

**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, December 6, 2012 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 were:

Dr. Stephen Davidson	Chair
Peter Chiodo	Vice Chair
Marie Gaeta	Assistant Secretary
Tom Lawrence	Assistant Secretary
Raymond Smith	Assistant Secretary

Also present were:

Matt Adika	Wrathell, Hunt and Associates, LLC
Scott Clark	District Counsel
Howard McGaffney	Amenity Management Group (AMG)
Roy Deary	Amenity Management Group (AMG)
Barry Kloptosky	Field Operations Manager
Tony Gaeta	Dolphin Technical Solutions, LLC
Jim Cullis	Grand Haven Realty
Sean Marston	Genesis Group
Rob Carlton	GHMA President
Vic Natiello	Resident
Casey Gilson	Resident
Pamela Teper-Gilson	Resident
Elaine and Peter Worsfold	Resident
George Opelka	Resident
Diane Layng	Resident
Gloria Schleith	Resident
David Alfin	Resident
Ron Merlo	Resident
Ginger Richards	Resident
Linda Struble	Resident
Linda Mrakovcic	Resident
Frank Benham	Resident
Paula Geppner	Resident
Greg Brown	Resident
Janet Search	Resident
Pat D'Aguanno	Resident

Ed Ayers
Betty Fitterman
Joseph Palermo

Resident
Resident
Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Adika called the meeting to order at 9:32 a.m.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

ADMINISTRATIVE BUSINESS ITEMS

****This item, previously the Fourth Order of Business, was presented out of order.****

Mr. Adika indicated, for the record, that the general election was held in November. Mr. Raymond Smith was elected to Seat 2 and Dr. Stephen Davidson was elected to Seat 4.

- A. Administration of Oath of Office to Newly Elected Supervisors, Raymond Smith [Seat 2] and Stephen Davidson [Seat 4] (the following to be provided in separate package) [NOTE: The Oath of Office was administered to Supervisor Smith in advance of this meeting.]**

Mr. Adika confirmed that Supervisor Smith was sworn in prior to today’s meeting.

Mr. Adika, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Supervisor Davidson.

Supervisor Gaeta welcomed Supervisor Smith to the Board and congratulated Supervisor Davidson on his reelection. She spoke of Supervisor Davidson’s service and dedication to the District and community, as a Board Member and as the Chair. Supervisor Gaeta recommended that Supervisors Davidson and Chiodo retain their seats as Chair and Vice Chair, respectively.

Mr. Adika noted, for the record, that Supervisors Davidson, Chiodo, Gaeta, Lawrence and Smith were present, in person.

Mr. Adika provided and briefly explained the following items:

- i. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees 2012**
- ii. Membership, Obligations and Responsibilities**
- iii. Financial Disclosure Forms**

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

B. Consideration of Resolution 2013-3, Electing the Officers of the District

Mr. Adika presented Resolution 2013-3 for the Board’s consideration. Supervisor Gaeta nominated the following slate of officers:

Chair	Dr. Stephen Davidson
Vice Chair	Peter Chiodo
Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Secretary	Marie Gaeta
Assistant Secretary	Tom Lawrence
Assistant Secretary	Ray Smith

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, nomination of the slate of officers was approved.

On MOTION by Supervisor Chiodo and seconded by Supervisor Lawrence, with all in favor, Resolution 2013-3, Electing the Officers of the District, as nominated, was adopted.

FOURTH ORDER OF BUSINESS

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

******This item, previously the Third Order of Business, was presented out of order.******

Mr. McGaffney indicated that Mr. Ed Ayers, a resident, notified him that the dumbbells in The Village Center could be a hazard, as they become loose. Mr. Ayers suggested that the dumbbells be replaced with a solid formed type, similar to the ones at Creekside.

Mr. Lawrence indicated that Mr. Pat D’Aguanno, a resident, watches his grandchildren every day. His daughter and son-in-law’s GADs were deactivated. Mr. D’Aguanno is requesting consideration to allow them to have GADS.

Ms. Elaine Worsfold, a resident, thanked the Board for addressing her concerns regarding management of The Village Center Café. She read the following statement:

“My name is Elaine Worsfold, and Peter and I have lived and owned in Grand Haven for over 12 years. We love it here, so much so that we are currently building a new home on North Village Parkway. We make good use of the amenities provided here: we play golf, we play croquet and tennis, and we also make good use of the café’. I don’t cook, so we eat there at least 3 times a week.

Over the years, we’ve seen the Café come into its own. Under the management of Rhonda, it became a real village pub, a place to gather, make new friends, have a drink and enjoy a reasonably priced meal.

We fell in love with the wait and kitchen staff. They were part of our growing community who knew our names, could mix a mean drink, and even got to know our favorite foods and beverages. It felt like family. Then the axe fell on Rhonda and the café began to lose its momentum.

Now it’s all come to a head. Every one of our waiters and bartenders have been fired, for a variety of reasons, so I hear. Currently, the café has no manager, no trained bar staff and no trained wait staff. And the gossip about how it all went down is now taking the place of the friendly banter that used to go on.

Obviously the feelings of the community were of no importance to the Amenity Management when they made the decisions.

First of all, firing good people who have gained the respect and good will of the patrons of the Café – and right before Christmas!! – seems contrary to good business practices, not to mention the good will of the patrons.

Secondly, hiring people who are not trained to do their jobs is just bad business. A personal trainer who waits tables? A maintenance man who can’t make a drink? A young lady who can’t tend the bar because she’s underage? This is simply not acceptable. Not that they’re not perfectly nice people. They’re just not doing the jobs they were hired for. It just doesn’t make sense.

And third, understaffing a long-standing issue and without a doubt accounts for some of the reasons we’ve been given for the supposed transgressions and underperformance of the previous staff. You can’t ask two

*wait staff to service an entire restaurant on a night like Pub Trivia, or Friday night happy hour, when everybody comes at once. **This is bad management, not bad service.***

I'm sure that the bottom line is at play in all of this, and I understand that the bottom line is important, but long-range, the bottom line will suffer when the café becomes a place of last resort because the food you like is not well-served, or the drink you like isn't well-prepared, if it is made at all.

Customer satisfaction is key to the success of any restaurant, and we the customers are deeply unsatisfied. And as residents and dues-payers, we feel we have a right to question you, the CDD, about this company you are using to maintain our amenities.

Our amenities are important to us. They are part of the value of living in Grand Haven. They keep the value of our homes up, they provide us with the chance to meet new people when we've moved away from friends and family. And they have brought our friends and family into our community.

If prospective buyers, newcomers and those of us who reside here don't get a sense of community when we use our amenities, believe me, we will start dropping out. And then who are we going to tell proudly that we live in Grand Haven?

The Village Center is the center of our community, and the Village Café is the center of it all. We ask you to look long and hard at this situation and call the Amenity Management for a valid and detailed explanation of what is going on.

Drop in some night and see just how empty the place has already become.

WHAT I WOULD LIKE TO SEE

- Hire an experienced manager that is in charge of the café and not subordinate to the manager of the facilities. They should work together to bring the café back to the neighborhood pub that it has been.*
- The café manager should hire 6 experienced wait staff including experience in bar tending. The café should be the only job the staff is expected to handle.*

- *The café to be fully staffed with 3 staff on every night.*

Thank you for listening and understanding that it takes more than chairs and tables to create a gathering space.”

Supervisor Davidson acknowledged Ms. Worsfold’s concerns and that many residents share her feelings. He assured her that this matter will be addressed during today’s meeting.

Mr. Vic Natiello, a resident, recalled discussion at the last meeting regarding the fair market value for leases. He stated that he was concerned about the methodology used and contacted Management to obtain information regarding the current leases, within the community. He discussed the HUD valuation calculations and the impact of economic changes. Mr. Natiello suggested that the District review its data more analytically to avoid grossly undervalued properties.

Mr. Casey Gilson, a resident, noted that the District displays a beautiful Christmas tree and asked the Board to consider including a few menorahs in the holiday decorations, to be more inclusive of the Jewish population within the community. Supervisor Davidson indicated that a menorah is located in the Café. It was noted that a menorah is also located just inside the hallway at Creekside. Mr. McGaffney speculated that Mr. Gilson would like representation outside.

Mr. George Opelka, a resident, voiced his support for the current Café staff and voiced his opinion that AMG and Mr. McGaffney are doing a wonderful job.

Ms. Diane Layng, a resident, stressed that she wishes the Café to continue to be well run as a café, not as a pub.

Ms. Gloria Schleith, a resident, noted that the Café has continuous turnover, as employees are continually fired. She noted that the current employees are nice but need instruction and a leader is needed. Ms. Schleith felt that the Café needs a manager with restaurant experience.

Ms. Schleith indicated that the curbs along Waterside Parkway need to be cleaned.

FIFTH ORDER OF BUSINESS

CONSULTANT, GUEST REPORTS & PRESENTATIONS

Mr. Jim Cullis, of Grand Haven Realty, discussed the parking lot at the sales center. Mr. Cullis stated that Grand Haven Realty’s parking lot is on two (2) lots. LandMar sold one (1) lot

and the owner allowed Grand Haven Realty to use the lot for two (2) years; however, the term is expiring. He explained that the City granted permission for the Grand Haven Realty Sales Center to remain for two (2) more years, provided that day-to-day public access to the sales center does not enter through the community. Mr. Cullis spoke of common area land, identified as Parcel A, and asked the Board to allow him to relocate access to the parking lot, across Parcel A. He stated that, in exchange, Grand Haven Realty will provide two (2) parking spaces to the District's guardhouse, one (1) ADA compliant handicapped spot and another space. Mr. Cullis advised that his attorney is drafting an access agreement between the CDD and Grand Haven Realty, which confirms that Grand Haven Realty will restore the access route when the agreement expires.

Mr. Cullis responded to Supervisor questions regarding the specific details of the parking lot and pathway.

Mr. Clark indicated that he worked with Mr. Cullis to outline the parameters of the agreement being prepared by Grand Haven Realty's counsel.

Supervisor Lawrence noted, for the public, that the CDD benefits from this arrangement, as the CDD needs parking spaces for its guardhouse.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, entering into an access agreement with Grand Haven Realty, pending District Counsel's review, and authorizing the Chair to execute the agreement, was approved.

Mr. Cullis recalled that the CDD previously recognized that he had the ability to build up to six (6) units on the ninth green side. He noted that he plans to build four (4) golf villas on the property and is prepared to begin; a site plan was submitted to the CDD.

Mr. Clark indicated that the site plan was received.

Regarding a golf cart path, Mr. Cullis stated that he will give the golf course the tract, rather than requiring them to relocate the cart path.

Mr. Smith asked what documents govern the use of the planned buildings. Mr. Cullis indicated that the use falls under the Master Association documents, meaning, they are subject to all rental restrictions, etc., for the entire community.

Mr. Cullis indicated that he signed and returned a document to Mr. Clark regarding contraction. Mr. Clark stated that the document will be sent to the City today.

Mr. Cullis noted that the Grand Haven Sales Center is collecting items for the troops. The Board asked Mr. Cullis to prepare an eblast to email to the community.

Supervisor Gaeta questioned if an eblast should be sent to residents regarding the upcoming construction. Mr. Cullis felt that there is plenty of time, as the planning process could take six (6) to nine (9) months.

Ms. Layng noted the critical parking situation in Grand Haven and asked Mr. Cullis if he has any property or anything in his plans that could alleviate the dangerous situation at the South Gate, where cars back up. Mr. Cullis replied no; Crescent already gave all of its remaining land to the CDD.

- **Update/Progress Report: *Dolphin Technical Solutions, LLC***

Mr. Tony Gaeta and Mr. John Stroke, of Dolphin Technical Solutions, LLC, provided the Board with a progress report on the system installation. He reported that all is progressing well.

Mr. Gaeta stated that The Village Center has three (3) wireless access points, giving the entire facility wireless access capabilities. He indicated that a wireless access point was also added at Creekside. Mr. Gaeta discussed the internet access safety features, limits to allowable individual bandwidth usage, etc. He advised that all six (6) DVRs were upgraded, new software will be installed on the computers, the camera and microphone were installed in Ashley's Creekside office.

Regarding the data solution, Mr. Gaeta stated that the applications are installed and operational. The CDD office and Main Gate have new computers.

Supervisor Lawrence questioned if Ashley's office contains the proper signage for the recording. Mr. Kloptosky indicated that signage is on order.

Mr. Gaeta reported that the CDD office computers have the bar code reader and card printers were installed and are operational. The Main Gate has the application via the internet. Cordless bar code stations were installed at Creekside and The Village Center. Mr. Gaeta demonstrated how the cards and stations work and what happens if a card is deactivated or invalid. System integration with Door King is 90% complete; the system will be turned on once the deactivated mass enabled card situation is finished. Data from the temporary database, including Door King and the property appraiser's information, was imported into the system.

Mr. Gaeta discussed the limitations and poor quality of the property appraiser's information, as it relates to importing it into the District's system.

Mr. Adika questioned if temporary signage is necessary in the Creekside office, since the recording equipment was installed. Mr. Clark advised against recording until the proper signage is installed. Mr. Kloptosky stated that he will direct his staff to create and post a temporary sign.

Mr. Gaeta recalled issues with the telephone service at Creekside. He indicated that a cellular booster was installed and service is functioning properly. Mr. Gaeta reported that three (3) additional security cameras were added at The Village Center, two (2) in the Café and one (1) at the rear entrance into the Café. The extra security cameras necessitated an additional DVR. Mr. Clark recommended signage for the public areas but felt signage is not necessary near the back entrance. Mr. Clark noted that signage is not necessary if audio is not recorded.

Mr. Gaeta stated that improvements, including installation of a monitor, keyboard and mouse, were made at the Main Gate. Guards can look up information in the database. Satellite internet was added at the South, Main and Wild Oaks Gates. Mr. Gaeta explained where the satellite dishes were installed and advised that all efforts were made to hide the satellite dishes. In response to a question regarding the satellite internet, Mr. Gaeta confirmed that the DSL lines can be removed.

Regarding cost for service, Mr. Adika indicated that federal, state and local taxes on the AT&T bill were being paid. Noting that the District, as a governmental entity, is exempt from those taxes, Mr. Adika advised that he is researching the matter and anticipates a refund from AT&T of the taxes paid.

Supervisor Smith asked Mr. Gaeta if the project is on schedule and under cost. Mr. Gaeta stated that the project is on schedule and at cost. Mr. Gaeta clarified that additional costs, related to extra work, were not included in the original contract. In response to Supervisor Smith's question, Mr. Gaeta estimated the additional costs to be approximately \$1,300.

Supervisor Lawrence questioned the satellite's performance during a heavy rain. Mr. Gaeta indicated that the disruption should be minimal, based on the type of satellite dishes used. In response to Supervisor Gaeta's question, Mr. Gaeta confirmed that the additional costs were related to unanticipated equipment and additional equipment, requested by Mr. Kloptosky. Mr. Kloptosky indicated that the issues related to the additional costs were brought to his attention by

Mr. Gaeta but were not unfamiliar to him. Mr. Kloptosky discussed the guardhouse monitor, etc., as an example of necessary work, for which the cost was not excessive.

Supervisor Gaeta asked if staff is happy with the changes. Mr. Stroke stated that staff is working on the system and is comfortable with the transition.

Regarding the forms to be loaded onto the District’s website, Supervisor Davidson asked if Ashley updated the form and if it is ready. Mr. Gaeta replied affirmatively. Supervisor Davidson explained that having the form and directions on the website is important.

Regarding the information forms and call box information, Mr. Gaeta explained that the call boxes only work with local telephone service, meaning it works with the 386 area code. This is an issue for those without home phones and/or those with only a cell number with a different area code. For a safety and security standpoint, Mr. Gaeta recommended only allowing access to be granted from a landline.

Supervisor Lawrence felt that access should be through landline, only, with Mr. Kloptosky being authorized to make exceptions for those without a landline. The Board agreed with Supervisor Lawrence’s suggestion.

Discussion ensued regarding whether the form must be completed by hand or if it could be completed electronically. Supervisor Davidson indicated that the form is to be printed and completed manually. He stated that re-registration will take place from January 1 through July 1 and noted that volunteers will be needed to assist.

Mr. Sean Marston, of Genesis Group, introduced himself. Supervisor Davidson questioned if Mr. Marston has information regarding the road project and if he is prepared to speak on this matter today. Mr. Marston indicated that he was not prepared to report today; however, he wished to discuss the details with Mr. Kloptosky after today’s meeting.

SIXTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. Approval of Minutes

- **November 1, 2012 Community Workshop**
- **November 15, 2012 Regular Meeting**

B. Approval of Unaudited Financial Statements as of October 31, 2012

C. Engineering Agreement, Genesis Group

D. Consideration of Policy Regarding Removal and/or Addition of an Amenity to Existing Amenity Package

E. GAD Policies/Decision Tree

Mr. Adika presented the consent agenda items for the Board's consideration.

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

****The meeting recessed at approximately 11:02 a.m.****

****The meeting reconvened at approximately 11:15 a.m.****

▪ **Village Center Café**

****This item, previously Item 8A., was presented out of order.*

Supervisor Davidson indicated that Mr. McGaffney and Mr. Deary will make a statement and leave the room after, to afford residents an opportunity to voice their opinions.

Mr. Deary read the following statement:

“The Grand Haven resident’s, Board of Supervisors, and “AMG” have enjoyed a long and productive relationship based upon such values as integrity, trust and good will.”

Mr. Deary voiced his opinion that everyone will get to where they want, if all parties, including residents, approach this issue with a spirit of good will, rather than acting contentiously. He noted AMG's six (6)-year track record and stated that AMG has no intention of being combative or contentious with anyone.

Mr. Deary continued reading his statement:

“As an important part of a company that employs hundreds of associates, we consistently train our employees to meet the highest standards and expectations of customer service. Within the food and beverage industry, certain challenges have long existed involving employee retention, as this industry is transient by nature. However, we have always looked to the District’s concerns for safety and responsibility that is inherent in an establishment that serves food and alcohol.

Though we are unable to discuss the specific, individual employment issues involved with our former employees, including those who just recently departed, we'd like to assure the Board of Supervisors and the residents of Grand Haven that we do not take lightly our responsibility to provide a safe, inviting and enjoyable atmosphere in the Waterside Café. We strive to ensure that we consistently maintain a high level of customer service for all of the residents, equally, and for their guests, as well. We recognize that upholding our company's integrity and adhering to high standards of customer service means holding ourselves and our employees accountable to those same values and expectations. We understand that it is also quite normal for residents to feel like they have formed a familiar bond with our employees (which we also embrace) and when they depart, there is a resulting sense of loss. We, too, have experienced a sense of personal loss in many of those instances. However, this recognition does not lessen our responsibility to all patrons of the café and the CDD to provide a safe and responsible environment.

Adhering to a high standard of customer service qualities is paramount to us and we'd would like to touch on some of the various ways that we seek to understand and fulfill people's expectations of us. In addition to utilizing our own experience and expertise from having been in this business for many years, we have several added means of listening to and soliciting constructive input from the more than 3,000 residents and other stakeholders in Grand Haven:

- We solicit and embrace specific feedback from our "Customer Comment Cards" that are presented to each guest of the cafe.*
- We gather information from our "Mystery Diner Program," where we reach out to different residents each month. They are randomly-selected residents, such as: New Residents, Frequent Diners, and those who have previously filled out a comment card when they have had a less-than-perfect experience at the café.*
- In addition to regularly communicating with district staff and board members, our Director of Amenities, Howard McGaffney, maintains an open-door policy and meets one-on-one as often as is*

needed with individuals who have a particular issue to discuss with us. He and other members of our team also regularly interact with patrons during their time at the café to better gauge their experience, as it occurs.

- *Our Vice President, Roy Deary, to whom Mr. McGaffney reports, regularly attends CDD meetings and workshops in order to gain first-hand exposure to feedback from board members and other residents. He also communicates directly with individual residents, board supervisors and the district's staff who reach out to him with specific concerns or feedback.*
- *Over the years - including during the past month - some of the best ideas and responses we have received through these different venues and communication channels have been used to make improvements in such things as our menu offerings, pricing, dinner specials, hours of operation, and periodic special events that we provide the community.*

While still fulfilling the fundamental objectives and practices of operating a restaurant, we have always involved the residents of Grand Haven in varying degrees over the past six years. Our desire in doing so is two-fold:

- *First, to keep our eyes and ears open to appropriate feedback and input from people who sincerely care about their neighborhood restaurant.*
- *Second, to help us better serve as stewards of the Waterside Café, which is entrusted to us as a great place to eat and relax with friends, family and fellow residents of Grand Haven."*

Mr. Deary pointed out that, nowhere in his comments is there any reference to the bottom line, as it never entered into any of the personnel matter that recently took place. He noted that the Café has operated with an underperforming bottom line from day one (1), which is not unique to Grand Haven. Mr. Deary explained that the issues that AMG needed to confront were not visible to the Café patrons; however, they were serious and relevant enough for AMG to resolve to make changes. In closing, Mr. Deary recalled a comment asking the Board to take a

hard look at these matters and added that AMG has always been very transparent and welcomed that. He stated that the only limitations on AMG's transparency could involve matters of legal or privacy issues with staff. Mr. Deary indicated that AMG is willing to provide information to District Counsel regarding the issues encountered.

Supervisor Lawrence asked Mr. McGaffney to comment on resident statements regarding the lack of a café manager, the number of staff and staff training.

Mr. McGaffney stated that he respects the residents' right to voice their opinions. He noted that Ms. Worsfold encouraged the Board to look at the facts and he encourages them to do so; however, there are privacy matters that he respects, with regard to the previously departed team members. Regarding training, Mr. McGaffney indicated that all team members attend quarterly sexual harassment training and alcohol awareness and responsibility training. Mr. McGaffney stated that he is a member of the Florida Restaurant and Lodge Association, a trainer and certified food handler with countless years of restaurant experience, making him uniquely qualified to deal with food, beverage and alcohol issues. Mr. McGaffney acknowledged the Worsfolds' and others' concerns and invited them to speak with him.

Mr. McGaffney indicated that the current Café employees have a lot of restaurant, bar and back-of-the-house and managerial experience. He discussed the comment cards received after the team members departed and his desire to determine what was upsetting to residents. Mr. McGaffney explained the Mystery Diner Program, implementing monthly events for residents, the Night of Lights event, etc. He noted that that, as Manager, he has had people threaten him with bodily harm and attack his family, via cyberspace.

Supervisor Davidson questioned who is in charge of the Café when Mr. McGaffney is not on site, if the rebuilding process is causing confusion or if there is no on-site manager.

Mr. McGaffney stated that the Café previously had one (1) manager; however, over the past six (6) months, he has Managers-on-Duty (MOD). Mr. McGaffney explained that the MOD has authority to handle customer service situations and issues. Robert is the Assistant General Manager and is being trained by Mr. McGaffney so he can eventually take over the Café management. Regarding having an experienced food and beverage manager, Mr. McGaffney noted that this is an \$800,000 business, not a \$5 to \$8 million business. He pointed out that more people use the pool but there is no pool manager. Mr. McGaffney stated that the Café will not

have another food and beverage manager, it will have MODs during the evening shifts; he has been developing staff members for the MOD positions.

Supervisor Davidson asked how Mr. McGaffney arrived at the decision to no longer have a food and beverage manager position, noting that having one might alleviate Mr. McGaffney from some of his responsibility. Mr. McGaffney stated that a food and beverage manager would only work 40 hours per week and, given the extensive number of hours the restaurant is open, there cannot be only one (1) manager; in his experience, a MOD system will give the District more. He reviewed the experience of various staff members.

Supervisor Lawrence asked if the Café is now fully staffed. Mr. McGaffney indicated that he is in the process of hiring two (2) additional bartenders. The Café currently has more staff than it previously ever had. In response to a question, Mr. McGaffney confirmed that he has five (5) bartenders/servers; the employee must be able to do both. Mr. McGaffney acknowledged that he is working to have a dedicated bartender on busy nights.

Supervisor Smith voiced his concern regarding Mr. McGaffney's comments that he received personal threats and asked that it be addressed. Mr. Deary stated that he notified the Board a year or so ago, about a manager who left and claimed a hostile work environment in her workman's compensation claim. Mr. Deary explained that the manager's claim stated that the hostile environment was not related to the other employees, it was about the residents; a handful of residents feel it is okay to be inappropriate.

Regarding his personal experience, Mr. McGaffney stated that a resident made a threat, through social media, which was alarming to him. He stressed that he does not take his responsibilities lightly, nor his responsibility to all of the employees, when one (1) person's actions can affect all.

******Mr. Deary and Mr. McGaffney stepped out of the meeting.******

Ms. Worsfold stated that, since the previous manager was fired, no one at the Café knows how to make a drink. In response to Supervisor Davidson's question regarding whether there are currently any competent bartenders, Ms. Worsfold stated that she does not think any are competent and relayed certain instances. Supervisor Gaeta asked if the employees took written note of the drink ingredients. Ms. Worsfold conceded that she did not order the drinks; someone told her about the bartender not knowing how to make a requested drink.

Ms. Worsfold pointed out that the Café no longer seems to have a dress code; employees previously looked presentable. She stated that the last time she saw a comment card was a very long time ago when AMG's contract was up for renewal. Regarding the bartender/server staffing, Ms. Worsfold knows of one (1) underage employee who can only serve water and soda. She noted that the servers were assigned sections; a server was fired for refusal to wait on a resident because she informed a table that she would send their server over, as she could not help them, because it was not her section. Supervisor Gaeta asked Ms. Worsfold if she is speaking from firsthand knowledge or if it was overheard. Ms. Worsfold relayed that someone overheard the server's comments and reported her to Mr. McGaffney.

Mr. Opelka supported Mr. Deary's desire to keep this peaceful and move forward. He voiced his opinion that there has been a witch-hunt to have Mr. McGaffney removed. Mr. Opelka suggested creating a list of constructive criticisms and developing solutions to the concerns. He urged the Board to investigate the allegations made by Ms. Worsfold. Mr. Opelka noted that he still goes to the Café; employees come and go, by nature of the business. Mr. Opelka disagreed with Ms. Worsfold's statement that no one in the Café can make a drink.

Supervisor Gaeta pointed out that the Café is now equipped with cameras and suggested that the District utilize them to reveal problems and so AMG can observe what happens when Mr. McGaffney is not there.

Supervisor Smith summarized that the issues relate to knowledge of making mixed drinks, not seeing the comment cards and no manager presence in the evenings.

A resident pointed out that none of the new staff members have introduced themselves or asked her name. She questioned how the servers can address her if they do not know her name.

Ms. Betty Fitterman, a resident, indicated that she has never seen Mr. McGaffney at the Café in the evenings. She voiced her feeling that Mr. McGaffney should understand that the residents are not threatening him or trying to have him fired, they are trying to make the Café better. Ms. Fitterman questioned if Mr. McGaffney had a plan or why he made a decision, in the last six (6) months, to replace absolutely everyone at the Café.

Supervisor Davidson indicated that the personnel changes are coincidental. He reassured residents that the decisions made were subject to double oversight, Mr. McGaffney did not make them unilaterally. He noted all information cannot be divulged due to privacy. Supervisor

Davidson voiced his opinion that all decisions were correct. He acknowledged that it will take time to rebuild the Café environment.

Mr. Kloptosky explained that much happens behind the scenes, of which residents are not aware. He assured residents that Mr. McGaffney did not have a plan to replace everyone. Mr. Kloptosky stated that he is fully aware of everything that happens in the Café and Mr. McGaffney discusses issues with him regularly. He stated that staff meetings were held and staff was provided with criteria to follow. Mr. Kloptosky acknowledged that the only thing residents see is the surface and they do not know the details. Mr. Kloptosky confirmed that he, and the District Manager, agreed with all of Mr. McGaffney's decisions.

A resident asked if Mr. Kloptosky was stating that there was an urgency to fire everyone, all at once, rather than doing it over time. Mr. Kloptosky replied no, his comment was that a resident implied that Mr. McGaffney was doing so but it is not the case. Mr. Kloptosky indicated that the staff changes happened over a few months. Stating that it makes better sense to spread firing out and hire and train personnel prior to firing others, the resident questioned how the Board and Mr. Kloptosky could allow this to happen the way it did.

Mr. Natiello stated that he was at the Café when an altercation occurred between two (2) residents and strongly recommended that a manager be on duty in the evenings, as alcohol is served in the Café. He stated that the main issue with the Café relates to service; there is never enough staff on duty on busy nights.

Mr. Al Lo Monaco, a resident, pointed out that the restaurant runs at a loss every year but AMG's management of it has improved. He noted that, when running a business, sometimes people must be let go. Mr. Lo Monaco agreed that the current service and bartenders are bad. He noted that the Café kitchen is not large enough to provide good service to large crowds.

Mr. Natiello voiced his opinion that a bartender must be experienced and know the drinks without needing to look them up.

Supervisor Gaeta thanked the residents for their comments and bringing this matter to the Board's attention.

Supervisor Lawrence acknowledged that the situation needs to be addressed but feels that AMG must first address the issues. He started a list of issues for AMG to work on and provide a status of what they are doing, at the next meeting.

Supervisor Smith compiled a list of issues that must be addressed. He reiterated his concern that a physical threat was made to Mr. McGaffney and wants to ensure that District policy gives contractors a mechanism to appropriately address such matters.

Supervisor Chiodo indicated that his thoughts are the same as those stated. Furthermore, he feels that the District must establish the capabilities of the facilities as they relate to the expectations of residents.

Supervisor Gaeta pointed out that the District has a contract with AMG with a set price and, if the District will require them to hire more staff, the contract amount might need to change. She noted that the District may need to define how many activities can take place, while remaining within the current contract or renegotiating with AMG.

Indicating that he is action oriented, Supervisor Davidson stated that he developed an action plan. He asked the Board Members to submit their lists to Management for forwarding to the other Board Members. Supervisor Davidson requested an item at the next workshop to discuss the Café improvement project, with Mr. McGaffney and Mr. Deary in attendance. He felt that it would be helpful to appoint a Board Member as the Café operations liaison.

Supervisor Lawrence felt that this situation is a matter of urgency and asked that the list be compiled and forwarded to Mr. McGaffney within the week, rather than waiting a month, so that Mr. McGaffney and Mr. Deary can begin working on solutions and report at the next workshop.

Regarding resident concerns, going forward, Supervisor Lawrence reminded residents of Mr. McGaffney's open door policy and encouraged them to speak with him, followed by Mr. Kloptosky, if necessary.

▪ **Micromanagement (MG)**

****This item, previously Item 8B., was presented out of order.****

Supervisor Gaeta read the Miriam-Webster online dictionary definition of micromanagement as "management especially with excessive control or attention on details" and the Dictionary.com definition as "management or control with excessive attention to minor details". She noted that the online dictionary Encarta defines micromanagement as "attention to small details in management, control of a person or a situation by paying extreme attention to small details". Supervisor Gaeta stated that the notion of micromanagement can be extended by any social or business context where one person takes a bully approach, in the level of control

and influence over the members of a group. Often, this excessive obsession with the most minute of details causes a direct management failure in the ability to focus on the major details.

Supervisor Gaeta read the following:

“We, as a Board had previously agreed to NOT micromanage any of our staff, but to provide guidance as needed. Additionally, Board members are not to act as Liaison to direct reports but to be appointed as liaisons relative to Board approved projects, only!

There continues to be a “perception” about this Board especially as it relates to partisan politics. We are a non political affiliated Board so why can’t we agree once and for all that residents who are looking for a power base can no longer use any one of us against each other or against any resident. Most members were elected either by a majority vote, an appointment or as undefeated/unchallenged. However we seem to spend a great deal of time in revisiting “specific” persistent resident grievances.

We have a very talented staff of professionals who report to the Board. We have given them “decision making tools” so why are we constantly second guessing their decision especially as it relates to a “handful of residents”.

We are attempting to eliminate as much “pork” from our budget as possible.....let’s carry that mindset to the content of our meetings too. We are beginning to resemble the old adage, “what is a camel?, a horse designated by committee. We have NO ROOM for the same old, same old...let’s move forward together, objectively and hopefully collectively!

SEVENTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

Supervisor Davidson asked the District Engineer to be prepared to report on the District’s conditions at the next workshop or regular meeting. Supervisor Lawrence asked that he provide his comments on Sailfish Drive and road resurfacing within the community at the next workshop.

Mr. Kloptosky indicated that he spoke with the District Engineer and provided him with information regarding the topics.

Supervisor Davidson asked that the Fiscal Year 2013 workshop and meeting schedules be provided to the District Engineer and to the entire Board.

B. Amenity Manager

Mr. McGaffney provided his report during the Sixth Order of Business.

C. Field/Operations Manager

i. Update: Creekside Pool Heater/Piping Repair

- **Old Piping**
- **New Piping**

******This item, previously Item 7Cii., was addressed out of order.******

Mr. Kloptosky reviewed photographs of the old and new piping. He recalled issues with the flow; new four (4)-inch pipe was installed to correct the flow issue. Flow meters were installed to monitor the flow. He is pleased with the final result and reported a savings of approximately \$500 off the original contracted price.

In response to a question, Mr. Kloptosky confirmed that this was a capital expenditure; it was listed as an unbudgeted capital expense and will be adjusted in Supervisor Lawrence's figures. He indicated that the total cost was approximately \$8,300. Supervisor Smith requested that an update of the Capital Plan be included in the agenda each month.

ii. Intracoastal Waterway Bank Erosion

******This item, previously Item 7Ci., was addressed out of order.******

Mr. Kloptosky reviewed photographs of bank erosion along the Intracoastal Waterway. Feeling that this is a safety matter, Mr. Kloptosky contacted a contractor to evaluate the conditions and obtain suggestions for repair. The contractor's quote was approximately \$7,000 to remove brush north and south of the erosion area, clean the area, restructure the bank and add filter cloth and a coquina wall to prevent erosion near the bench.

Supervisor Lawrence voiced his opinion that the bench should be repositioned to another area, rather than spending money to repair the erosion. He stated that the benches are not used frequently. Supervisors Chiodo and Gaeta agreed that the bench should be repositioned.

Mr. Kloptosky asked where to relocate the bench.

Supervisor Lawrence reiterated his perception that the bench is used infrequently and questioned if it is necessary. He suggested a review of the number of benches in the CDD and, if it is not needed, the bench should be stored.

Mr. Kloptosky reminded the Board that the only reason this matter came up was that people who use the bench reported it to him; if the bench is removed, those people will likely be upset.

Supervisor Smith indicated that the District does not have funds to fix the problem.

Mr. Kloptosky asked Mr. Clark to comment on removal of an existing infrastructure item, in lieu of relocating it. Mr. Clark stated that he is not concerned about removal of a single bench that can be deemed a hazard, as there are other benches.

Mr. Kloptosky indicated that he receives requests for additional benches and reiterated his question regarding relocation of the bench to another location.

Supervisor Davidson summarized that the options are to move the bench back from the erosion area or reposition it. Mr. Kloptosky stated that the cost for a new pad would be approximately \$200. Supervisor Chiodo suggested not relocating the bench now; rather, keep it in storage until a request is made. Supervisor Davidson agreed with Supervisor Chiodo's recommendation.

Mr. Natiello asked the location of the bench. He pointed out that the District can remove the bench; however, if the District does nothing to stabilize the area, eventually, the Esplanade will be gone. Supervisor Davidson indicated that it is far enough away that the District does not need to worry about it now. Mr. Natiello suggested that the Board will need to think about it in the future.

Supervisor Davidson directed Mr. Kloptosky to remove the bench but leave the pad in place, should the District decide to stabilize the bank, in the future. He instructed Mr. Kloptosky to advise anyone with a complaint about the removal that it will be relocated to a safer location.

Mr. Kloptosky reminded the Board that he already received requests for additional benches in other areas. He will place the bench in storage but suspects that the issue will resurface.

Mr. Kloptosky reported that there are ongoing safety issues at the mailboxes on Pelican Court. He presented photographs of the locations. The residents are concerned because people park their cars on the corner and drive fast around the corner. He identified a particular mailbox that could possibly be relocated but noted issues such as consulting the post office, where to relocate it and whether the City would agree to moving it, as permitting would be needed. Mr. Kloptosky indicated that the Postmaster agrees that the location is dangerous and is agreeable to

relocating it to the cul-de-sac. Mr. Kloptosky advised that the mailbox can be placed in the front or facing the back of the island.

Supervisor Lawrence questioned if the Post Office would be willing to pay for relocating the mailboxes.

Discussion ensued regarding the placement, location and directional positioning of the mailboxes.

Supervisor Davidson indicated that he discussed the matter and permitting with Ray, with the City of Palm Coast, who was unsure if permits would be necessary. The matter would need to go to the Building Department for a determination.

Mr. Kloptosky will obtain an estimate of the cost to relocate the mailboxes.

Mr. Kloptosky reported that an outfall on Pond #7 is experiencing erosion. He noted that no work was performed on this outfall during the Outfall Project, as it was intact, at the time. Mr. Kloptosky obtained an opinion from S.E. Cline regarding the conditions. S.E. Cline does not believe there is a problem with the pipe or outfall; it is erosion around the top side of the concrete, which is an easier fix. Mr. Kloptosky estimated the costs to be similar to other stabilization repairs.

iii. Water/Irrigation Analysis

Mr. Kloptosky reported that a technician from the City inspected the meters and addressed the District's questions and concerns. He stated that the City technician found no problems and assumed that the District uses too much water. Ryan, from Austin Outdoors, met with the technician. The City's representative confirmed the meeting and stated that, upon examination, there is no problem with the existing meters; the City finds that the problem is due to excessive watering. Mr. Kloptosky indicated that the City's letter stated that Ryan agreed. He contacted Ryan immediately, who stated that he did not agree that there was excessive watering; his agreement was only that there is no problem with the existing meter right now but there may have been something wrong with it then. Mr. Kloptosky reported that the City maintains that no meters were replaced; however, when he visited them, he was shown replaced meters on a computer. He voiced his feeling that the City is stonewalling and is unwilling to admit an error.

Mr. Adika referred to a usage spreadsheet he prepared and stated that he is in the process of comparing the City's methodology to the District's parcel maps to determine if their calculations match.

Mr. Adika indicated that the City consolidated some stormwater accounts, which are now included in the water billing. This resulted in a certain fee increasing from approximately \$800 to nearly \$11,000. He explained that this matter is still being investigated.

Regarding the water bills that increased, Supervisor Lawrence suggested that the District demand records from the City regarding when the meters were changed, as he feels the meter was changed. Supervisor Chiodo recommended checking the meters monthly. Mr. Kloptosky advised that Austin Outdoors checks the meters regularly and has records indicating that there were no problems with the meters.

Mr. Kloptosky stated that he received an email regarding the landscaping along Waterside Parkway beside River Park South. The resident was sarcastic and negative, implying that Mr. Kloptosky was lying, hiding facts and not doing what he said he would do. Mr. Kloptosky stated that he responded to the email. He recalled interacting with the resident months ago regarding the berm near The Village Center; the resident was irate that certain trees were removed because now she sees traffic. Mr. Kloptosky explained that he met with her regarding her concern and told her he would meet with Ms. Leister about budgeting for berm repairs. He noted that this item was discussed during budget discussions but the landscape portion of the budget was slashed from \$150,000 to \$75,000, of which he had no control, but impacts what can be done. Mr. Kloptosky stressed to the Board that his intent was to take care of the request if money can be found to do it. He feels that the sarcasm in the email was unwarranted and unnecessary.

Mr. Kloptosky asked for clarification regarding issuing gate access devices (GADs), as some residents have become irate. Regarding telephone numbers, Mr. Kloptosky asked for confirmation that only landlines would be listed, except when the person only has a cell number. Supervisor Lawrence confirmed that cell numbers will only be used if there is no landline.

Mr. Kloptosky illustrated the difficulty his staff encounters in dealing with residents in the community. He described a medical emergency, yesterday, at Creekside, where 911 was called. He reported that all staff were involved in dealing with the crisis and a resident sought him out because she was angry that no one was in the office and she needed a GAD. He explained to her that there was a medical emergency and asked her to wait a moment, to which the resident stated, "I need my gate access device now. I need to get into this community!"

iv. Solar Heating Options (Domestic Hot Water)

This item was not addressed.

D. District Counsel

i. District Contraction

This item was discussed during the Fifth Order of Business.

ii. Engineering Contract

iii. Ninth Green Project

iv. Guardhouse Parking

v. Overtime for On-Call Work

Mr. Clark reviewed information that he provided regarding whether employees must be compensated while they are waiting for a call. He stated that Mr. Kloptosky verified that the District's procedures are consistent with the guidance provided.

Regarding preparation of an encroachment easement for 37 Jasmine, Mr. Clark indicated the document was prepared and Mr. Kloptosky agrees that it is suitable. He recommended providing it to the resident for review and, once the resident is agreeable, the Board can formally approve it.

Supervisor Davidson asked what should be done if the resident does not agree. Mr. Clark advised that, at such time as Mr. Kloptosky finds the wall precarious, it should be removed but not at the present time.

E. District Manager

i. Informal Focus Group Meeting, December 11, 2012 at 10:00 A.M.

Mr. Adika indicated that the upcoming focus group meeting was advertised.

Supervisor Davidson indicated that the forms and instructions will be emailed to the Board. The information will also be posted on the "What's New" section of the District's website. He stated that office personnel should be compiling a list of documentation to bring.

Supervisor Davidson was unsure how many workstations are currently up and running and noted that the number of people invited to participate may need to be adjusted if only one (1) workstation is working. Mr. Kloptosky will confirm with Mr. Gaeta regarding how many workstations will be ready.

ii. Upcoming Regular Meeting/Community Workshop

○ **COMMUNITY WORKSHOP**

▪ **January 3, 2013, at 10:00 A.M.**

Mr. Wrathell indicated that the next workshop is scheduled for January 3, 2013.

- **BOARD OF SUPERVISORS MEETING**
 - **January 17, 2013 at 9:30 A.M.**

The next meeting is scheduled for January 17, 2013 at 9:30 a.m.

Supervisor Davidson reiterated his earlier request that the Board and Staff be provided with the entire Fiscal Year 2013 list of meetings and workshops.

EIGHTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Village Center Café

This item was discussed during the Sixth Order of Business.

B. Micromanagement (MG)

This item was discussed during the Sixth Order of Business.

C. Gate Access Devices (MG)

Supervisor Gaeta presented a draft of GAD distribution criteria for nonresidents. She suggested the following:

- Resident must present **current** proof of residency to staff at CDD office
- Written and dated request on letterhead from physician outlining special exception and/or need
- Resident's relative must come into the CDD office to provide identifiable and legitimate ID
- A nonrefundable deposit of \$___ (to be decided by the BOS) for the device in addition to the customary GAD and/or fob fee
- Relative and resident understand privilege limited to gate access ONLY, not amenities
- Relative information to be entered into new database for tracking
- GADs limited to **local nonresident family member ONLY**
- Timeframe for device to be established, i.e., 3 months, 6 months, etc., subject to review by _____
- Resident must inform CDD office when GAD/fob no longer required and must return same to office
- CDD office to maintain tracking mechanism
- FOM can suspend privilege at any time if suspicious activity and/or abuse occurs by deactivating device and informing Guard service

- Criteria subject to change via feedback from FOM and CDD office staff with CDD BOS' approval

In response to Supervisor Davidson's question, Supervisor Gaeta confirmed that her recommendations apply to requests for GADs for a nonresident, due to a resident's medical circumstance. Supervisor Davidson retitled the criteria to "In the instance of a Grand Haven resident requiring medical support from a nonresident living locally".

Regarding the D'Aguanno's request for a GAD for their child to bring their grandchildren into the community daily for babysitting, Mr. Kloptosky questioned why the person cannot use the South Gate call box to call the resident and be buzzed in. Supervisor Lawrence agreed that they should utilize the callbox.

Mr. Natiello questioned issuing GADs to nonresidents based on a resident's medical needs. He suggested that doing so is a convenience, as a relative who lives further away would take longer responding than an EMT. Mr. Natiello felt that the District should slant towards restricting, as there are other solutions.

Discussion ensued regarding whether GADs are necessary for those attending to a resident's special medical circumstance versus the person entering through the Main Gate or utilizing the call box system at the other gate. Mr. Kloptosky noted that most feel it is an inconvenience to drive a few extra miles to utilize the other entry options.

In response to a question regarding the District's liability should a person request a GAD for a caregiver but one is not issued, Mr. Clark indicated that if a situation is so critical that a few minutes is the difference between life and death, the person should call 911. Mr. Clark noted that if the District allows this practice, with regard to issuance of GADs to nonresidents, eventually everyone will have an exception.

This item was deferred for further discussion.

The D'Aguannos will be advised to have their guests placed on the call box list; they will not be issued a GAD.

D. Keeping Grand Haven Grand

Supervisor Davidson indicated that eblasts were sent regarding deactivated devices, as the owners have not transferred their beneficial user rights (BUR) to the tenants.

Supervisor Davidson will coordinate with Mr. Rob Carlton to make a presentation to the Flagler County Association of Realtors (FCAR).

NINTH ORDER OF BUSINESS

OPEN ITEMS

This item was not addressed.

TENTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Chiodo pointed out that the microphone system is bad and an updated system is needed. Supervisor Gaeta indicated that the chairman should ask Dolphin for an estimate of the cost for wireless lapel microphones for each person. Supervisor Lawrence voiced his preference for standalone microphones with an on/off button.

ELEVENTH ORDER OF BUSINESS

ADJOURNMENT

There being nothing further to discuss, the meeting adjourned.

On MOTION by Supervisor Gaeta and seconded by Supervisor Smith, with all in favor, the meeting adjourned at 1:35 p.m.

Secretary/Assistant Secretary

Chair/Vice Chair