Center (SD)

****This item was discussed prior to item 12A.****

Supervisor Davidson recalled several requests to cut the curb at the main entrance because people in wheelchairs are not able to get in and suggested moving forward immediately.

Mr. Wrathell stated the item will be moved to open items. Discussion followed on the actual placement to stay in compliance with ADA.

D. Acknowledgment of CDD/AMG Employees (MG)

- *Administrative Professionals Day – April 27, 2011*

This item was addressed during the Seventh Order of Business.

Mr. Kloptosky recalled the Ms. Donna Majouskis issue and asked if the District Counsel needed Board authorization to write the letter that outlines the available options. Mr. Clark stated he will discuss the direction with Mr. Kloptosky.

Supervisor Gaeta stated the publisher provided Mr. McGaffney with an excel conversion of the adobe design and the resident directory can be updated. Supervisor Davidson asked if renter’s information is being included in the directory. Supervisor Gaeta anticipated a line item, from the amenity perspective, asking if the renter wanted their information included in the directory.

Supervisor Davidson asked for any additional input from the Board for the tracking form.

THIRTEENTH ORDER OF BUSINESS

INFORMATIONAL ITEMS

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

A. Emails Regarding Judy Macko Tennis Social

This item was not discussed.

FOURTEENTH ORDER OF BUSINESS

OPEN ITEMS

****This item, previously the Tenth Order of Business, was discussed out of order.****

A. Crossings Road (MK)

This item was not discussed.

B. Pergola Replacement (BK)

This item was discussed during the Seventh Order of Business.

C. Town Hall Meetings (Supervisor Rotation) (TL)

This item was not discussed.

D. Solar Report (BK)

This item was not discussed.

- E. Development of Business Plan (CW/MK)**
This item was not discussed.
- F. Resident Directory (MG)**
This item was discussed under the Twelfth Order of Business.
- G. Capital Improvement Plan (TL)**
This item was discussed during the Tenth Order of Business.
- H. Long-Term Easement Policy (BOS)**
This item was not discussed.
- I. Ad Hoc Safety Security Fact Finding Group Action Items (BOS)**
This item was not discussed.
- J. Group Health Insurance (BOS)**
This item was deferred to the Continued Meeting on May 5, 2011.
- K. Expansion of Village Center Café (HM)**
This item was not discussed.
- L. ESI Quote: Add-On Two POS Stations, Dining and Back Office (HM)**
This item was discussed during the Seventh Order of Business.
- M. Marlin Pump House Zoning Issue/Plat Parcel Combining (TL)**
This item was not discussed.
- N. Benches Along Waterside Parkway**
This item was discussed during the Seventh Order of Business.

FIFTEENTH ORDER OF BUSINESS

ADJOURNMENT

****This item, previously the Thirteenth Order of Business, was discussed out of order.****

<p>On MOTION by Supervisor Davidson and seconded by Supervisor Pollinger, with all in favor, the meeting was continued to May 5, 2011, at 10:00 a.m., to discuss items 8B., 8I., and 10J.</p>
--



Secretary/Assistant Secretary



Chair/Vice Chair