

**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, June 20, 2013 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 ( <i>via telephone</i> )	Assistant Secretary
Tom Lawrence	Assistant Secretary
Raymond Smith	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Howard McGaffney	Wrathell, Hunt and Associates, LLC
Scott Clark	District Counsel
Allen Skinner	District Engineer
Robert Ross	Amenity Management Group (AMG)
Roy Deary	Vesta
Barry Kloptosky	Field Operations Manager
Cynthia Gartzke	ABM Security
Al Lo Monaco	Resident
Mia Marchio	Resident
Chip Howden	Resident
Ron Merlo	Resident
David Alfin	Resident
Diane Layng	Resident
Frank Benham	Resident
Theresa Waters	Resident
Richard Burns	Resident
Anne Marie Zilligen	Resident
Frank Mrakovcic	Resident
Lisa Mrakovcic	Resident
Rob Carlton	Resident

**FIRST ORDER OF BUSINESS**

**CALL TO ORDER/ROLL CALL**

Mr. Wrathell called the meeting to order at 9:35 a.m., and noted, for the record, that Supervisors Davidson, Chiodo, Lawrence and Smith were present, in person. Supervisor Gaeta was not present at roll call.

**SECOND ORDER OF BUSINESS**

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

***\*\*\*Supervisor Gaeta joined the meeting, via telephone, at 9:38 a.m.\*\*\****

**THIRD ORDER OF BUSINESS**

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

Mr. Chip Howden, a resident, thanked the Board for their interest in the Esplanade and the pier. He voiced his disappointment that no action has been taken regarding replacing the bench south of the clubhouse. He asked the Board to review the Austin Outdoor contract regarding the Esplanade, as he observed weed growth and leaves in the area.

Ms. Mia Marchio, a resident, reminded the Board of the unresolved drainage problem on Sailfish Drive. She discussed a previous fix which helped the area in front of her driveway; however, another area continues to have problems. Ms. Marchio noted that the District Engineer prepared a report of proposed repairs to fix and resolve the problems. She indicated that Sailfish Drive residents wrote letters and asked that they be included in the last workshop agenda. Ms. Marchio asked the Board to move forward with the repairs, as the Sailfish Drive residents have waited a long time.

Ms. Theresa Waters, a resident, indicated that she leads an academic religious study group, which has three (3) members who do not live in Grand Haven. She stated that she would hate to lose these members, as a result of the District's proposed policy changes, or have them pay \$10, per week, to attend meetings. Ms. Waters asked the Board to consider grandfathering the three (3) members, exempting them from the new policies.

**FOURTH ORDER OF BUSINESS**

**CONSULTANTS, GUEST REPORTS &  
PRESENTATIONS**

**A. Horticultural Consultant: *Louise Leister***

Ms. Leister indicated that, during 2013, a lot of irrigation was upgraded to help control irrigation costs and more efficient delivery of water to the landscaping. MP rotators were replaced and the District needs to continue replacing them. These rotators help control irrigation by watering landscape plants but not watering the natural areas and vines. Installation of MP rotators resulted in a large savings in irrigation costs.

In 2014, Ms. Leister stated that the District should continue replacing dead landscaping along Waterside Parkway to help deaden traffic noise and block headlights shining into the homes along the road. Removal of dead landscape and clean up of natural areas, along Waterside Parkway, opening them to the golf course view, will continue. Ms. Leister indicated that treatment of the specialty palms with extra fertilizer, insecticide and fungicide application were needed to maintain the health of the palms and to improve the health of older, weak palms. She discussed work completed at the South Gate, which greatly improved the area, along with other areas that were cleaned up.

Ms. Leister recalled that vine removal was completed on Front Street and Chinier. The District is working with the St. Johns River Water Management District (SJRWMD), who is pleased with the removal of the exotic invasive plants and the effects of the District's vine removal. The District is now monitoring growth in the area and removing seedlings, by hand. In SJRWMD's review of the area, it was discovered that the developer did not have the area surveyed so there are no delineating lines to determine what areas are the District's responsibility. She explained that the area requires a survey before the District posts signs or locates large boulders to stop homeowners from parking on the grass and destroying the landscape and turf. Planting in the area also requires a survey to determine the boundaries of the SJRWMD parcel.

Ms. Leister reviewed a sample sign identifying an area as a "Natural Upland Buffer Preservation" area, which could be installed to discourage dumping and, otherwise, disturbing these types of areas. The signs could also include "No Parking".

Ms. Leister stated that the District has an extensive dead tree problem and estimated that half of her budget was spent removing dead trees. She discussed the issue of vines covering trees and causing them to die. Ms. Leister stressed the need to keep funds in reserve, for future tree removal. She indicated that tree maintenance is needed, along the Parkway, as well as yearly review and trimming of the large oak trees in the park and on the roadways in Wild Oaks.

Funds are needed for wind storm clean up, Esplanade tree review and removal. She discussed clean up in various areas, noting plans to replace dead plant material at the entrance, repair sod within the community, prune trees of dead and hazardous branches, along roads, the dog park, play area and walking trails. The park must be cleaned of old palm fronds along the natural areas of the park walkway and dead plant material; mulch needs to be replaced in the park area.

Regarding the Fiscal Year 2014 landscaping budget, Ms. Leister recommended maintaining the third flower rotation at \$12,000, continue oak tree pruning and surveying the areas controlled by SJRWMD. In a separate landscape budget, she recommended budgeting \$10,000 to continue replacing MP rotators, \$10,000 for tree maintenance pruning, dead tree removal and upkeep, \$15,000 for spray and mechanical vine removal, \$10,000 for landscape repairs on Waterside Parkway and \$5,000 for landscape repairs in Wild Oaks Park.

Ms. Leister pointed out that the landscape contract concludes in Fiscal Year 2014; therefore, the contract and RFP must be reviewed and changed, as necessary. Additionally, the RFP submittals must be reviewed and she will meet with Management and the contractors.

Ms. Leister stated that the District is now in a normal landscape project phase, including tree pruning every other year and normal replacement projects, which should remain the norm, going forward. A budget to replace dead plants, address acts of God, storm damage, weather, drought and replacement, should be in place. The community should fall into a regular schedule, keeping in mind that plants die, must be replaced and that there are many old plants in the community, which will require replacement, in the near future. Ms. Leister stressed that the annual landscaping budget should be in place for future projects so that the landscaping does not decline, as it did, prior to the rejuvenation project. Additionally, more attention to vine removal and maintaining the Firewise standards should be the District's mission, along with maintaining it as a high-end community.

Ms. Leister commented that she receives many compliments about the community. She indicated that Grand Haven is a high priority for her and the vendors.

Supervisor Davidson discussed the SJRWMD survey requirement to define the area and in order for the District to know where it can plant.

Mr. Skinner voiced his surprise that surveys were not done, as the regulations were in place when the area was developed. He felt that development must have impacted wetlands, etc., which would have required the developer to prepare a complete inventory. Mr. Skinner asked if

anyone researched the District's records for a survey, as he felt sure it should have been completed.

Mr. Kloptosky indicated that SJRWMD searched their records and could not find the survey and reported to the District that the developer did not complete a survey; therefore, he is taking SJRWMD at their word.

Information will be provided to Mr. Skinner so that he can contact SJRWMD.

Supervisor Davidson stated that the community looks beautiful and thanked Ms. Leister for her work.

Ms. Diane Layng, a resident, referred to the Firewise program and recalled that, at one time, mowing machines were brought through to clear the area. She stated that full-time residents are maintaining; however, part-time residents are not. Ms. Layng questioned why the full-time residents should make the effort and incur the expense, if other residents are not. Regarding vine removal, Ms. Layng noted that vines are killing trees in the Reserve; the vine problem is not just on Chinier. She wondered how the Board will select areas to address. Ms. Layng would like the District to develop criteria to determine priorities.

Ms. Leister stated that she tries to determine which areas are the most deadly, when selecting areas to address; Chinier and Front Streets were a priority. She advised that she observes the community and tries to determine priority areas.

Supervisor Davidson indicated that the Division of Forestry is not named the Florida Forestry Service (FFS). He advised that the first clearing occurred in 2009 and five (5) years is the typical timetable for reevaluation. Supervisor Davidson stated that federal funds were used before, so it cost the District nothing to complete the clearing. This time, the FFS has money set aside to complete this type of work. Early next year, Supervisor Davidson will work to acquire funds. Regarding priorities, Supervisor Davidson advised that threat to life and threat to property are the first priorities.

Regarding Ms. Layng's question about why she should maintain her area, when others do not do the same, Ms. Leister advised that, if the vines on the trees are addressed, the trees will be saved. Ms. Leister agreed that maintenance should be mandatory. In response to a question regarding regrowth, Ms. Leister indicated that pulling, trimming vines and spraying will slow growth. Ms. Leister conceded that regrowth can start within a few weeks.

A resident complimented Ms. Leister on the appearance of the community. He asked Ms. Leister to review Austin's contract for the Esplanade.

**FIFTH ORDER OF BUSINESS****CONSENT AGENDA ITEMS****A. Approval of Minutes**

- i. **May 2, 2013 Community Workshop**
- ii. **May 16, 2013 Regular Meeting**

**B. Approval of Unaudited Financial Statements as of May 31, 2013**

Mr. Wrathell presented the Consent Agenda Items for the Board's consideration. Regarding the Unaudited Financial Statements as of May 31, 2013, Mr. Wrathell reported that assessment collections were at 99%.

The following change was made to the May 2, 2013 Community Workshop Minutes:

Line 641: Change "Lawrence's" to "Smith's"

The following change was made to the May 16, 2013 Regular Meeting Minutes:

Line 392: Change "Austin" to "Aquatic Systems"

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

**SIXTH ORDER OF BUSINESS****STAFF REPORTS****A. Amenity Manger**

- i. **Guest Pass Policy Recommendations (*Cards, Bible Study, etc.*)**

Mr. Deary reviewed the current policy regarding guests and reviewed recommended additions to the policy, similar to procedures used in other communities.

The current policy allows for both daily and house guests. Daily guests must pay a \$10 fee and be accompanied by a property owner or registered renter. AMG recommends a hole-punch card for guests participating in indoor activities; the resident would purchase the guest pass, in advance. Mr. Deary felt that this is a more cost-effective and convenient method of handling guests than issuing daily guest passes. He suggested a \$25 fee which provides 20 hole-punches. Mr. Deary read the following recommended addition:

“(2) *As a more convenient and cost-effective optional alternative to (1) above, an individual Property Owner or Registered Renter may purchase a “Guest Pass” for their Daily Guests as follows:*

- *The authorized usage of the indoor amenity facilities on a more frequent basis by an Owner or Renter’s Daily Guest(s) shall be managed by means of Amenity staff “hole-punching” a Guest Pass for each individual Guest in attendance, per visit.*
- *The Guest Pass must be presented in person by an authorized Property Owner or Registered Renter and then “hole-punched” by a staff member upon each Guest-visit; one hole-punch for each individual Guest, per daily visit.*
- *This option may be more appealing for those who engage frequently in an indoor activity within either the Village Center or Creekside facilities that is primarily of a social nature (i.e., Mahjong, cards, etc.).*  
*(NOTE: The Guest Pass option is not available for use of the district’s outdoor recreation facilities such as the swimming pools, tennis courts, etc., so that the Amenity Facilities Staff can most effectively manage the volume of use of these facilities.)*
- *The cost of the Guest Pass is established by the Board of Supervisors and shall be \$25.00 (for 20 individual “hole-punches”) per Guest Pass, paid in-advance at the Village Center amenity office by an authorized Property Owner and/or Registered Renter. Additional Guest Passes may be purchased at will, subject to the Board of Supervisors’ discretion and compliance with all district policies.*
- *While proper usage of the Guest Pass is an acceptable alternative to the Daily Usage Fee policy as stated above, the Guest Pass shall not serve as a means of circumventing the district’s other House Guest, Facility Rental, and/or Facility Usage Fee policies.”*

Regarding previous discussion of a policy related to the café, Mr. Deary stated that AMG prefers to delay comments, at this time, as the café is not busy, at this time of year. He suggested that adjustments could be made in October, if necessary.

In response to Supervisor Davidson’s question, Mr. Deary confirmed that a similar process is being successfully used in other communities.

Supervisor Lawrence pointed out that the proposed policy relates to “indoor” amenities and suggested that, although the gym facilities are indoors, they should not be included. Mr. Deary acknowledged Supervisor Lawrence’s comments and suggested that the terms could be changed to exclude “outdoor recreation/exercise facilities”.

Supervisor Smith supports the proposed policy and suggested charging \$20 for 20 hole punches. Supervisor Davidson agreed with the suggestion.

Supervisor Smith reminded the Board that the yoga classes have not allowed outside participants, even though the classes are paid for by the individual participants. He questioned if this system would allow outsiders to participate.

Mr. Deary advised that the system could exclude participation in exercise classes.

Supervisor Chiodo voiced his support of the system and the \$20 for 20 punches fee.

Supervisor Gaeta agreed with the suggested system. She voiced her understanding that all activities, or classes, offered within Grand Haven, are only for residents. She feels that the \$20 fee is reasonable.

Supervisor Lawrence voiced his understanding that this system would be used only for activities such as cards or bible study, not classes, exercise or the gym.

Supervisor Smith referred to the incremental impact on the facilities and questioned if there is significant difference between a few more chairs, or a table, on the floor for a card game or bible study, compared to one (1) more yoga mat or an extra person in a dance class. He wondered why the Board is making this type of distinction.

Supervisor Lawrence asked if the fees for the District's classes are less than what is charged outside of the community because, if so, many more people might participate. Supervisor Smith voiced his belief that Grand Haven's fees are less. Mr. Deary noted that other communities offer classes but charge nonresidents a higher fee.

For the purpose of the public hearing, Supervisor Davidson recommended that the policy state "Activities as defined by the Board." The Board agreed to change the policy to \$20 for 20 hole punches.

Discussion ensued regarding purchasing punch cards, whether a minimum purchase should be imposed when the café tables are occupied for a length of time, etc.

Regarding the term "bible study", it was suggested that another term be used, such as "course" or "educational seminar".

Mr. Clark confirmed that this addition can be discussed and approved during the public hearing.

Ms. Marchio noted that residents should still notify the gate when their guests are coming to play cards or participate in activities. She also suggested that residents should not give the

punch cards to their guests to hold or use as a means for entering the community; the resident should maintain possession of the punch card.

Regarding the gate, Ms. Marchio indicated that, because it was raining, her guest did not receive the blue pass for his dashboard. She stated that every guest should receive a dashboard pass, rain or shine. Ms. Marchio reported a rumor that a camera, in the south area, is not working and voiced her opinion that everything should be working, if the District wishes to keep the community secure.

Supervisor Davidson indicated that Ms. Marchio's concerns will be addressed later in the meeting, including spurious emails circulating around the community regarding various matters.

Ms. Layng recalled problems in the early years with people entering the community to use the facilities, which is why the \$10 per day, daily guest fee originated. She stated that she has a problem with charging less than \$10 per day. Ms. Layng suggested that, if someone chooses to use the District's facilities, on a regular basis, the person can purchase an annual pass, for \$2,500, enabling them to use all of the facilities, for an entire year. She stated that, as a resident, she has an issue with someone being able to come, every week, and use the District's facilities for \$1, regardless of whether the scope of what they can do is limited. Ms. Layng noted that, twice, she was unable to eat in the café because the tables were all taken, some with card games being played. She wondered if the café is a game room or a café, first. Ms. Layng questioned if a \$1 fee is inviting more people to participate in those types of activities.

Regarding implementation, Mr. Vic Natiello, a resident, questioned why his guest, coming to play tennis, must pay \$10, while his wife's guest, coming to play cards, only pays \$1. He noted the potential to abuse the \$1 fee; for example, he could buy \$200 worth of punch cards and hold his Corvette Club meeting, for 90 people, at the facilities, which would cost less than renting somewhere else to hold the meeting. Mr. Natiello does not like that there is no limit to the number of guests that a resident can "punch in" at a time. He feels that limits to the number of guests that can be "punched in", per day, should be set, to prevent abuse of the system.

Mr. Deary felt that the facility rental policies would address a large gathering. Mr. Natiello contended that his 90 guests could go into the café. Mr. Deary suggests wording that the system does not take away from the District's other policies. Mr. Natiello suggested limiting residents to "punch in" two (2) people, per day.

Supervisor Davidson suggested adopting the proposed policy, with the inclusion of language stating that “limits and cost to be determined from time-to-time, by the Board of Supervisors”. If problems arise, the quantity, limits and cost can be modified.

Mr. Clark voiced his concern about adopting a policy that sets the \$10 rate but then creating an exception that is not defined, within the rule.

Mr. Wrathell recalled that, a few years ago, the rules were changed to allow the fee schedule to be adopted via a separate resolution. Mr. Clark recalled a provision that prevents the Board from increasing fees more than once per year.

Mr. Clark suggested that the fee section include a statement that the Board can adopt a policy, from time-to-time, to limit pass usage.

Supervisor Davidson asked Mr. Clark to develop language for inclusion in the rules.

Mr. Richard Burns, a resident, suggested limiting the number of punch card passes to one (1) per month, per resident. Mr. Deary felt that approach could be difficult to monitor.

**ii. Additional Village Center Office Staff Support on Weekends**

Supervisor Davidson indicated that he requested this item. This relates to implementation of the “hard rollout”. Supervisor Davidson referred to a significant meeting with Flagler County Undersheriff Rick Staly, Mr. Kloptosky, himself, AMG and Vesta personnel and AGM Security regarding traffic control at the main gate and interaction at The Village Center and Creekside, during the rollout. He explained that the undersheriff has certain requirements regarding the rollout. Supervisor Davidson advised that there is evidence of residents and/or guests behaving significantly worse on the weekends, than during the week. He advised that the weekend office person is taking the brunt of this bad behavior and has expressed that she is scared and feels threatened. Sheriff’s deputies were called twice, two (2) weeks ago. Supervisor Davidson reported an instance where a resident, who was asked for their card, tried to have the part-time facilitator removed and fired immediately, claiming the facilitator was threatening his wife. He noted that the witnesses to the event saw exactly the opposite of what the resident claimed.

Supervisor Davidson stressed the need to protect the office staff and voiced his feeling that one (1) female, alone in the office on the weekends, will not work during the transition period, from now until the end of September. Supervisor Davidson suggested consideration of

another facilitator in the office, from 7:00 a.m., to 3:00 p.m., on Saturday and Sunday, through the end of September.

In response to Supervisor Gaeta's question, Supervisor Davidson confirmed that the intent is to have a male facilitator in the office, along with the female, on the weekends.

Mr. Ross indicated that the current rules allow a teenage resident to bring a guest to the pool; however, the new rules will not allow residents, under 18, to sign in a guest; meaning, the teenager will not be allowed to swim with their friends. He noted that this is creating problems and upsetting the young people within the community.

A question was raised about charging the guest the \$10 daily guest fee. Mr. Ross stated that teenagers do not want to pay the fee.

Mr. Kloptosky explained that the issue is that residents, who are under 18, receive a smart amenity access card (SAAC) that does not contain a "G", therefore, they are not able to bring guests into the facilities.

Supervisor Davidson reminded everyone that this was a designation and decision of the Board, which is a significant issue. Supervisor Davidson indicated that the Board response is "too bad"; the rules are changing as to who can enter Grand Haven. He stated that only residents over 18, who are a primary owner, receive a "G" on their card and are allowed to bring guests into the community. Those under 18, or "non primary" residents, are not allowed to bring guests. Supervisor Davidson indicated that the Board does not want a teenager to bring other teens or younger children to the amenity facilities with no adult supervision, no one signing the liability waiver and no one paying the guest fee. Supervisor Davidson stressed that parents must understand that someone must take responsibility and that the "free ride" is over.

Supervisor Lawrence agreed with Supervisor Davidson's comments.

Supervisor Gaeta agreed and stressed that these types of issues are why the Board undertook the entire reregistration process.

Supervisor Smith stated that the decision was previously made.

Supervisors Chiodo and Gaeta agreed with Supervisor Davidson's comments.

Supervisor Davidson suggested explaining this policy to parents.

## **B. District Engineer**

Mr. Skinner recalled that Genesis previously presented a design plan for repairing the Sailfish Drive issues.

Supervisor Smith indicated that he visited Sailfish Drive, after a recent rain and observed puddling in front of 27 Sailfish Drive. He noted that trees, on the right and left of the driveway, raised the curbing, which created a dam, resulting in the puddling. Supervisor Smith recalled that the plan calls for removal of the tree on the left and asked if anything is planned on the right side of the driveway.

Mr. Skinner discussed the water flow down Sailfish Drive and stated that the point of the design is to reconstruct the curb on the right side, along with installation of two (2) drains, such that, as water flows, it will be intercepted. He stated that the water should dry.

Supervisor Smith reiterated that the main cause is that the road is too level, lacking the required slope, and asked if Genesis' plan addresses the main cause. Mr. Skinner indicated that the plan will accommodate and dry the areas. Supervisor Smith contended that the flatness of the area is not being addressed; he is concerned that other oak trees, along the road, will grow and raise the curbs. If the flatness issue is not addressed, it will continue to be a problem. Supervisor Smith voiced his preference of spending \$150,000 to regrade and resurface the entire road, if it would solve the problem.

Mr. Skinner discussed the survey and stated that drains are planned for the flat areas. Regarding trees, the roots will be removed and the trees will be replaced. He stated that Genesis was asked to address the main problems on Sailfish Drive. Mr. Skinner discussed the plan, including rebuilding the curb and installation of drains.

Supervisor Lawrence discussed the impact of the second tree creating a dam and causing water to dam. Mr. Kloptosky asked if the area of the second tree is flat. Supervisor Smith suggested the potential of raising the curbs, yearly, as the oak trees are old; it would be a repetitive action, unless the road is corrected. Mr. Kloptosky felt that the problem could be resolved by removing the tree, in question, and repairing the curb, in addition to the other proposed work. Mr. Skinner stated that approach is doable and the cost would not be much more.

Supervisor Smith asked the cost to completely regrade and repave all of Sailfish Drive. Mr. Kloptosky pointed out that regrading the entire road would affect every driveway, along with all of the underground utilities. Supervisor Davidson speculated that the cost could be a couple million dollars. Noting that the City of Palm Coast's standard allows for water to sit for 72 hours, Supervisor Lawrence felt that the District should consider the same criteria; meaning, if

the water evaporates within 72 hours, nothing needs to be done. Supervisor Davidson asked if Supervisor Lawrence, by his comment, is now arguing against doing anything on Sailfish Drive. Supervisor Lawrence replied no, it was an argument against completing this type of work every time water puddles; the District is committed to Sailfish Drive.

Mr. Skinner indicated that a certain area will be remilled and repaved; removing the additional tree will not increase costs very much.

Ms. Leister advised that the District does not have swales; therefore, the City's 72-hour standard cannot apply. Ms. Leister pointed out that replacing the trees defeats what the District is trying to do and recommended installing sabal palms in certain areas. Supervisor Davidson recalled that the ADC decreed that wild oak trees must be installed. Ms. Leister noted that this area might be an exception because of the design flaw in the street construction; if oaks are replanted, the District will have the same problem in ten (10) years. Supervisor Davidson stressed that the Board has researched alternatives and ways to stop the roots and asked Ms. Leister for suggestions. Ms. Leister stated that there are no proven methods to make the oak tree roots grow downward. Ms. Leister discussed standing water.

Mr. Skinner voiced his belief that a large number of the issues on Sailfish Drive are because it was constructed flat and should have had a steeper design. He asked Ms. Leister about exposing roots and trimming, to buy time. Ms. Leister confirmed that it is only buying time. Also, cutting roots can weaken the tree and cause it to fall.

Supervisor Davidson recalled the Board's preference to budget for this repair, in Fiscal Year 2014, rather than utilizing reserve funds from the current fiscal year.

Mr. Skinner indicated that permitting can take a few months and, once issued, the permit is valid for six (6) months. He advised that the City did not provide firm permitting costs but recommended budgeting \$1,000 to \$1,500 for permit fees.

Mr. Kloptosky indicated that Genesis' proposal includes \$4,500 for City of Palm Coast permitting and asked if that figure is Genesis' labor costs related to permitting or if it includes the actual permit costs. Mr. Skinner confirmed that \$4,500 is Genesis' labor costs.

Supervisor Smith asked if changes can be made to the planned construction, during the permitting process. Mr. Skinner replied affirmatively, stating that it may require a resubmittal. Mr. Skinner asked what changes Supervisor Smith anticipates. Supervisor Smith noted that the plan does not address the dam created by the tree on the right. Mr. Skinner advised that the plans

can be changed, prior to submittal, to include removal of the tree, if Supervisor Smith wishes. Supervisor Smith indicated that it is his expertise to determine if removing the tree will solve the problem; it is a question for Mr. Skinner, Mr. Kloptosky and Ms. Leister. Mr. Kloptosky felt that, if there is concern, the tree should be removed now and the plan adjusted.

Ms. Leister suggested planting the new trees in yards, rather than in the area between the sidewalk and the curb. Supervisor Smith indicated that the location is determined by the covenants of the village.

**On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with Supervisors Davidson, Chiodo, Gaeta and Lawrence in favor and Supervisor Smith dissenting, authorizing the District Engineer to commence the permitting process for the Sailfish Drive project, as modified to include removal of the additional tree and curb work, as discussed, with actual construction to commence in Fiscal Year 2014, was approved. (Motion passed 4-1)**

*\*\*\*The meeting recessed at 11:36 a.m.\*\*\**

*\*\*\*The meeting reconvened at 11:47 a.m.\*\*\**

**C. Field/Operations Manager**

**i. Croquet Court Incident**

Mr. Kloptosky recalled that he and the Chair were asked to meet with individuals regarding the recent croquet court incident. He stated that they met with the involved parties, as well as reviewed the facts, police report, incident reports from the parties and witnesses and video. Mr. Kloptosky concluded that the video is inconclusive. He stated that he disagrees with the police report, which states that the female party was an aggressor because he feels the video reflects some activity by the male party that may have provoked the female party's behavior. He noted that the police did not interview any witnesses. He reiterated his personal disagreement with the police report's statement that the female was the aggressor; he feels that the police report is incomplete. Mr. Kloptosky advised that, after reviewing all of the incident reports and witness statements, this is a "he said, she said" situation. He noted that both parties showed remorse and a desire to put the matter behind them; however, the male resident admitted walking on the court and making comments that Mr. Kloptosky feels were verbally harassing to the

female and caused the incident. Mr. Kloptosky voiced his opinion that the male resident was the instigator. He indicated that this situation, along with additional information that he shared privately with the Board but will not reveal in today's meeting leads him to recommend a warning to the male resident. Mr. Kloptosky stressed his belief that this situation does not merit a trespass warning or loss of privileges for either party. He noted that the question is which party should receive a simple warning and recommended sending it to only the male resident because, in his opinion, the male party was the instigator of the incident, with no letter being sent to the female.

Supervisor Davidson discussed his participation in the process and voiced his opinion that a "first offense" notice is not necessary, as the male party is taking actions to ensure this behavior does not occur again; he agrees with a warning letter.

Supervisor Gaeta agreed with sending a warning letter to only the male party.

Supervisors Smith and Chiodo agreed with the recommendation.

Mr. Clark advised that the District's rules call for the Chair to make the decision. Discussion ensued regarding who should draft the letter. Mr. Clark indicated that there is no official "warning" letter. Supervisor Davidson will prepare a warning letter to the male resident involved in the croquet court incident.

#### **ii. Pool Lift Installation**

Mr. Kloptosky reported that installation was completed and the final City inspections were conducted. The final item is repair of the pavers at Creekside. Final certification will be obtained from the engineer.

In response to Supervisor Gaeta's request for an explanation of the lift locations, Mr. Kloptosky indicated that he discussed this matter at the workshop and reiterated that the locations were selected based on the best available options, given the code requirements governing location. Regarding the cover colors, Mr. Kloptosky advised that he contacted the manufacturer and the covers only come in blue; he will research the cost to have custom covers made for the lifts.

### **D. District Counsel**

#### **i. Pier Adjacent to Golf Club**

#### **ii. Waterside Parkway Ownership**

#### **iii. Rule Amendments**

- iv. **Procedure for Renewal of Contracts**
- v. **Public Participation at Meetings**

These items were discussed after the Public Hearing.

**E. District Manager**

- i. **Communications Services Tax/Exemption**
- ii. **Discussion: Colbert Lane Assessment [HM]**
- iii. **Upcoming Community Workshop/Regular Meeting**
  - **COMMUNITY WORKSHOP**
    - **July 3, 2013, at 10:00 A.M.**
  - **BOARD OF SUPERVISORS MEETING**
    - **July 18, 2013 at 9:30 A.M.**

These items were discussed after the Public Hearing.

**SEVENTH ORDER OF BUSINESS**

**BUSINESS ITEMS**

**TIME CERTAIN: 12:00 P.M., PUBLIC HEARING TO ADOPT AMENDMENTS TO POLICIES AND FEES FOR ALL AMENITY FACILITIES**

- A. **Public Hearing to Adopt Amendments to the Policies and Fees for All Amenity Facilities**
  - i. **Affidavits of Publication**
    - **Notice of Rule Development**
    - **Notice of Rule Making**

Mr. Wrathell presented the affidavits of publication for the Notice of Rule Development and the Notice of Rule Making.

Mr. Clark recalled that the Board discussed rule changes at several meetings. He reviewed the redlined version contained in the agenda. Mr. Clark noted an addition to the bottom of Page 5, related to today's discussion about fees. He will provide the language to Management. He recommended capitalizing "daily usage fee", throughout, making it a defined, consistent term.

Supervisor Gaeta referred to Item 1, under House Guests and Daily Guests, on Page 4, which states "All Daily Guests must pay the daily usage fee of ten dollars (\$10.00) per Daily Guest per day, and must be accompanied by a Property Owner or Registered Renter (see

definitions section) at all times” and noted that it is contradictory to Item 12, on Page 6, which states “Once registered, House Guests may enter unaccompanied by Patron”. Mr. Clark advised that “Daily Guests” are purposefully different than “House Guests”. He confirmed that the current policy allows “House Guests” to be unaccompanied.

The Board reviewed Mr. Clark’s suggested language, for Item 5, on Page 4. Supervisor Smith questioned the use of the term “passive” in describing types of use. Mr. Clark indicated that he anticipates a list but found it difficult to include everything. Supervisor Davidson suggested maintaining the word “passive” until a better word can be determined.

Regarding the Alcoholic Beverage Policy, on Page 10, Supervisor Gaeta suggested that, on the second line, “Café” be inserted after “Village Center”.

**\*\*\*Supervisor Davidson opened the Public Hearing.\*\*\***

Ms. Layng asked that the facility usage fees section be read, as the audience does not have a copy of it.

Supervisor Davidson read the language for Item 5, on Page 4, into the record:

*“The Board of Supervisors may adopt and define policies, from time to time, that permit limited passive use of certain of the Amenity Facilities for strictly social and passive purposes with a reduced daily usage fee (the “Limited Daily Usage Fee”). The Limited Daily Usage Fee shall not permit access to recreational facilities, but is intended for social gatherings and the like. The Board shall by resolution adopt any such policies, set the Limited Daily Usage Fee, establish restrictions and amend such policies, fees and restrictions from time to time.”*

Supervisor Gaeta referred to the second line, under the “Expulsion from Premises” and questioned if Amenity Manager should be added. Mr. Clark explained that the language was expanded to include anyone on duty; Supervisor Gaeta’s inquiry brings to question whether the Board wants the Amenity Manager, who is not on duty, present or witnessed the event, to be called to suspend a person, as opposed to staff contacting Mr. Kloptosky. Supervisor Davidson pointed out that the Amenity Manager is already, technically, a member of the Amenity Facilities Staff; therefore, he is already included and does not need to be specifically identified.

Supervisor Gaeta referred to the third line, under “Available Facilities”, on Page 22, and noted that “for” should be changed to “from”.

**\*\*\*Mr. Wrathell closed the Public Hearing.\*\*\***

ii. **Consideration of Resolution 2013-8, Adopting Amendments to the Policies and Fees for All Amenity Facilities**

Mr. Wrathell presented Resolution 2013-8 for the Board's consideration.

**On MOTION by Supervisor Lawrence and seconded by Supervisor Chiodo, with all in favor, Resolution 2013-8, Adopting Amendments to the Policies and Fees for All Amenity Facilities, amended, as discussed, was adopted.**

Mr. Frank Benham, a resident, asked how the rule changes are communicated and provided to residents. Supervisor Davidson felt that the best way to communicate the changes is via e-blast, with a link to the District website. Supervisor Lawrence suggested providing a red-lined version to highlight the changes that were made. Supervisor Gaeta suggested printing a master copy, to be provided for inclusion in the new resident package.

▪ **Field/Operations Manager**

Mr. Kloptosky resumed his report.

Mr. Kloptosky recalled discussion regarding a request from residents and the Audubon Society to install an "eagle camera" in Wild Oaks. The original request indicated that there would be no cost to the District. He indicated that he received a letter from the American Eagle Foundation, which is willing to sponsor and fund the project. He will include the letter in the next workshop agenda. Mr. Kloptosky researched the organization's credentials and it appears impressive.

Mr. Kloptosky recalled discussion, at the last meeting, regarding the tennis court light poles. He noted that the Board initially approved \$54,000 for the project but budgeted \$40,000, based on the prices Mr. Kloptosky provided at the workshop. Mr. Kloptosky reported that, unfortunately, the contractor with the lowest bid withdrew his bid because he made an error and could not complete the project for the bid price. The contractor submitted a new bid, which was higher than the original second place bid. Mr. Kloptosky hopes to use the second bidder, who bid \$41,780 but will try to negotiate the cost to \$40,000.

In response to Supervisor Gaeta's question, Mr. Kloptosky confirmed that the new poles will be 5" galvanized steel hurricane compliant poles.

Regarding the Clubhouse Pier, Mr. Kloptosky recalled the Board's request for an estimate for composite deck materials. He reported that composite deck, for the entire pier,

would cost an additional \$9,200, plus another \$8,500 to complete the gazebo, for a total increase of \$17,700. He noted that a savings of approximately \$5,000 could be backed out, as the composite material does not need to be painted; therefore, the increase is really about \$13,000 above the previously quoted range.

Supervisor Chiodo suggested obtaining an estimate of the cost to remove the pier.

Discussion ensued regarding the lifespan for composite material.

Supervisor Gaeta asked Mr. Clark if the pier is identified as an amenity and, if so, whether the District can legally remove it. Mr. Clark advised that the District does not own the pier and does not know if public funds were used to construct it. The determination comes with whether public funds were used. If the District owned it, the bond documents would require permission from the trustee prior to removing an amenity.

Supervisor Lawrence recalled that it was previously determined that the District does not own the pier because there is no record of public funds being used to construct it.

Mr. Kloptosky reported that Pond 11 is being treated to the maximum, allowable amount, to address resident complaints about the conditions. He stated that a resident filed two (2) complaints with the Department of Agriculture regarding Pond 11. An investigator appeared to investigate those complaints and asked who treats the pond. Mr. Kloptosky was able to acquire copies of the complaints and forwarded them to the District Manager. He indicated that the investigation was completed and the District received a favorable report, regarding treatment of the pond. The resident who filed the complaints was notified but is not happy. Mr. Kloptosky voiced his belief that the resident plans to file complaints against the investigator.

Mr. Kloptosky advised of a homeowner project on 35 Blue Oak Lane. The homeowner hired a contractor, obtained permission from the ADC and a permit from the City to expand their pool deck and lanai enclosure. He stated that the contractor cut a road through an adjacent, vacant property, owned by the District, to access the job without disturbing the homeowner's yard. Mr. Kloptosky advised that the property is designated as a "wetlands preserve". He contacted the contractor and explained the potential consequences, noting that the District, as the property owner, could be fined. He confirmed that SJRWMD is not aware of the matter. Mr. Kloptosky indicated that horses were placed to block the path, along with "No Trespassing" signs. He asked the Board's guidance and suggested that District Counsel send a letter putting

the contractor on notice. Mr. Kloptosky confirmed that the contractor is very nervous about the possible consequences.

Mr. Clark recommended placing a trespass sign so that the District has recourse. He also suggested that a letter be sent.

Mr. Kloptosky noted that the contractor did not attend the ADC meeting but stated that the ADC paperwork advised against using adjacent property; however, according to the contractor, the homeowner advised him that he could use the adjacent property to access the area.

Supervisor Davidson felt that both the homeowner and contractor should receive letters putting them on notice that they violated preserve lands controlled by the SJRWMD and to cease and desist.

In response to Mr. Kloptosky's question, Mr. Clark advised against allowing the contractor to "repair" the area or do anything, without SJRWMD becoming involved. Now, the District can say it had nothing to do with the situation; however, if it authorizes the contractor to repair it, the District would no longer be uninvolved. Mr. Clark agreed that the District should notify SJRWMD of the situation and provide them with the names and addresses of the parties involved.

Mr. Kloptosky reported a piggybacking incident at the North Gate. The police were called and spoke with the person. Mr. Kloptosky noted that an illegal entry, at the South Gate, was caught on video. This involves residents at 76 Southlake Drive. He indicated that those residents have been entering through the exit side at the South Gate.

Noting that the gate access devices (GADs) and SAACs have already been deactivated for 76 Southlake Drive, Supervisor Davidson questioned what else can be done. He asked if trespass notices could be issued. Mr. Clark pointed out the difficulty, since the roads are public.

Mr. Kloptosky indicated that a resident stopped Austin workers on Waterside Parkway and harassed them, telling them that they do a horrible job. Mr. Kloptosky finds that behavior unacceptable and provided Austin with an incident report form, should they wish to file one.

Supervisor Lawrence read an email from Mr. Charles Trautwein:

*"Tom,*

*The midges are back. Please bring the infestation of these pests to the Board. Send it to the DM to circulate, if necessary. Let me know when you have decided.”*

Supervisor Lawrence asked Supervisor Gaeta if she had a midge infestation in her backyard. Supervisor Gaeta replied affirmatively; it is terrible in front and back. Mr. Kloptosky reported that he spoke to Austin about treatment but there are no additional treatments available to control midges. Mr. Kloptosky recalled discussion of installing fish but decided against it because of the expense and that the midges only last a few weeks.

Supervisor Davidson asked that Mr. David Cottrell provide a report on midges, at the next workshop, as well as contacting the University of Florida regarding any studies on midges.

Mr. Kloptosky indicated that the warranty on the tennis court light poles and fixtures is ten (10) years. He reported that the contractor can complete the installation within five (5) days, weather permitting.

▪ **District Counsel**

*\*\*\*This item, previously Item 6.D., was presented out of order.\*\*\**

**i. Pier Adjacent to Golf Club**

Mr. Clark reported that, in connection with the proposed pier conveyance, the developer asked to include several other parcels in the quitclaim deed. He attached the parcel information and ordered the title work. Mr. Clark questioned if the District wants to take title to these parcels. He noted that, on the surface, they appear to be parcels that the District should have title to. Mr. Clark indicated that one (1) parcel appears to be the one with the driveway issue.

Supervisor Davidson pointed out that one (1) of the parcels is valued at \$100,000 and questioned if the District would pay taxes on that value. Mr. Clark indicated that the District would want it to be free and clear of taxes and would seek an exemption. Supervisor Davidson asked that the property appraiser be contacted to determine the status of the parcel, as it seems suspect.

Supervisor Davidson asked if the developer's offer is contingent upon the District accepting all of the parcels. Mr. Clark indicated that the developer did not explicitly state that; however, they suggested clearing up the other matters, along with the pier conveyance.

This item will be included for discussion at the next workshop.

**ii. Waterside Parkway Ownership**

Mr. Clark indicated that the City agrees with the District's request regarding the stretch of land on Waterside Parkway; however, they requested that the District prepare a legal description and deed. Supervisor Davidson suggested asking the City to share the cost for a survey.

**iii. Rule Amendments**

This item was previously discussed.

**iv. Procedure for Renewal of Contracts**

This item was discussed after Item 6.D.v.

**v. Public Participation at Meetings**

Mr. Clark reviewed new legislation that passed regarding public participation at meetings. He explained that, generally, the District already complies; however, as a safeguard, he recommends that the District adopt a rule of procedure or a procedural resolution to implement the new requirements. Mr. Clark indicated that he will follow the comments regarding this for awhile and provide suggestions at a future meeting.

▪ **Procedure for Renewal of Contracts**

*\*\*\*This item, previously Item 6.D.iv., was presented out of order.\*\*\**

Mr. Clark recalled that, at the last workshop, the Board requested information about renewal of the District's contracts.

Mr. Clark reviewed the statutes regarding bidding requirements, noting that the District is required to go through the sealed bid process for construction contracts that exceed \$195,000.

Mr. Clark stated that some maintenance services contracts, such as the Austin contract, require a competitive solicitation process, when the contract amount will exceed \$195,000. He explained that, in this section, the District is not required to select the lowest bidder; other factors can be considered, as well.

Mr. Clark referred to that specific approval process for state contracts but clarified that the District is not required to follow those requirements, other than using the RFP process for contracts that exceed \$195,000. He noted that the District must establish a competitive solicitation process for maintenance contracts but other contracts do not need to use the same process, unless the District adopts a rule or policy requiring it. Mr. Clark advised of the contract renewal provision, which states that the contract can be renewed, on the same terms and conditions set forth in the initial contract, unless otherwise provided in the initial contract;

furthermore, renewal should be contingent upon satisfactory performance evaluations by the District.

Mr. Clark indicated that AMG was in place when he joined the District; therefore, he is unsure if their contract was bid. Supervisor Lawrence indicated that proposals were sought and AMG was the only contractor that responded. The District negotiated with AMG and negotiated renewals have subsequently occurred. Mr. Clark felt that, if the contract was originally the result of an RFP and was under this rule, the District must stay under the rule; therefore, contract renewal is possible, as long as the scope of work and price does not change. Mr. Clark recalled that the contract calls for a 3% per year renewal increase and he feels that the District is safe to continue renewals, within that range. The District could allow the contract to terminate and then negotiate another contract, without going through the RFP process.

Mr. Clark advised that the Austin contract does not contain a renewal provision. This contract is subject to 190.033, meaning, if the Austin contract does not contain renewal provisions and if the District wants to renew, change the scope or make material changes, the safest option is to go through the RFP process.

Mr. Clark felt that the District can renew the security and AMG contracts but the Austin contract must go to the RFP process.

Supervisor Lawrence suggested that the landscape contract be for three (3) years, with a proposal to renew for three (3) additional years.

Mr. Wrathell asked Mr. Clark to comment regarding the impact, should a contractor propose to provide services currently being provided by themselves and another contractor. Mr. Clark indicated that the landscaping contract is subject to stricter guidelines than the amenity and security contracts. Mr. Clark felt that the District has the flexibility to combine amenity and security and negotiate a contract with a vendor.

Supervisor Davidson advised that residents are putting themselves in harm's way with regard to piggybacking at the entrance gates. He noted viral emails and suggested sending an email regarding appropriate behavior when a resident is confronted with someone piggybacking. Supervisor Davidson requested development of a policy.

Mr. Clark advised that individual residents should take no action when someone piggybacks behind them. While he understands the desire to enforce rules, he recommends that

residents not engage in altercations. Supervisor Davidson suggested that residents allow the piggybacking vehicle to pass, record the license plate number and turn it in to Mr. Kloptosky.

Supervisor Davidson recalled a spurious email, sent to the community, alleging that a woman who stopped because of a piggybacking driver was attacked by the driver. He stressed that this email is untrue and asked what the community can do to dissuade distribution of this type of false information.

Mr. Clark felt that there is not much the District can do about an individual's email communications. Supervisor Davidson urged the Board to establish a policy and publish it on the website. Supervisor Smith voiced his concern that the Board is discussing this topic, as he finds trying to regulate personal behavior to be on the fringe of the District's scope of responsibility. Mr. Clark indicated that the Board can provide guidelines, such as advising residents not to stop their cars at the entrance gates, even if they feel it is a good reason; advise them to proceed.

▪ **BUSINESS ITEMS - CONTINUED**

*\*\*\*Discussion of the Seventh Order of Business, Business Items, continued.\*\*\**

**B. Continued Discussion: Game Plan for Implementation of SAACs and Deactivation of GADs [BOS]**

**i. Plans for Hard Rollout at Main Guard Gate**

Supervisor Davidson indicated that he had a meeting with Ms. Cynthia Gartzke, of ABM Security, regarding the upcoming deactivation of GADs and the resulting problems at the Main Gate. He noted that the District is taking steps to communicate to residents and reduce the potential problem, as much as possible.

Ms. Gartzke recalled a suggestion to block the resident lane and shift all vehicles to a single lane, to determine if they have a new GAD. If they do not, the vehicle is sent to the visitor lane. She noted the difficulty for emergency vehicles to pass if traffic is merged to a single lane. Ms. Gartzke suggested that an extra guard be posted by the resident side of the gate; if a resident's GAD is not valid, the vehicle would be logged in and possibly issued a visitor pass for one (1) week and be required to use the visitor's side until they obtain the new GAD.

Supervisor Davidson stressed that the Board does not want residents, without a valid GAD, to be allowed entrance through the gate. Ms. Gartzke indicated that the guard would log the resident and vehicle information.

Ms. Gartzke suggested an email to residents to use alternate gates to ease traffic at the Main Gate, during transition. She felt that sheriff personnel could help. Ms. Gartzke noted that a lot of traffic passes through the Main Gate, everyday, from 8:00 a.m., through 10:00 p.m.

Supervisor Davidson recommended encouraging residents with new GADs to use other entrance gates. He summarized that the proposed extra guard would be stationed at the resident's side of the Main Gate to obtain information of those that do not have a valid GAD.

Regarding the suggestion of issuing a weeklong visitor pass to residents, Ms. Gartzke explained that the objective is to require the resident to use the visitor's side because different guards will work the gate and the resident may try entering on the resident's side several times, with different guards, with the guard not knowing that they already did it.

Supervisor Davidson was not in favor of the visitor pass concept. He stressed that August 5 is the hard rollout; no additional leeway will be given.

Supervisor Lawrence asked what will happen at the other gates, when a resident without a valid GAD tries to enter and a car is behind them. He questioned if the person will be allowed to enter, if a guard will be necessary at the other gates, or if the residents will be left to figure it out for themselves.

Supervisor Davidson felt these scenarios must be part of the public information campaign.

Ms. Gartzke advised of situations at the Main Gate where a resident does not have their GAD readily available and, before they present it, the vehicle behind them will use their GAD to allow the first vehicle to enter.

Supervisor Smith recalled previous discussion about notifying residents and asked when it will commence. Supervisor Davidson indicated that it started.

Supervisor Lawrence suggested stationing a person at each of the other gates, on the first day.

## **ii. Advertising**

Supervisor Davidson reviewed the handouts that are being distributed at the Main Gate, which detail the new procedures.

## **iii. Post Cards**

Supervisor Davidson noted the results of the most recent eblast, which revealed that only 450 were opened. He stated that e-blasts do not appear effective. A list of the households that

have failed to reregister was compiled and post cards will be mailed to them. Discussion ensued regarding owners who are outside the country and notifying renters. Supervisor Davidson noted that notification is being sent to everyone that receives the Oak Tree. He stated that there was a degree of resistance from residents who cannot reregister during regular business hours; for that reason, two (2) Saturday sessions were opened.

Mr. Kloptosky discussed the signage for the gates. He stated that banners were ordered for display at The Village Center and Creekside, as well as other areas around the community.

Supervisor Davidson discussed upcoming presentations to area realtors to inform them of the District's new procedures and to diffuse negative information that may arise.

▪ **District Manager**

*\*\*\*This item, previously Item 6.E., was presented out of order.\*\*\**

**i. Communications Services Tax/Exemption**

Mr. Wrathell recalled discussion about the possibility of additional tax exemptions on the District's cable bills. He pointed out that the savings of approximately \$0.08 per bill is not worth petitioning the IRS for an exemption.

**ii. Discussion: Colbert Lane Assessment [HM]**

Mr. Wrathell reported that Mr. McGaffney confirmed that the assessment was eliminated because of refinancing and payoff of the bond or associated debt.

**iii. Upcoming Community Workshop/Regular Meeting**

○ **COMMUNITY WORKSHOP**

▪ **July 3, 2013, at 10:00 A.M.**

The next workshop is scheduled for July 3, 2013 at 10:00 a.m. Supervisor Davidson advised that the undersheriff will attend the workshop to address the Board with the suggestion that staff, who will scan SAACs, during the hard rollout period, should be uniformed, badged security guards. Supervisor Davidson noted that this suggestion would change many of the District's plans. He noted that the undersheriff has experience with security companies and CDDs; he understands the extent of what the District can do.

Supervisor Davidson suggested rescheduling the croquet court tour for 12:00 p.m., during the workshop. Discussion ensued regarding Supervisors touring the courts, individually. The Board agreed to not hold a formal tour of the croquet court. Supervisor Lawrence felt that it would be more instructive to tour the croquet courts in another community.

- **BOARD OF SUPERVISORS MEETING**

- **July 18, 2013 at 9:30 A.M.**

The next meeting is scheduled for July 18, 2013 at 9:30 a.m.

Supervisor Gaeta referred to an email she received from Grand Haven Realty regarding the sale of six (6) units on the property that Mr. Cullis previously sought assessment relief, on the basis that he would only develop four (4) of the lots. She asked if the District is entitled to any compensation, if he sells six (6).

Mr. Clark recalled that the agreement requires retroactive reimbursement for unpaid assessments if the property is ever divided into six (6) units. Mr. Wrathell questioned if the agreement travels with the property, should Mr. Cullis sell it. Mr. Clark stated that it is a personal obligation of Mr. Cullis' company. Supervisor Davidson indicated that the ad clearly states that the "parcel may be used for 6 multi-family units". In response to a question, Mr. Clark felt that the ad does not trigger the District to begin collecting assessments on six (6) parcels; the trigger would be if someone tries to plat it for six (6) units.

- **BUSINESS ITEMS - CONTINUED**

*\*\*\*Discussion of the Seventh Order of Business, Business Items, resumed.\*\*\**

- C. **Continued Discussion: Fiscal Year 2013/2014 Proposed Budget [BOS]**

This item was deferred to the workshop.

- D. **Discussion: CDD & MHOA Fees [TL]**

Supervisor Lawrence indicated that the weighted average increase, over the entire time frame, is 4.8% or 4.9%.

Mr. Wrathell noted that he will stress, at the next workshop, that the District's proposed assessment increase is only \$6, over the current fiscal year, without tapping into the excess cash. Discussion ensued regarding establishing the increase caps, in order to prepare the required mailed notices at least 30 days in advance of the September public hearing. Mr. Wrathell indicated that the decision should be made no later than the regular meeting in July.

This item was deferred to the next workshop.

- E. **Discussion: Status of CIP [TL]**

This item was deferred to the next workshop.

- F. **Discussion: Reschedule Tour of Creekside Croquet Court [BOS]**

The Board agreed to not reschedule the tour of the Creekside croquet court.

**G. Update: Keeping Grand Haven Grand (SD)**

This item was previously discussed.

Mr. Kloptosky noted that reregistration is at 70%.

**EIGHTH ORDER OF BUSINESS**

**OPEN ITEMS**

It was noted that Item F, regarding the pool lifts, can be removed from the list.

**NINTH ORDER OF BUSINESS**

**SUPERVISORS' REQUESTS**

There being no Supervisors' requests, the next item followed.

**TENTH ORDER OF BUSINESS**

**ADJOURNMENT**

Ms. Layng suggested that the CDD and MHOA Fees comparison information be provided to residents, listing the actual amounts, in addition to the percentage changes.

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Supervisor Smith and seconded by Supervisor Lawrence, with all in favor, the meeting adjourned at 1:41 p.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair