

**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, August 4, 2011 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:

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

Also present were:

Craig Wrathell	District Manager
Matt Kozak	Wrathell, Hunt & Associates, LLC
Grant Misterly	District Engineer
Barry Kloptosky	Field Operations Manager
Howard McGaffney	Amenity Management Group (AMG)
Roy Deary	Amenity Management Group (AMG)
Vic Natiello	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the workshop to order at 10:05 a.m., and noted, for the record, that all Supervisors were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited at the beginning of the Continued Meeting.

THIRD ORDER OF BUSINESS

REPORT: District Engineer

- **Stormwater Outfall Update**
 - **Screenshot from GIS Software Regarding Outfall Information**

Mr. Misterly presented a screenshot from ATM's GIS software and explained it shows both geographic and asset information, which can be used for tracking the status and work on the outfalls, roads, etc. He indicated ATM can add additional information, such as outfall installation date, inspection dates, evaluations, etc. In response to a question, Mr. Misterly confirmed the GIS software is not proprietary; anyone can buy the license and software necessary to use it.

- **Estimates for Repair of 16 Additional Outfall Structures**

Mr. Misterly recalled previous discussion about repair of 16 additional outfall structures, which were lower priorities than the original 46 top priorities. He revisited those 16 outfalls and found that not all require repairs. He presented a memo and pictures of the outfalls, along with the proposed repairs and repair costs for each. Discussion ensued regarding the repair materials and process. Supervisor Davidson reviewed photos taken, during repair work, near his home.

Mr. Vic Natiello, a resident, commented on the contractor's quality work, while completing this project.

Mr. Misterly concluded, of the 16 outfalls, there are four (4) for which he does not recommend repairs, at this time. For the additional 12 outfall repairs, Mr. Misterly estimated repair costs of \$42,000, which includes a 15% contingency. He noted the total estimated construction cost to be about \$30,000, when considering the average repair cost for the original 46; however, the average cost may be slightly higher, due to the new liners being used. The S.E. Cline, Inc., \$60,800 proposal was for all 16 additional outfalls but included the higher costs for liners currently being used.

Supervisor Lawrence noted four (4) of the outfalls are in Wild Oaks and recommended consulting with District Counsel regarding how that might impact the lawsuit.

Supervisor Davidson reminded the Board that these repairs are an unbudgeted Fiscal Year 2011 expense and asked for the Board's opinion on completing the work. All Supervisors were in favor of proceeding with the 12 outfalls, provided they will not go underwater and cofferdaming is not necessary. Supervisor Davidson asked that S.E. Cline provide an estimate based on the 12 outfalls identified by Mr. Misterly.

Mr. Misterly provided the Board with copies of his site visit reports #21 through #24.

Pending receipt of a revised estimate, from S.E. Cline and to avoid delaying work until after the next Board Meeting, Mr. Wrathell recommended authorizing the Chair to execute an

agreement, with the matter appearing on the next agenda, for retroactive approval. The Board was in agreement with this plan of action.

In response to Mr. Wrathell's question, Mr. Misterly confirmed he will contact District Counsel today, regarding his opinion of the Wild Oaks outfalls.

*****Mr. Misterly left the workshop.*****

▪ **DISCUSSION: Guidelines for Use of Amenities for Social Events**

*****This item was an addition to the agenda.*****

Supervisor Lawrence indicated that the two (2) types of use include multi-resident and individual resident. He discussed the multi-resident usage of the carpeted and tiled areas for things such as meetings, cards, etc. Supervisor Lawrence voiced his interpretation that individual residents can rent the carpeted and tiled areas, along with the elevated rear deck, with approval from the Board of Supervisors. Supervisor Lawrence suggested a policy, whereby the Board authorizes the amenity center manager to approve one (1) use, per quarter, after 5:00 p.m., of the inside carpeted and tiled areas, as well as the elevated rear deck, free-of-charge, by an individual resident, club or village, for uses such as a resident "meet and greet", for a political candidate, or a club or village social event. Discussion ensued regarding the definition of a club or village. It was further noted that a village social event would be a village-wide event, not a private event. In response to Supervisor Davidson's question, Supervisor Lawrence clarified that one (1) use, per quarter, refers to each club, village, etc., being allowed to rent the space once, per quarter. Supervisor Davidson voiced his opinion that each individual, club or village should only be allowed two (2) events, per year.

Supervisor Davidson presented his draft recommendations for CDD guidelines for District village-wide social events. His draft envisioned allowing a maximum of two (2) events, per year, per village, with no contract required and with a village representative personally appearing before the Board of Supervisors to provide details of request and waiver of fees. Supervisor Davidson explained the requirements for the Grand Haven Room and the interior portion of Creekside. Supervisor Davidson recommended the following usage guidelines:

Time

Grand Haven Room: Anytime when available for non-regularly scheduled activities

Creekside: Not available during GHCCDD office business hours

Room Rental Fee and Security Deposit

Grand Haven Room: CDD waives

Creekside: CDD waives

Set-up/take down/clean up fee

Grand Haven Room: AMG charges set-up fee only if food is ordered

Creekside: Villagers responsible as per 5.21.09 Policy Memo – Normal facility hours-no fee (can reserve up to 10:00 p.m., after hours starts at 8:30 p.m.) After hours AMG fee \$25/hr

Food

Grand Haven Room: Must be catered by Café

Creekside: Bring your own food or if using outside vendor – vendor must provide proof of insurance naming GHCCDD and AMG as additional insured.

Beverage (non-alcoholic)

Grand Haven Room: Must be provided by the Café

Creekside: Bring your own

Alcoholic Beverages

Grand Haven Room: Must be provided by the Café

Creekside: Provided by Café at charge. If outside vendor, proof of insurance for \$1 million liability policy naming GHCCDD and AMG additional insured. If food catered by outside vendor, same vendor supplies liquor service with above requirements in force

Penalties

Grand Haven Room: N/A

Creekside: As per 5.21.09 CAC Interior F&B Policy Motion, later adopted as continuing policy

Supervisor Gaeta felt capacity limitations should be included. Supervisor Lawrence suggested stating the capacity as “per fire code”.

Supervisor Davidson recommended rescinding the 2009 motion regarding food and beverage use policy of the CAC interior and read his draft new motion.

Supervisor Gaeta asked if the CDD will charge for clean up, if the rented areas are left a mess. Supervisor Davidson indicated the policy does not state that. Discussion ensued regarding establishment of a refundable deposit.

A resident thanked the Board for a step in the right direction and noted the previous policies, specifically regarding use of the Café, discouraged groups from using the facilities.

The Board was in agreement with increasing the frequency of use to four (4) times, per year. Supervisor Lawrence recommended the person come before the Amenity Manager to waive the fee and approve usage, rather than coming before the Board.

Mr. Deary asked who pays the \$25, per hour, after hour's fee. It was noted that the fee is usually calculated into the setup/take down cost, when food is ordered. Brief discussion ensued regarding the alcoholic beverages policy. Mr. McGaffney suggested identifying the Café as the onsite alcohol provider. Supervisor Davidson suggested a policy whereby, if bar service is desired, the Café must be the provider.

Supervisor Lawrence asked that the policy be extended from "village-wide social events", to include Grand Haven residents, clubs and villages. Discussion ensued regarding an appropriate title for the policy. Supervisor Davidson will prepare CDD guidelines for consideration at the next Board of Supervisors meeting.

FOURTH ORDER OF BUSINESS**REPORT: District Counsel**

- **Developer Issues**

Mr. Wrathell distributed District Counsel's report. He indicated the R.A. Scott case was transferred back to Flagler County.

Mr. Wrathell reported on Mr. Stephen Theodus and the unemployment compensation matter. Mr. Theodus filed an unemployment claim and it was originally ruled in favor of the District; however, upon appeal, the judge ruled in favor of Mr. Theodus, granting him unemployment benefits. Mr. Wrathell noted these matters usually come out in favor of the employee and it may not be worth the time and expense to further appeal the claim. The Board agreed to no further appeals.

Mr. Wrathell referred to the documents behind Tab 4, regarding a stormwater permit transfer issue with St. Johns River Water Management District (SJRWMD). He reported that District Counsel and Mr. Jim Cullis are communicating on the issue. Supervisor Davidson voiced his concern that the CDD, as the permittee, and until transfer of the permit, shall be liable for compliance of the terms of the permit. Supervisor Davidson confirmed the CDD does not own any of the property in question but is still the permittee, until it is transferred.

FIFTH ORDER OF BUSINESS

REPORT: Amenity Center Manager

Supervisor Davidson requested an explanation of the planned Café closure on Saturday and Sunday and asked if it would be open, should the pending storm disappear. Mr. McGaffney clarified he originally wanted to close on Saturday for an AMG employee teambuilding event; however, he held off sending notification, due to the storm. Mr. McGaffney indicated, if the storm goes away, he would still like the Café to be closed on Saturday to hold the employee event. Supervisor Davidson stressed being clear and precise in the language used in any emails. Mr. McGaffney indicated the weekends are slower in the Café than the weekdays, especially in the summer. Supervisor Lawrence questioned AMG's right to close the Café to hold an employee event, as it might upset residents. Supervisor Davidson felt any employee event should be held near the end of the Café's business hours or after hours. Mr. McGaffney stated his desire for the Board to consider that he is simply trying to have a teambuilding event, which occurs only twice, per year. Supervisor Davidson indicated teambuilding events are not usually held during a time when employees should be providing their normal level of service. Mr. McGaffney felt the Café is a unique situation. It was suggested the event be held on a Sunday. Mr. McGaffney reiterated that he does not want to inconvenience the Board or community and the event will be rescheduled.

Supervisor Chiodo asked if the luau is still on, as scheduled. Mr. McGaffney replied affirmatively. Supervisor Chiodo indicated he found it amazing that the Club scheduled a luau a week later and questioned if gamesmanship is occurring. Mr. McGaffney indicated the Amenity Center luau has been advertised for the past month, while the Club announced theirs in an eblast to the community, last Tuesday. Mr. McGaffney indicated he spoke to the Director at the golf club but they refused to retract their event.

SIXTH ORDER OF BUSINESS

REPORT: Field/Operations Manager

Mr. Kloptosky asked for clarification of future appeals on the unemployment issue. The Board confirmed they will not appeal the decision further.

Mr. Kloptosky recalled the Board's approval for him to proceed with S.E. Cline proposal for work on the drains on Sailfish. He voiced concerns he discussed with Cline, prior to proceeding. He asked Cline to confirm that the installation of the drains would not impact the

work on the remainder of the street. Mr. Kloptosky also questioned proceeding because the future work may require an engineer's plans, which could involve elevation issues and lead to the current work needing to be adjusted. Mr. Kloptosky recommended not moving forward with any part of the project until the District has a comprehensive proposal and an engineer's drawing, with elevations. Discussion ensued regarding notifying the affected residents of the delay and whether the District has a pump, should the area flood, during a high water event. Mr. Kloptosky indicated they do not have a pump. Supervisor Davidson asked who to call to pump the street. Mr. Kloptosky indicated Cline could pump the water.

Mr. Kloptosky distributed photos and specs for the type of van he wants the District to purchase. He noted the van he previously presented, for the Board's consideration, was sold. As these types of vehicles seem to sell quickly, Mr. Kloptosky asked the Board to agree on a dollar amount and authorize him to work with the District Manager on the purchase. Supervisor Davidson favored a mandatory, onsite testing of any vehicle, under consideration. Mr. Wrathell suggested the Board agree, conceptually, on the parameters and a not-to-exceed amount. The Board could then retroactively approve the purchase. Discussion ensued regarding funds for the purchase. Mr. Kloptosky felt the Board could deem this a safety issue and use the contingency line item funds. The Board discussed storage of a vehicle, OSHA requirements and the aesthetic impact of parking the vehicle on Marlin Drive. The Board agreed, conceptually, to authorizing Mr. Kloptosky and the District Manager to proceed with the purchase of a bucket lift vehicle, provided an onsite test is conducted, for a not-to-exceed amount of \$22,000.

Mr. Kloptosky identified permitting issues with the City of Palm Coast. He indicated several permits are taking weeks and delaying work. Delayed work includes the Creekside railings. The Board discussed contacting local government officials regarding permitting delays, requirements and inconsistent information received from the permitting department.

Mr. Kloptosky reported that the gates were installed yesterday and the side panels will be powder coated today. The entire gate should be completed by next week, at which time, they can proceed with re-stuccoing and painting.

Mr. Kloptosky distributed a proposal from S.E. Cline, Inc., for the tennis court drains. He indicated that BAB Tennis recommended interior plastic-material drains at a proposed cost of \$87,000. Mr. Kloptosky presented the Cline proposal, for \$89,910.50, and explained what it included. Mr. Kloptosky advised against the type of drains proposed by BAB Tennis and

recommended the Board consider Cline's scope of work. The Board discussed whether the District has any recourse against the original court designers or engineers. Mr. Kloptosky plans to work with Cline to reduce the proposed costs.

Mr. Kloptosky reported they reinstalled the repaired Esplanade benches and asked the Board to consider proceeding with the remaining eight (8) benches. He noted, due to an error on the original proposal, the benches were repaired for \$54 each; however, it should have been \$54, per leg. For this reason, the repair cost, on the remaining benches, will be about \$160, per bench, as there are three (3) legs on each bench.

Mr. Kloptosky indicated the ice maker was relocated inside the building, as he discovered the possibility of a contamination issue.

Mr. Kloptosky indicated there is a minor issue with a nest of pigmy rattlers somewhere in the area. Two (2) rattlers were found in the Village Center. They are trying to locate the nest. Mr. McGaffney reported that four (4) Café team members were attacked by snakes within the past two (2) weeks. Mr. McGaffney described the types of snakes and indicated they were in the gear locker and the dumpster and dark areas. Mr. Kloptosky indicated he contacted an electrician regarding installation of a flood light, for the dumpster area. Discussion ensued regarding whether to hire a trapper.

Mr. Kloptosky recalled discussion about removal of sign portions, along Waterside Parkway, that said "Information Center". He recommended the Board consult with District Counsel, before proceeding, as Mr. Cullis may have issues.

Mr. Kloptosky indicated the CDD uses three (3) or four (4) different pest control companies. He is trying to consolidate the work and seek bids for one (1) company that can service all of the areas. In response to a question, Mr. Kloptosky confirmed he is aware of the rat problem. He reported most of the problems are with private property areas. Traps are being set and many rats have been removed.

Mr. Kloptosky requested opening an account with Staples.

A resident and the Board spoke highly of Mr. Jeff Kirkpatrick, one of Mr. Kloptosky's new staff members.

*****The meeting recessed at 12:05 p.m.*****

*****The meeting reconvened at approximately 12:15 p.m.*****

SEVENTH ORDER OF BUSINESS

DISCUSSION ITEMS

A. Update: Form of F.S. Chapter 197 Letter Final Details

Mr. Kozak indicated the 197 letters are ready to be mailed.

Mr. Kozak discussed a memo regarding the Hampton Golf assessment, for the purpose of explaining to residents, should there be any inquiries. He explained the information contained in the memo.

Mr. Kozak presented a memo comparing the District's assessments to those of other CDDs in the area.

B. Updates to Fiscal Year 2012 Proposed Budget (MK)

Mr. Kozak reviewed the proposed Fiscal Year 2012 budget, noting he removed items such as the Creekside reconfiguration and gazebo project. He indicated a line item was added, as a placeholder, for the court drains and asked if an amount should be included. Mr. Wrathell indicated a placeholder amount could be included or the District could leave it blank and fund it from the general infrastructure replacement/repair line item. The Board agreed to not include the tennis court line item. Mr. Kozak indicated the assessment amount is relatively unchanged, since the last meeting. Mr. Wrathell indicated the 197 letter contains a 2% cushion, on the admin and field ops assessment, but the infrastructure reinvestment and debt service assessments will not contain a cushion.

Supervisor Davidson recommended increasing the stop bars, arrows, etc., line item, on Page 4. Supervisor Chiodo reminded the Board that a total is being approved, not the individual line items; therefore, the Board can direct work, during the course of the year. Mr. Wrathell indicated the Board chose to lay out individual line items as a tracking tool but they have the ability to eliminate and add projects, during the course of the year.

Supervisor Lawrence referred to the gate and amenity guest revenue line item and questioned if the proposed amount is underestimated. Mr. Wrathell felt it is better to be conservative when estimating revenues.

Mr. Kloptosky referred to the pergola line item, on Page 5, and questioned if the budgeted amount is enough. Mr. Wrathell clarified that the pergola item was not budgeted in last year's or this proposed budget. Mr. Kloptosky referred to the \$3,000 budgeted for the Waterside benches line item, on Page 13, and noted the amount should be changed, as the Board approved four (4) locations, at \$2,000 each.

- **Format, Organizational Structure of Public Hearing on Budget**

Mr. Wrathell suggested presenting the budget in the same manner as last year, including a PowerPoint presentation. He detailed the areas to highlight and explain. Supervisor Pollinger indicated he felt last year's presentation was very informative.

Supervisor Davidson referred to happenings at the city and county budget meetings and residents not wanting any increases and voiced his concerns. He asked that residents be provided with a good explanation of the estimated \$445,000 CIP amount. Supervisor Lawrence explained how the CIP figure was calculated. Mr. Wrathell detailed how he would explain it. Supervisor Pollinger felt people will want their quality of life to remain the same because that is why they moved there, and, if it comes at a cost of about \$10 more per month, people will find it reasonable. Supervisor Gaeta indicated she has received feedback from residents who are happy with the improvements.

Supervisor Davidson referred to the resident information form, to be included with the 197 letters, and gave a status update of the resident information project. He noted a comment on the form whereby failure to return the form would result in exclusion of the person's information from the resident directory. Supervisor Davidson felt that exclusion is contrary to the purpose of the directory and the statement should be that the information, at hand, will be used, if the form is not returned. Discussion ensued regarding the return procedure. The Board agreed to not include return envelopes.

Supervisor Davidson recommended establishing a CDD office email address. The Board was in agreement.

The Board discussed concerns about including the information form, along with the 197 letters. The Board agreed to consult District Counsel.

Supervisor Davidson indicated the office staff has become overwhelmed with new registrants and prefers residents to schedule appointments, rather than allowing registration on a walk-in basis. Supervisor Lawrence questioned whether this is micromanaging. Supervisor Gaeta suggested posting the information on the door, along with a checklist of information to bring. Supervisor Davidson indicated an eblast will be sent but acknowledged the District will not have the new residents' emails. The Board agreed to post the information.

Mr. Wrathell discussed the resident directory and questioned whether AMG should continue the administrative and database aspect of it. He recommended transferring the

responsibilities to Ms. Tucker and possibly increasing her employment hours. Supervisor Chiodo noted putting it in the District's hands makes the information a matter of public record. Supervisor Davidson indicated the information was previously assembled in Excel spreadsheets and Ms. Tucker has stressed the need for an integrated, relational database. Supervisor Davidson voiced the importance of such a database working together with the overall master plan. Regarding the discussion of expanding Ms. Tucker's duties and hours, Mr. Kloptosky recalled she was hired to be his administrative assistant but has not performed those duties, at all, through no fault of her own, because of this project.

C. Firms Specializing in Auditing Communities for Gate Access, Amenity Access, etc.

Supervisor Davidson noted the need to find an expert to assist the community.

- **TEM Systems, Inc.**
- **Envera Systems**
- **Keri Systems**
- **Community Access Management, LLC**

Mr. Kozak reported TEM Systems, Inc., responded quickly to his request for information and is willing to review the community and meet with the Board. Responses are pending from Envera Systems and Keri Systems. Supervisor Gaeta indicated that she has a relative who is highly specialized in surveillance and security for major corporations and asked if a Board Member's relative could complete an independent audit and provide recommendations to the Board. In response to a question, Supervisor Gaeta indicated it would not cost the District any more than a plane ticket and car rental. Mr. Kozak presented information from Community Access Management, LLC, noting Mr. Deary is the Managing Partner of the company. Based on the information included in the agenda, Mr. Deary felt his company is the only one that would not be trying to sell something to the CDD. Mr. Deary suggested the District needs someone to provide expertise, in a consulting role, without having the desire to secure a large contract with the CDD. Supervisor Lawrence and Mr. Kloptosky voiced their feeling that the Board should hear from numerous companies. Supervisor Gaeta suggested each Board Member develop a list of their objectives. Regarding issues of nepotism, Mr. Wrathell felt there is no issue, as Supervisor Gaeta has disclosed the relationship and no fee is proposed, nor would there be any financial gain. Mr. Wrathell suggested inviting TEM Systems, Inc., and Tony Gaeta to present at the September 15, 2011 Workshop, with Mr. Deary providing input, after the presentations.

Mr. Wrathell discussed the start time for the public hearing and meeting on September 1 and the September 15 workshop. The Board agreed to commence the September 15 workshop at 10:00 a.m. It was confirmed that the September 1 regular meeting will commence at 3:00 p.m., with the budget public hearing beginning at 5:00 p.m.

D. Proposed Procedures for Electoral Candidate Events

Supervisor Davidson presented a list of proposed procedures for electoral candidate events. The Board discussed the volume of candidates, for various offices, during 2012 and 2014. Supervisor Lawrence questioned if the Board wants to include CDD candidates in with those running for positions outside of the CDD. Supervisor Davidson was in favor of splitting them. The Board discussed the list, speaker time limits, etc. Supervisor Davidson asked that this item be included on the next consent agenda.

E. Speeding Solutions

Supervisor Pollinger asked Mr. Kloptosky about the stop sign/speeding issue. Mr. Kloptosky indicated he is awaiting a price on the poles; each sign costs about \$60. Supervisor Pollinger and Mr. Kloptosky conducted a site visit and determined the issue may not be resolved through stop signs, as the problem seems related to male visitors at the home of a teenage resident. Supervisor Pollinger suggested speaking with the resident, prior to installing stop signs.

Supervisor Pollinger discussed the vendor samples included in the agenda packages. He spoke of the benefit of these types of signs, as they impact behavior. Supervisor Pollinger recommended testing All Traffic Solutions' system to see the capabilities of the pole-mounted systems. The Board agreed to proceeding with All Traffic Solutions' "test drive" of their system.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

Supervisor Chiodo reported that the Ad Hoc group had two (2) meetings and is making progress. Mr. Frank Benham was appointed leader of the group. Meetings are scheduled for the next four (4) weeks.

It was noted item F can be removed and replaced with an item entitled "Ad Hoc Services Assessment Group".

Supervisor Davidson discussed the status of the Crossings Road project. He noted the Board will address the business plan, after budget season concludes. Mr. Wrathell referred to

Management being assigned the grant portion of the business plan and reminded the Board that Management will help find grant opportunities; however, they are not grant writers and do not spend every day looking for grants.

The Board asked that item G can be removed.

NINTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Lawrence indicated he was approached by Mr. Al Harris, who owns a property, near Jim Cullis' office, and will be building on it soon. Mr. Harris is willing to donate the removed shrubbery to the CDD. Supervisor Lawrence is coordinating with Ms. Leister.

TENTH ORDER OF BUSINESS


ADJOURNMENT

NEXT MEETING: August 18, 2011 at 9:30 A.M.

On MOTION by Supervisor Pollinger and seconded by Supervisor Davidson, with all in favor, the Workshop adjourned at 2:02 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair