

**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, September 20, 2012, at 10:00 a.m.**, at the **Grand Haven Village Center, Grand Haven Room, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting 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
Scott Clark	District Counsel
Barry Kloptosky	Field Operations Manager
Howard McGaffney	Amenity Management Group (AMG)
Brett Markovitz	District Engineer
Kurt Lipman	CPH Engineers, Inc.
Jason Kellogg	CPH Engineers, Inc.
Residents	

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the workshop to order at 12:25 p.m., and noted, for the record, that all Supervisors were present, in person. He indicated that the workshop was delayed due to the continued meeting and private attorney-client session just held.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited at the continued meeting.

THIRD ORDER OF BUSINESS

UPDATES: District Engineer

Supervisor Gaeta asked the District Engineer and staff to step outside, as she had matters to discuss with the Board.

******The District Engineer and staff left the workshop.******

Supervisor Gaeta recalled that the Board asked the District Engineer to present their reports at the September 6, 2012 meeting. She stated that they failed to do so and needed more time. She noted that the Board stressed the need to receive information in a timely manner so it can be included in the agenda packages and to allow sufficient time for review. Supervisor Gaeta voiced her frustration in receiving the District Engineer's information the night before the workshop. She felt that the District Engineer lacks professionalism and is not listening to the Board. Supervisor Gaeta contended that the District Engineer has not complied with any of the District's requests. She asked Mr. Kloptosky to comment on his experiences with CPH.

Mr. Kloptosky stated that nothing he mentions today is a secret to the District Engineer. He had two (2) meetings with them and outlined his concerns. Mr. Kloptosky stated that he was not impressed with the District Engineer's previous presentations and noted that he had to coach, or otherwise advise them on what to provide for their presentation. He felt that the first presentation did not address the items requested and did not include recommendations. Mr. Kloptosky stated that the second presentation contained more information; however, much of it was information that he provided to the District Engineer. He voiced his concern about The Village Center parking lot pavement project.

Supervisor Pollinger questioned what is taking place; this is a public meeting but the District Engineer was asked to leave and now questions are being asked about them, with them out of the room so they cannot answer. Supervisor Gaeta indicated that facts are being stated, relative to what the District Engineer has not done. Supervisor Pollinger voiced his objection to the format; if there are questions or statements of facts, the District Engineer should be allowed to be present to answer. Supervisor Pollinger pointed out that it is a public meeting; therefore, everything said is a matter of public record and the Board cannot exclude people from a public meeting. Supervisor Gaeta stated that she did not want to embarrass the District Engineer. Supervisor Pollinger felt that there is no way around embarrassing them, as it is a public meeting and residents are present. Supervisor Gaeta voiced her opinion that the residents need to hear this information. Supervisor Pollinger clarified that he is not objecting to what is being said but he is objecting to the way it is being conducted.

Supervisor Lawrence felt that, if this is a critique of the District Engineer's performance, it should be an agenda item so they understand that the Board has concerns. He noted that the District Engineer should be provided with a list of those concerns so they can respond.

Supervisor Davidson concurred with Supervisor Lawrence. He indicated that this matter will be included as a discussion item on the next workshop agenda.

******The District Engineer and staff returned to the workshop.******

Supervisor Davidson advised the District Engineer that the Board is concerned about receiving the information so late and needs it sooner.

Mr. Markovitz acknowledged the Board's request.

A. Road Repair Criteria and Prioritization

Mr. Markovitz advised that this item is a duplicate of item C.

B. Board of Trustees Annual Report

Mr. Markovitz presented the Annual Report. He noted that these reports are typically due in July, which was prior to CPH becoming the District Engineer; however, Mr. Wrathell requested them to review the past reports and provide this report.

In summary, Mr. Markovitz stated that, in general, the District's facilities are maintained in good condition and repair. Regarding the bond related improvements, Mr. Markovitz reviewed the report findings and various areas requiring repairs or maintenance, noting that certain completed items will remain under review. The report also contains information regarding miscellaneous projects under review or in progress. He noted that the District's insurance coverage level appears appropriate; however, it is recommended that the two (2) additional storage units be added to the policy.

C. Sailfish Drive Evaluation

Mr. Markovitz presented the findings related to Sailfish Drive. The original design drawings called for very slight slopes and, per the as-builts, they were constructed as planned. The topographical survey, conducted at a later date, revealed that many of the elevations are too flat. The root intrusion from trees is upheaving the concrete curb line and trapping water along it. The same condition was observed with regard to the sidewalks; however, it was not addressed, as the sidewalks are a Master Association matter. Mr. Markovitz presented repair options and recommendations. Per the report, Option 2 is to rebuild the road to its original condition; however, over time, the root problem could resurface. Per the report, Option 1 is to

reconstruct that segment of the roadway using a crown roadway section, which brings drainage to the center of the road, where it travels down the road to an inlet that discharges into an existing inlet. Mr. Markowitz stated that CPH's recommendation is Option 1.

Mr. Markovitz, Mr. Lipman and Mr. Kellogg responded to questions regarding the recommendation. Pointing out that the problems caused by tree roots and the solution presented is a situation that could eventually face most of Grand Haven's roadways, Supervisor Lawrence questioned if there a way to correct the existing roads without rebuilding large sections of the roads. Mr. Markovitz indicated that the major cost difference in repairing the roads is not the rebuilding portion; rather, it is the inverted crown approach, which requires additional drainage structures. Discussion of water flow and the concept of drainage to the center of the road ensued.

Supervisor Pollinger questioned why the drainage issues are occurring only on Sailfish Drive. Supervisor Chiodo indicated that he was led to believe that the reason this is happening on Sailfish Drive is because the slope of the road was incorrect, the drain was not correct and, the tree roots have further impacted the issue with the drain.

Recalling that a repair and installation of two (2) drains was completed, Mr. Kloptosky asked the Sailfish Drive resident to comment. Referring to Supervisor Chiodo's statement, the resident confirmed that the drain at the corner of Sailfish Drive and Waterside is insufficient. She stated that, with the repairs, the situation improved; however, with a torrential rain, water gathers and eventually drains. She stated that she was of the impression that the entire road would be resurfaced but it has not happened.

Mr. Kloptosky clarified that the plan was to repair Sailfish Drive, with the intention of eventually resurfacing it. He detailed the work completed and noted that, during the repair, the tree roots causing the problem were cut, which he feels will give the repair more longevity.

Supervisor Chiodo pointed out that, despite the repairs described by Mr. Kloptosky, Sailfish Drive is still experiencing flooding problems. Mr. Kloptosky stated that the reason is because the road does not have the necessary slope and there are many utility line and driveway issues that can increase costs tremendously.

Regarding what is causing the problems, a resident noted that flooding has been an issue going back to 1999, so the tree roots are not the cause. She believes that the grading of the street is the primary problem. To that end, Mr. Markovitz stated that the road must be rebuilt to

increase the grade to .3%, which is the minimum recommended grade; the current road grade is .03%. Supervisor Chiodo felt that, once the road is rebuilt to the proper grade, it could have greater longevity. Supervisor Lawrence pointed out that Front Street is starting to reveal similar problems.

The Board questioned which repair option is least expensive. Mr. Markovitz indicated that the cost is nearly the same, as both require rebuilding the road.

Supervisor Davidson asked if there is a way to test the flow off capacity, meaning, whether the place the water will flow to can handle the necessary capacity of water. Mr. Markovitz felt that it should not be a problem.

In response to a question, Mr. Kloptosky spoke of the benefits of cutting the roots, as part of the repairs, in order to increase longevity of the repair. He discussed the original repair concept and noted that each option has drawbacks.

Supervisor Lawrence suggested that the grading issue on Sailfish Drive must be separated from the other problems, such as the curbs on all roads.

Mr. Kloptosky discussed the District's approach to sidewalk repairs, involving cutting roots and replacing the sidewalks.

Supervisor Davidson asked the District Engineer to direct the Board to a residential, neighborhood road built with the inverted crown.

D. Pavement Resurfacing Evaluation

Mr. Markovitz reviewed Table 1 in the Existing Pavement Evaluation Report, which details the conditions, structural numbers, classification and year to revisit the road. He noted that each road was evaluated as an entire road so a road may be okay but have areas that need attention.

Supervisor Lawrence asked if curb issues would have been noted during inspection. Mr. Markovitz stated that curb problems may not be in the report but they are in the notes. Supervisor Lawrence asked Mr. Markovitz to review the notes and notify the Board of any curb issues.

Mr. Markovitz referred to Appendix 4, containing a table of pavement cracking at manhole covers. He recommended repair of any crack areas above .25. Supervisor Davidson recalled an estimate of \$10,000 for these repairs.

Supervisor Davidson recommended that this item be continued on the next workshop agenda.

In response to a question, Mr. Markovitz estimated the repair costs for the south section of Sailfish Drive to be \$120,000 to \$150,000, including engineering, permitting, design and construction. Supervisor Davidson asked that estimates to repair all of Sailfish Drive be presented at the next regular meeting.

FOURTH ORDER OF BUSINESS

DISCUSSION ITEMS

▪ **Field Manager Evaluation**

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

Mr. Wrathell presented the compilation of the Supervisors' reviews, by category. An evaluation summary with the overall assessment, including individual Supervisor comments, is included. The final page reflects the overall assessment scores, along with the recommended salary adjustment and bonus, based on the average, overall assessment score. Based on this evaluation, Mr. Kloptosky should receive a 1.7% CPI adjustment, a salary increase of 3% and a bonus of 4.5%. Noting the intention to address this matter several months ago, Mr. Wrathell questioned the effective date for Mr. Kloptosky's pay increases and recommended applying the increases retroactively to the same date and time frame as last year. The Board agreed to this approach.

A. Grand Haven Realty Parking Lot Handicap Parking Spot

Supervisor Davidson reported that Mr. Cullis is working with the City on this.

B. CPC Foot Race (*route to be provided under separate cover*)

This item is no longer under consideration, as the Board voted at the continued meeting to deny the City's request.

C. Grand Living Continuum of Care Project

Supervisor Davidson indicated that he testified at the Neighborhood, Planning Land and Development Regulation Board and Public Reading of the Ordinances meetings. The District is now working on a contracture of its boundaries to remove Mr. Cullis' property from the District's boundaries. Supervisor Davidson explained the legal process to accomplish this. The overall project is entering the site planning stage. He noted that residents of The Woodlands are

upset. He reported that Mr. Cullis agreed to include disclaimers or disclosures that Grand Living is in no way related to nor has any amenity component with the Grand Haven CDD.

Supervisor Gaeta noted that the newspaper article was unclear regarding usage of Grand Haven amenities by Grand Living residents.

D. Water Analysis

Mr. Wrathell indicated that he is in the final stages of gathering the information to transmit to Mr. Kloptosky and Ms. Leister. Regarding the stormwater fees, he advised that the City melded numerous Wild Oaks bills into a single invoice; he is trying to confirm the figures. All other bills are being reviewed to ensure that nothing east of Colbert Lane should be applied. The Board asked Mr. Wrathell to confirm that the City is applying the 25% discount from 2004 forward.

E. Awards of Appreciation

Given the mistreatment of Ms. Leister by some residents at a recent meeting, Supervisor Davidson recommended presenting her with an appreciation award for her work with the District and the money she has saved, through her efforts. He recommended similar awards for Mr. Kloptosky and his two (2) senior level employees and asked for the Board's approval.

Supervisor Lawrence felt that the District's policy must be determined.

Mr. Wrathell indicated that many districts present awards and he feels that the fact that it is not procedural is what makes it special.

F. Town Hall Meeting

Supervisor Davidson recommended that Supervisor Chiodo conduct the next Town Hall meeting, as he is most familiar with the pending \$200,000 settlement of the R.A. Scott case, which will likely be a hot topic for residents.

G. Final Distribution of Community Directories

Mr. Kloptosky reported that 850 directories were distributed and 98 are left. He noted that these figures leave a certain number unaccounted for. Mr. Kloptosky indicated that directories were not given to renters. Supervisor Gaeta confirmed that 52 directories are missing.

Supervisor Gaeta advised that she will meet with a new printer for updates.

Supervisor Davidson noted that nothing has been done with the changes received from residents.

FIFTH ORDER OF BUSINESS

UPDATES: District Manager

- **UPCOMING MEETING/WORKSHOP**
 - **COMMUNITY WORKSHOP**
 - **October 4, 2012 at 10:00 A.M.**
 - **BOARD OF SUPERVISORS MEETING**
 - **October 18, 2012 at 9:30 A.M.**

The next workshop will be held on October 4, 2012 at 10:00 a.m., and the next meeting will be on October 18, 2012 at 9:30 a.m.

SIXTH ORDER OF BUSINESS

UPDATES: Field Operations Manager

This item was not discussed.

SEVENTH ORDER OF BUSINESS

UPDATES: Amenity Manager

This item was not discussed.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

NINTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Lawrence indicated that an accused sexual abuse pedophile, who previously lived with his parents in Grand Haven, is set for release on October 11, 2012. He recommended that the Board consult District Counsel to determine if the District can ban this person from the amenities and/or from the entire community.

Mr. Wrathell reported that he spoke to Mr. Clark regarding this matter. Mr. Clark cautioned the Board against too much public discussion of the matter. Mr. Clark advised Mr. Wrathell that there are significant limitations on what the District can do. Supervisor Pollinger pointed out that any limitations are imposed by the courts; therefore, the District does not need to do anything. Mr. Wrathell summarized that the District cannot treat someone any differently than any other resident; in order to do so, the person would have to violate a District rule. Mr.

Wrathell voiced his opinion that there is nothing to prevent the District from being aware of the person and contacting the sheriff if there is a problem.

Supervisor Davidson indicated that Ms. Pat Maloney has the full records, including what will be in the court order.

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being no further business, the workshop adjourned.

On MOTION by Supervisor Lawrence and seconded by Supervisor Pollinger, with all in favor, the workshop adjourned at 2:13 p.m.

Secretary/Assistant Secretary

Chair/Vice Chair