

**MINUTES OF MEETING
GRAND HAVEN
COMMUNITY DEVELOPMENT DISTRICT**

A Community Workshop of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, February 7, 2013, at 10:00 a.m.**, at the **Grand Haven Village Center, Grand Haven Room, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting were:

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

Also present were:

Craig Wrathell	District Manager
Barry Kloptosky	Field Operations Manager
Allen Skinner	Genesis Group
Louise Leister	Horticultural Consultant
Vic Natiello	Resident
Roger Summerville	Resident
Irene McKenna	Resident
Dennis Healey	Resident
Joy Dingee	Resident
Wallace Dingee	Resident
Art _____	Resident
Eleanor Lind	Resident
Gloria Schleith	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the workshop to order at 10:02 a.m., and noted, for the record, that all Supervisors were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

Mr. Wrathell acknowledged the recent passing of former Supervisor, Mr. Dennis Cross, and asked for a moment of silence, in his honor.

THIRD ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS &
PRESENTATIONS**A. Common Area Landscape Project Update: *Louise Leister, District Horticultural Consultant***

Ms. Leister introduced a wildfire mitigation program, including Grand Haven projects to make the community safer. She reported that vines are killing trees at an alarming rate and stated that removal of vines and dead trees is underway. Ms. Leister stated that large amounts of Brazilian Pepper are being found along Waterside Parkway and in the open areas, which will destroy the community as it takes over the natural areas. She indicated that Brazilian Pepper is highly volatile in a forest fire; the vines and Brazilian Pepper are a scary combination, should there be a fire. Vine removal is necessary, as residents are in harm's way. Ms. Leister recalled previously discussing this situation and noted that cigarette butts were found in the area, which posed an extreme danger.

Ms. Leister indicated that the District has respected the beauty of the natural area; however, on several occasions, the City of Palm Coast issued citations to the District, related to home areas on Front Street and Chinier, for not being in compliance with fire mitigation requirements, putting residents in harm's way. She stated that the area was neglected for about 15 years, having never been mowed or cleaned; it contained vines that were as big as trees. Ms. Leister advised that no live trees were harmed during vine removal; an arborist was present during the process.

Ms. Leister continued discussing the vine removal process and necessary treatments to prevent regrowth.

Ms. Leister reported on a large tree that fell last year, which destroyed a mailbox and could have injured someone. She stated that the tree was covered in vines. She noted that every time a dead tree must be removed, the cost is \$900 to \$1,000, which is wasteful, compared to the cost of treating the vine problems and saving trees.

Ms. Leister stressed that this was not a landscape project; it was a wildfire mitigation project for safety and preservation and was completed as part of the regularly budgeted vine removal program. She noted that this project was not a surprise; resident concerns were addressed directly with individual residents. Ms. Leister explained that she shopped the project and obtained bids. She reviewed the scope of work and areas to be completed, the types of

vegetation to be installed, frequency of treatments, maintenance and mowing. Ms. Leister stressed that area will remain natural, with no benches, etc. The area will be clean and attractive.

Ms. Leister detailed additional plantings on Front Street grass areas to hopefully restrict lawn parking. She noted that hot vehicles parked on grass is quite damaging. She discussed vine and dead tree removal efforts along Waterside Parkway and the area behind The River Club; she presented before and after photographs of various areas.

Ms. Leister voiced her wish of having enough funds to address all of the areas requiring vine mitigation, as trees within the community are being lost at an alarming rate. She stated that the tree removal budget is nearly depleted. Ms. Leister recalled wildfires in 1998 and showed photographs of the resulting destruction and extreme loss.

Ms. Leister reviewed an area with parking issues. She noted that the particular area is not suitable for landscaping and suggested installing something to defer parking.

Supervisor Lawrence noted that the area is an open field and suggested installing trees. Ms. Leister commented that beds will be installed in that area and noted that there is no irrigation in the area; as a result, Austin Outdoor will water the area using a water truck. Discussion ensued regarding other watering options, including installation of irrigation lines, a well, etc.

Ms. Leister concluded that the vine removal program will continue, as it is the only way to safeguard the community. In response to a question, Ms. Leister stated that advance notice was given to residents via Management's office; she and Mr. Kloptosky provided Management with information, which was emailed to the community twice.

Supervisor Davidson noted resident misconceptions regarding the meaning of vine removal. Supervisor Gaeta stated that she did not receive the eblast. Ms. Leister reiterated that the information was provided to Management's office and confirmed that she received both eblasts. Supervisor Gaeta suggested that the eblast system needs to be checked.

Ms. Leister stated that many residents were pleased with the outcome of the work.

In stressing the importance of vine removal, Ms. Leister spoke of a resident who was given ten (10) days to remedy vines and tree issues at his home, otherwise, his insurance would be dropped. She noted that many homes in Grand Haven would face the same issue.

Supervisor Davidson advised that public comments are not usually heard at a workshop; however, as this matter has become strained, the Board will hear comments.

Supervisor Chiodo thanked Ms. Leister for her work. He voiced his feeling that, although a lot of mitigation work has been completed, the District needs to improve

communication to the entire community, as well as those that will be most affected. Supervisor Chiodo felt that the District cannot rely on eblasts to accomplish the notification task. He stated that the District should have figured a way to directly notify residents ahead of time, so it would not be a surprise. Supervisor Chiodo felt that Ms. Leister's presentation should have occurred prior to commencing work.

Ms. Leister pointed out that there would have been more obstacles if the presentation were beforehand.

Mr. Chiodo acknowledged that, his immediate reaction, after the work was completed, was that he did not realize how much had to be done; however, he is now better educated. He understood that it is sometimes difficult to know the full scope of work in advance. Supervisor Chiodo reiterated that the District needs to do a better job of communicating, as it will help better prepare residents.

Supervisor Gaeta suggested posting information on the doors at the CDD office, The Village Center, the Café and around the community. She stated that people do not read emails and agreed that the District must do a better job of informing residents.

Supervisor Lawrence concurred that residents do not read the eblasts. He recommended sending personal emails to the residents who are specifically affected. Supervisor Lawrence commented that he now knows that once vine removal starts, it cannot stop, otherwise it will grow back. He asked for resident input regarding what to do with the empty field remaining after vine removal.

Supervisor Lawrence asked if the dead trees are on common property, located behind homes. Ms. Leister confirmed that the problem trees are on CDD property and detailed recent locations of fallen and/or dead trees. Ms. Leister pointed out issues on the golf course that the golf course has not addressed. Ms. Leister stressed that the vine removal program is not for landscape beautification; it is a safety issue and to maintain the District's Firewise status.

Supervisor Smith voiced his feeling that what he saw happening was not vine removal, it was clear cutting. He stated that, as a Board Member, he wants advance notice if there will be any clear cutting within the perimeter of the community. He acknowledged that the work may be necessary but reiterated his opinion that what happened was not vine removal.

Ms. Leister stated that it was not clear cutting, it was mowing. Supervisor Smith contended that there is nothing left but bare land; therefore, it was clear cutting.

Supervisor Davidson stated that he worked with the Division of Forestry in 2009 and 2010, using federal money to complete a Wildfire Mitigation program throughout the District. He noted that all vines and any plant material that could be fuel is to be removed to at least 40 feet back from a structure. Supervisor Davidson discussed work related to Firewise mitigation and presented photographs. He noted the fact that flame from fuel is three (3) times the height of its fuel; a 20-foot tree produces a 60-foot high flame that can blow 60 feet wide. The goal is to create a defensible perimeter.

Supervisor Chiodo stated that he never thought of the Firewise mitigation work as vine removal. He thinks that the work on Chinier began as vine removal and became Firewise mitigation.

Regarding communication, Supervisor Davidson recalled that, prior to the outfall project, letters were sent to the affected homeowners, so they knew what was happening, which is what should have occurred this time. He acknowledged that the full scope of the necessary work was not known.

Ms. Leister explained that the plan is to not let the areas grow back to excess. The areas are now being sprayed to prevent regrowth, keep it manageable and be attractive.

Mr. Roger Summerville, a resident, concurred with the need to communicate with residents prior to the work and suggested that the District should have provided design pictures depicting what it will look like, once completed. People were irritated because they woke up to an empty field with no idea what was coming next.

Ms. Irene McKenna, a resident, stated that she appreciates today's discussion. She was thankful for the vine removal on a very old tree near her property. Ms. McKenna noted that the vines ruined many trees in the area. She acknowledged that some of her neighbors were left with an unfortunate view; however, she believes that some trees will come back. She hoped that replacement in the area will be natural looking. Ms. McKenna spoke of the conditions along Front Street and asked if the area could be addressed, as nothing has ever been done.

Ms. Leister stated that she wants to install sabal palms but an irrigation solution is necessary.

Mr. Dennis Healey, a resident, stated that residents want the natural tree hammock and tree buffer.

Noting the beauty of the community, Ms. Joy Dingee thanked Ms. Leister for her work in Grand Haven. She voiced her surprise when she woke up to see the areas where vines were

removed and wondered what happened, as she was not educated about wildfire mitigation and vine removal; she did not know what to expect. Ms. Dingee stated that she now understands how necessary the project was, in order to protect residents. Ms. Dingee hoped that, considering the money the Board spends on other things, they will find the money to restore the area and realize the importance of allocating funds towards doing so.

Supervisor Gaeta stated that the Board hears the residents' concerns and will try to improve communication. She wants residents to provide feedback regarding the area, once replanting takes place.

Mr. Wallace Dingee, a resident, noted the shock of first seeing what was done but acknowledged that it was his lack of knowledge about why it was necessary. He stated that his opinion was changed through education of what could happen. He is encouraged by the possible installation of sabal palms. He voiced his gratitude to Ms. Leister and the Board.

Mr. Art _____, a resident discussed the large oak and noted that he contacted the CDD and received a quick reply. He stated that he is pleased with the work completed and that everyone showed so much concern regarding the issue.

Ms. Dingee stated that the beautiful oak trees that were hidden are a good result of the wildfire mitigation and vine removal project.

Ms. Eleanor Lind, a resident, notified the Board of a safety issue; she wants assurance that there will be a grass apron around the curve on her street, as there is no sidewalk. She stated that she is thankful to be rid of the vines.

Ms. Gloria Schleith, a resident, asked if the appearance will be the same, if this project is carried through the entire community. She asked about all the trees that were removed in a certain area. It was noted that there were no trees in that particular area it was all vines and Brazilian Peppers. Ms. Schleith reiterated her question regarding appearance.

Supervisor Davidson asked if other areas are so large that many will be impacted in a similar way, visually. Ms. Leister stated that, to her knowledge, there are no other fields. Supervisor Davidson reiterated the need for communication and asked Ms. Leister to copy the District Manager's office on any exchanges she has with residents. Supervisor Davidson confirmed that the District will attempt to notify residents about work in their areas.

Mr. Vic Natiello, a resident, informed Ms. Leister that Mr. Kloptosky cannot be called for all parking issues because he can do nothing if someone parks on private property. Ms. Leister confirmed that she was speaking of common areas. Mr. Natiello offered to photograph

the area while flying over. He stated that his is on the Firewise Board and noted an area on Chinier that was to have no properties plotted but has three (3). Mr. Natiello stated that those three (3) homes will be destroyed in a wildfire and there is no way that the residents could get out in time.

Supervisor Chiodo asked Mr. Kloptosky to research irrigation possibilities and alternatives along Chinier. He reiterated the need for direct communication with the residents that will be impacted by any future actions.

Supervisor Lawrence agreed with the need to better communicate and suggested before and after pictures to illustrate the changes, as a result of the vine removal project. Supervisor Lawrence asked Ms. Leister to inform the Board of what can be done to reestablish vertical trees in the open area, as he feels that more should be added.

Ms. Leister stated that installing palmettos along the outer edge will give the desired vertical height; however, that involves placing trees where there were previously no trees. She discussed another area where dead trees were removed and trees were placed on the edge, with a green open area. She explained that the intention was to leave it open, not reforest an area that did not contain trees to begin with, such as the area in question.

Supervisor Lawrence confirmed that he meant placing trees along the perimeter.

Supervisor Davidson asked if the south side will be completed within the next two (2) weeks and wondered how much it would cost to have Austin Outdoor create a mockup of the next area. A Supervisor questioned if the potential cost of a few hundred dollars for a mockup is reasonable. Ms. Leister noted that this is the cost of a sabal palm tree and questioned why the District would spend money on a drawing, when it could buy a tree.

Supervisor Davidson polled the Board for their opinion regarding spending funds for a drawing. Supervisors Gaeta, Chiodo, Lawrence and Smith agreed that the District should trust Ms. Leister's opinion.

Ms. Dingee voiced her support for sabal palms along the perimeter. She noted that Ms. Karen Durand generated a mockup and may be willing to adjust her drawing to reflect Ms. Leister's suggestions.

Supervisor Gaeta noted that Ms. Leister was stopped during the project, which did not need to occur. She stated that the District has knowledgeable people and should not micromanage. Supervisor Gaeta voiced her feeling that Ms. Leister is doing a great job to make the community beautiful.

Supervisor Chiodo acknowledged Supervisor Gaeta's comments but voiced his opinion that a meeting to communicate this information should have occurred before the fact. He stated that he does not blame the people who stopped the work being performed yesterday, as many were upset.

Supervisor Davidson felt that everything that happened, in this case, was appropriate and necessary; however, the District does not want to set a precedent that residents can demand work stoppage on a Board approved project anytime they are upset. Supervisor Davidson noted that such practices lead to anarchy. He informed the audience that, this one (1) time, the Board attempting to accommodate the residents, in this unusual circumstance.

A resident contended that they were not informed about when the project would happen and now they are not being informed about what the area will look like, once completed. He voiced his opinion that the Board has fallen down on both counts but is asking the residents to have faith in what is being done.

Supervisor Davidson stated that residents were allowed to speak today to correct the lack of advance information. Furthermore, he prefers to have a mockup of the outcome to show the public; however, the remainder of the Board and the majority of the audience did not.

Supervisor Lawrence asked if Ms. Leister could develop a schematic reflecting her plans. She stated that she could do so but pointed out that the project would be delayed two (2) weeks, until the next meeting. Supervisor Lawrence clarified that the schematic should be done simultaneous with planting; it would serve as something to show residents what it will look like.

Supervisor Davidson felt that if Ms. Leister diagrams what is done, work should not stop and be changed, if residents do not like it.

Ms. Leister indicated that she received an email about a line of sight issue on Augusta Trail. Plants were removed and relocated. She discussed the need to continue monitoring the area.

Recalling Ms. Leister's comments about the golf course, a resident questioned if the District should encourage the City to cite the golf course. Supervisor Davidson noted that this is one approach but suggested that the better approach is for the golf course members to exert their influence on Escalante.

A resident voiced her opinion that the handling of the situation was unfortunate, as it caused much angst.

Supervisor Lawrence asked residents to share with their neighbors that the Board is taking this seriously and hopes to communicate better in the future.

****The workshop recessed at 11:37 a.m.****

****The workshop reconvened at 11:50 a.m.****

FOURTH ORDER OF BUSINESS

UPDATES: District Engineer

A. Road Resurfacing Capital Improvement Plan

In response to a Supervisor Smith's question, Mr. Skinner indicated that it is difficult to get long-term quotes for a project of this size, as it is market driven. Mr. Skinner contacted three (3) resurfacing contractors in the area. He noted that contractors who have access to the batch plant can get better deals on asphalt than smaller contractors.

Supervisor Chiodo recalled that Mr. Skinner's road resurfacing plan ran from 2014 through 2019 and noted that the District wants to include Sailfish Drive, which was not included in the District Engineer's plan. Supervisor Chiodo asked if Sailfish Drive is put aside for 2013. Mr. Skinner felt that resurfacing Sailfish Drive was not part of the Capital Improvement Plan (CIP). Mr. Skinner stated that it could be included when the stormwater pipe project is completed.

Supervisor Lawrence recalled that Sailfish Drive is to be paid from the road improvement reserves.

Supervisor Chiodo asked if any road resurfacing is necessary in 2013. Mr. Skinner felt that there are no urgent resurfacing needs; no roads are failing. Mr. Skinner stated that the need to resurface Wild Oaks is an indirect result of the manhole issue. Supervisor Chiodo noted that "Augusta Trace" should be "Augusta Trail".

Supervisor Lawrence stated that he is pleasantly surprised, as he felt more roads would require resurfacing within the next five (5) years; this is good news for the long-range CIP. Supervisor Lawrence asked if an annual road evaluation is recommended. Mr. Skinner suggested evaluating the roads every two (2) years; however, if problems arise, they should be addressed.

Mr. Skinner pointed out that the roads identified as priorities currently have sections that need resurfacing; however, whole roads may need to be resurfaced in many years. Mr. Skinner suggested that the District should anticipate and plan for larger expenditures in the extended future. Supervisor Lawrence asked Mr. Skinner to identify the number of years. Mr. Skinner

explained that parking lots get a lot of use and tend to show wear at ten (10) to 15 years, while long stretches of road might last 15 to 20 years. Some low traveled roads can last 25 years. Mr. Skinner felt that 20 years is the outside limit. Noting his understanding that they were directed to evaluate problem areas to be addressed first, Mr. Skinner offered to evaluate larger sections and report the findings.

Supervisor Chiodo stated that he wants information for Waterside Parkway, as it is a main thoroughfare and an older road.

Supervisor Smith asked if the roads could be divided into categories, such as major arteries, feeder roads and residential roads. Mr. Skinner was agreeable, noting that the roads are in good shape, generally.

B. Marlin Drive Water Main Break Pavement Repair

Supervisor Smith recalled that the Board asked the District Engineer to write a letter supporting District Counsel's letter regarding the water main break and the City's subpar repair of the road. He noted that the District Engineer prepared the requested letter and voiced his feeling that there is no need to discuss this matter.

Mr. Skinner advised that a quote was received from Ellis & Associates, Inc., for borings and penetrometer testing.

Supervisor Lawrence asked the status of the letter to the City.

Mr. Kloptosky stated that District Counsel was to send a letter to the City putting them on notice and demanding that they perform the testing, as the District is concerned about the integrity of the road, beyond the patch. It was noted that the City will also be asked to replace the curbs.

In response to Mr. Wrathell's question, Mr. Skinner confirmed that his information was not forwarded to Mr. Clark; it was emailed to Mr. Kloptosky. Mr. Kloptosky recalled forwarding the information to the Board but could not recall if Mr. Clark was included in his email.

Mr. Wrathell confirmed that a status update on the letter to the City will be included as an agenda item, under District Counsel's report, at the next meeting.

C. Sailfish Drive Storm Improvements (S.E. Cline Construction, Inc.)

Mr. Skinner stated that Genesis prepared a conceptual-level engineering drawing a potential solution to the problem. Mr. Kloptosky, in turn, obtained an estimate from S.E. Cline Construction, Inc., (Cline). Cline also provided an alternate estimate to resurface the entire road.

Mr. Kloptosky indicated that the \$50,000 proposal includes the repairs, based on Genesis' conceptual drawing for the stormwater repairs, including repaving from the point of repair south to Waterside Parkway. He stated that the additional \$19,612.85 is for additional milling and paving from the point of repair to Marlin Drive. Mr. Kloptosky clarified that this is not a proposal, it is a budget.

Supervisor Chiodo summarized that the cost would be approximately \$70,000. Mr. Kloptosky clarified that there would be additional costs for engineering fees to prepare a design, for bidding purposes.

Mr. Skinner presented Genesis' proposal for the engineering work for this project. In response to a question, he confirmed that a contingency is not included in the proposal; however, he recommends adding 15%.

Mr. Kloptosky noted that permitting fees must be added.

Mr. Skinner indicated that Genesis contacted the St. Johns River Water Management District (SJRWMD), who confirmed that permits will not be required because the District is not altering how water moves through the ponds. He attended a pre-application meeting with the City of Palm Coast and was given a list of requirements in order to get the project permitted, through the City. Mr. Skinner stated that it will be a conventional permit and will not go through the planning department, as it is a utility repair project. The proposal reflects the final engineering, as well as the permitting process. Mr. Skinner noted that the City expressed concern about the oak trees along the road.

Mr. Kloptosky pointed out that tree replacement costs are not included in Cline's budget; however, tree removal is. Mr. Skinner stated that is why the proposal includes a landscape architect. It is estimated that two (2) oak trees will be affected but it could be more, depending on the situation.

In response to a question, Mr. Skinner explained a new process for installing oak trees, which causes the trees to grow with the roots remaining in a confined area so it does not upheave the sidewalk or road.

Supervisor Davidson noted that, once everything is included, the \$70,000 figure will likely amount to \$100,000.

Supervisor Davidson pointed out that resurfacing the other side of Sailfish Drive is not included in the priority section of the road resurfacing list; therefore, it would be completed for cosmetic purposes, not based on need.

Supervisor Smith recalled previous projects on Sailfish Drive and noted that he recently drove by a few hours after a heavy rain and saw no problems on Sailfish Drive; there was a little water in front of one (1) driveway but the area was not flooded. He questioned why the District is considering spending this amount of money on something that he does not see as a problem.

A resident stated that Sailfish Drive has had problems for years and questioned how Supervisor Smith could have missed it. She noted that the recent dry conditions may have allowed the puddles to disappear, temporarily. She indicated that there are still problems along the curb, to the point that algae grows in the puddles.

Supervisor Davidson stated that the puddling problem was repaired in a small section, which may have pushed the ponding further back.

Supervisor Lawrence indicated that this project is intended to eliminate ponding at the elbow, which has been a problem since the beginning.

Supervisor Chiodo asked how this relates to Supervisor Smith's point that after a two (2)-inch rain, he does not see ponding. Supervisor Lawrence stated that he saw a puddle after a rain storm. Mr. Kloptosky indicated that the worst problem was solved but, from Waterside all the way to the curve, there is lifting that causes puddling. Mr. Kloptosky explained that the work completed on the corner pushed the puddling problem back; he sees puddling, in driveways along the road, all the way to the curve. Mr. Skinner voiced his understanding that the elevation in the area is very flat and that, coupled with the lifting, makes the situation worse.

Supervisor Chiodo noted that he would not have characterized the original problem as puddling; it was flooding.

Discussion ensued regarding the scope of work, where it begins, how far it extends and the cost. Supervisor Davidson asked for a complete quote for all costs related to the specific portion of the project, along with a quote encompassing the entire area, including resurfacing all of Sailfish Drive.

If the District is considering the entire Sailfish Drive project and wants accurate estimates, Mr. Skinner recommended authorization to complete the engineering side to ensure there are no hidden costs.

Supervisor Davidson stated that the District could complete only the specified portion, the entire road or none of it; although, he felt that the Board was already committed to at least completing the problem section. Mr. Wrathell recommended structuring the bid package to

request a bid for the specific section, individually, along with a bid for the entire project, including resurfacing all of Sailfish Drive.

Regarding Genesis' proposed costs, Mr. Skinner clarified that the \$12,000 is for design and permitting; it does not include any construction services during the project. Construction and administration has not been scoped.

In response to a question regarding costs, it was noted that the Sailfish Drive repair will be funded from the reserve road fund, including related engineering costs.

Mr. Kloptosky voiced his feeling that Genesis should provide their fee amount to monitor the project. Mr. Wrathell suggested that Genesis submit a revised scope of work which includes construction and administration costs.

This item will be included as a discussion item on the next agenda.

▪ **Wild Oaks Road Repair Issues**

****This item, previously Item 5B, was presented out of order.****

Mr. Skinner recalled that the Board directed Genesis to have Ellis & Associates, Inc., (E&A) install borings and conduct testing around the problem manholes. E&A is preparing a report, which should be completed by the next meeting. Mr. Skinner was advised, verbally, by E&A's geotechnician that the soils are loose at lower elevations, rather than higher elevations. As E&A felt that this could be a piping problem, the City of Palm Coast Utility Department was called to video the pipes on either side of the manholes. Mr. Danny Ashburn, Utility Department representative, advised Mr. Skinner that the pipes look fine. E&A will review the videos. Mr. Skinner expects to receive the report from E&A in time to prepare and present a recommendation to repair the problem manholes, at the next meeting.

FIFTH ORDER OF BUSINESS

UPDATES: Field/Operations Manager

Recalling the earlier discussion about Chinier, Mr. Kloptosky stated that this project was an example of how things should not transpire, including how it was communicated to the CDD office. He indicated that when this issue occurred, his office was never notified. Mr. Kloptosky advised that he only heard of it through the grapevine and by reading Supervisor Chiodo's email, which prompted him to investigate. He voiced his concern and asked the Board to provide clarity regarding protocol, as he feels he could have eliminated much of the chaos that transpired, had he been informed at the beginning. Mr. Kloptosky stressed the importance of letting residents know that they should contact him first, when there is a problem, so that he can become

involved immediately. He questioned setting a precedent whereby residents can stop or shut down work in the community and the Board talks about it after the fact.

Supervisor Chiodo stated that not involving Mr. Kloptosky was not the only breakdown in the protocol. He felt that if the entire Board was in agreement on a project before the fact, the District would not be caught up in this type of matter. Supervisor Chiodo stated that the Board cannot protect the District from a resident becoming directly involved. Supervisor Chiodo stated that he does not understand what consideration Mr. Kloptosky is asking for.

Supervisor Davidson stated that work was scheduled on the south side of Chinier, yesterday; however, a resident who was on site, strongly objected and demanded that the work stop. The resident emailed two (2) Board Members and called Supervisor Davidson. Before Supervisor Davidson could find out what was happening, the crew and Ms. Leister had left the work site. Regarding the protocol to which Mr. Kloptosky referred, Supervisor Davidson stated that when a resident objects to something that a District contractor is doing, the Field/Operations Manager should be contacted. A Board Member who receives an email or telephone call should direct it to the Field/Operations Manager; Board Members should not insert themselves into the situation. Supervisor Davidson acknowledged that this was an unusual situation. He stressed that, in general, the protocol should be for Mr. Kloptosky to go on site and try to settle the problem. Supervisor Davidson noted the importance of not setting a precedent where a resident can approach contractors and cause them to stop working, as that creates anarchy. He reiterated that Board Members should forward complaints to Mr. Kloptosky; the only time a Board Member should become directly involved is when Mr. Kloptosky is not available to handle the situation and it is truly a crisis.

Mr. Kloptosky acknowledged that, had he been called to the site, he probably would have shut the work down.

Supervisor Smith stated that he fails to see the mechanism in which Mr. Kloptosky will receive advance notice of these types of situations. He suggested that Mr. Kloptosky should have been notified of the work and location.

Supervisor Davidson confirmed that Ms. Leister should have contacted Mr. Kloptosky, prior to leaving. Mr. Kloptosky stated that Ms. Leister typically provides advance notice of the work and location; he knew she was performing work in the area but did not know about the chaos that ensued, until it became out of control.

Supervisor Chiodo voiced his hope that the next time Ms. Leister intends on clearing an area, the Board and affected residents will know about it.

Supervisor Gaeta reminded Supervisor Chiodo that Ms. Leister contacted Management's office to e-blast residents of the project. Noting that she did not receive the e-blast, Supervisor Gaeta suggested that the e-blast list might not be current.

Supervisor Chiodo voiced his feeling that the District does not have protocol in place for Management's office to alert individual residents. Mr. Wrathell confirmed that e-blasts go to all residents. Supervisor Chiodo stated that e-blasts are generic and pointed out that not all residents have email.

Supervisor Davidson indicated that the CDD office can mail individual letters, as opposed to Management's office doing so. He suggested that, for projects such as this, Ms. Leister or the contractor must provide sufficient notice so that letters can be mailed to residents.

Mr. Natiello cautioned the Board about its micromanagement. He feels that they are wound around the Chinier issue but this is happening around the community. He suggested that contractors should get into the habit of contacting Mr. Kloptosky if a resident approaches them and demands that they stop work, rather than involving a Board Member. Likewise, if a Board Member is contacted by a resident, they should immediately contact Mr. Kloptosky. Mr. Natiello pointed out that this issue could quickly extend to minor work where mailing letters is not really necessary.

Supervisor Chiodo stated that he is not requesting that level of micromanagement; in fact, he feels that this requirement is not micromanagement. He advised that he is speaking of the Board not fully understanding what is taking place ahead of time and being able to appropriately communicate it to residents, in this type of situation. Supervisor Chiodo indicated that he is not talking about general projects.

Supervisor Davidson noted that people do not understand the result of vine removal, in this type of situation.

A resident indicated that he received notification about the vine removal project; however, resident perception of what it entailed was different than what occurred.

A. Issues at End of River Trail Drive

Mr. Kloptosky recalled concerns about people pulling onto the resident's property, situations where the police were called due to inappropriate activity taking place in the vacant lot at the end of the street and insufficient lighting. The resident asked if a streetlight could be

added at the end of the street. Mr. Kloptosky advised that the cost is approximately \$3,500, including installation. The resident also requested the addition of a sign indicating that it is a dead end street. Mr. Kloptosky discussed possible locations for a sign. The resident discussed landscaping that will be installed, which should alleviate the problem of people turning on his property. The Board was agreeable to installation of one (1) streetlight and a warning sign, subject to District Counsel's input regarding wording on the sign.

Mr. Wrathell stated that these items can be completed without motion, as they fall within Mr. Kloptosky's discretion, under operation and maintenance.

Supervisor Lawrence pointed out that the new sheriff lives on that street and suggested that the resident call him regarding the inappropriate activity.

- **Pergola Issues**

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

Mr. Kloptosky stated that he discovered problems with the pergola a few months after the project was completed. He indicated that the materials started turning gray. He notified the contractor, met with him on site and was told that graying is to be expected with cedar. Mr. Kloptosky voiced his disagreement with the contractor's opinion. He related other issues, such as not sealing the caps. He indicated that the issues have been an ongoing problem with the contractor for nearly six (6) months. Mr. Kloptosky reviewed photographs of his concerns.

Mr. Kloptosky acknowledged his understanding of the need to recoat the pergola; however, he felt that it should be every year or two (2), not after a few months. He reviewed additional photographs.

Mr. Kloptosky contacted the product supplier who inspected the pergola, followed by an inspection by the stain manufacturer. The stain manufacturer advised that something was wrong and supplied the District with new stain, free of charge; however, they did not provide labor. The original contractor agreed to restrain the pergola. Mr. Kloptosky stated that there was a breakdown in the process occurred after the sample area was stained, when he received an email from the contractor wanting him to approve the color and product. Mr. Kloptosky advised that he did not respond to the contractor's request, as he feels it is not his responsibility to make a representation regarding the product. He noted that the contractor also wants the District to sign off on the project, once the new stain is applied and release him of any further matters related to the pergola. Mr. Kloptosky stated that he referred the contractor to the contract, which stipulates that the contractor is liable to fix any problems. He voiced his opinion that the

contractor is attempting to run out the one (1)-year warranty, which expires in May. Mr. Kloptosky explained that, if the contractor is put on written notice, prior to expiration of the warranty, he must make repairs within ten (10) days. He suggested notifying the contractor of the deficiencies.

Supervisor Davidson recommended that District Counsel prepare and send the notice of deficiency.

In response to Supervisor Chiodo's question, Mr. Kloptosky stated that restaining is not the only issue; sealing, discoloration and cracked stone are also issues.

B. Wild Oaks Road Repair Issues

This item was discussed during the Fourth Order of Business.

C. Escalante Pier Damage

Mr. Kloptosky reviewed photographs of the Escalante Pier damage. The pier needs to be pressure washed, cleaned, sanded and recoated. Supervisor Chiodo pointed out that the District gave up ownership of Escalante Pier to the golf course owner and questioned if Escalante now says they do not own it.

Supervisor Davidson discussed several email exchanges regarding ownership of the pier and who is responsible for maintenance. One (1) email noted that the pier does not appear to be part of the legal description conveyed to the new golf course owner. Related to the possibility that the pier may still be owned by Grand Haven LLC, and the fact that other properties were conveyed to the CDD, Supervisor Davidson asked if the District wants to assume ownership, so that it can maintain the pier.

Mr. Kloptosky stated that the pier is becoming a danger.

Supervisor Lawrence felt that many residents use the pier and consider it part of Grand Haven; therefore, he feels that the District should assume ownership. Mr. Kloptosky agreed.

Supervisor Davidson was agreeable, provided the District can acquire it at no cost, through a quitclaim deed.

A question was raised regarding how a quitclaim deed can be accomplished if there is no title to the pier. Mr. Wrathell felt that this is a matter for District Counsel.

As there appears to be structural damage, Supervisor Gaeta recommended an inspection by the District Engineer. Acknowledging Supervisor Gaeta's suggestion, Mr. Wrathell voiced his opinion that the District would likely be liable if someone is hurt, even if they do not technically own the pier.

The Board was agreeable to directing District Counsel to investigate a quitclaim deed to acquire the pier.

Regarding The Village Center north parking lot, Mr. Kloptosky advised that two (2) e-blasts were sent. He stated that curb repair began; paving should be completed on Wednesday and Thursday and restriping will be done on Friday.

Mr. Kloptosky recalled concerns, at the last meeting, regarding streetlights near 76 Southlake. He estimated that installation of two (2) streetlights would cost approximately \$8,000; however, he feels that it is not a necessary expense. Mr. Kloptosky stated that the globes on the current streetlights were replaced to brighten the area and he has not heard further complaints. He noted that increasing the bulb size is another option, should the area need to be brighter.

Regarding parking on Front Street, Mr. Kloptosky stated that he spoke to the sheriff's office who informed him that they have no jurisdiction to issue tickets to people parked on the District's private property. The sheriff advised that the only recourse is for the District to have the vehicle towed and impounded, at the owner's expense. Discussion ensued regarding whether signage is required, in order to legally tow vehicles. Mr. Natiello pointed out that this is a code enforcement issue, as it is against the law to park on any grass, including your own. Supervisor Lawrence recommended posting a sign. Supervisor Davidson suggested mailing notification letters to the offending parties.

Mr. Kloptosky received a request from artists in a painting club who wish to enter Grand Haven and paint landscape pictures. He indicated that some members are residents. It was noted that residents can invite guests into the community.

Regarding cameras and audio in the fitness center, Mr. Kloptosky received a proposal from Dolphin Technical Solutions, LLC, to install one (1) camera, with audio, in each fitness center, at a total cost for both of \$1,398. He voiced his feeling that one (1) camera in each location is not sufficient; the cost for two (2) cameras, with audio, at each fitness center, was \$2,300.

Supervisor Davidson noted an incident with a resident in which video and audio would be helpful to the District. Mr. Wrathell suggested and the Board agreed that Mr. Kloptosky should proceed.

▪ **Update: ADA Compliance for Pool Lifts**

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

Supervisor Davison recalled an article in the Daytona Beach News Journal regarding ADA compliance.

Mr. Natiello asked if this is only an issue because the CDD offers water aerobics. Supervisor Davidson stated that it is a matter of opinion as to whether compliance is necessary, if there are no programs at a pool. Supervisor Davidson stated that he was advised to seriously consider installing lifts at both pools. Mr. Natiello questioned if all programs should be eliminated in order to avoid the ADA compliance requirements.

Mr. Kloptosky presented a proposal of \$8,300, per permanent lift, from Duda Pools. Sun Coast Pools provided a proposal of \$4,990 per lift, for either a portable or permanent lift. He noted that Duda Pools only installs permanent lifts, as they feel those better meet the ADA requirements, while Sun Coast Pools recommend the portable lifts. When questioned about portable lifts not meeting ADA requirements, Sun Coast Pools advised Mr. Kloptosky that he is correct; however, they get around the requirement by placing the portable lift at the pool's edge and bracketing it into the deck. Mr. Kloptosky noted that he is not sure that approach satisfies the requirement. He contacted Mr. McCranie, the District's ADA advisor, regarding Sun Coast Pools' proposed approach. Mr. McCranie explained that, by design, a portable lift does not need to be attached; however, fastening it with brackets, as proposed, satisfies the ADA requirement that it be attached. Mr. McCranie indicated that this is a much simpler approach and that it does not require a permit or footings; however, he could not confirm that it actually meets the requirements.

Regarding Sun Coast Pools' quotes, Mr. Kloptosky indicated that the price is the same for portable or permanent lifts.

Supervisor Davidson pointed out that Duda Pools' permanent lift looks much better than the portable lift recommended by Sun Coast Pools. Mr. Kloptosky pointed out that Duda Pools is more expensive but includes footings. He doubted that Sun Coast would charge the same for both types, if they must install footings for the permanent lift. Mr. Kloptosky stated that Duda Pools has installed these types of lifts in many locations. He discussed costs and noted that the cost will be slightly higher, if an extended reach is necessary. Mr. Kloptosky indicated that the budget for lifts is \$11,000; however, the Duda Pools' proposal for two (2) lifts approaches \$17,000.

Supervisor Lawrence voiced his understanding that Duda Pools is a quality contractor; however, the other bid is approximately \$7,000 less. He stated that he wants to see lifts installed

by Sun Coast Pools and questioned why the District would walk away from that proposal, if the contractor can do the job.

Mr. Kloptosky responded to Supervisor Lawrence stating that he asked Sun Coast Pools how they could install the permanent lift, with a footing, for the same price as a portable. Sun Coast Pools told Mr. Kloptosky that they really hoped the District would select the portable lifts.

Mr. Kloptosky stated that the City of Palm Coast has not installed lifts at their pools, Hammock Beach and Hammock Dunes do not have lifts; he summarized that no one had installed lifts. He indicated that the only inspection performed by the City was at the Fairfield Inn.

Supervisor Davidson asked Mr. McGaffney how many AMG managed districts are compliant, with lifts in place, and was advised that all of the Districts have them. Supervisor Davidson asked why AMG did not advise Grand Haven.

Supervisor Davidson felt that the District should show that they are pursuing the matter and show good faith towards completing it. He prefers installation of permanent lifts by a reputable contractor. Supervisor Davidson asked that proposals be presented and this matter be included as a decision item on the next agenda.

Supervisor Lawrence suggested pressuring Duda Pools for a lower price. Mr. Kloptosky pointed out that Duda Pools' work is excellent and they do not often cave on pricing.

Supervisor Smith asked how often programs are held at the Creekside pool. It was noted that water aerobics is held every day at Creekside. Supervisor Davidson stressed that, regardless, it was recommended to him that lifts be installed at both pools. Mr. Kloptosky recalled his discussion with the Fairfield Inn Manager who stated that Marriott, a worldwide company, researched it thoroughly, has installed lifts at all of their pools and feels that the permanent model is the correct choice.

SIXTH ORDER OF BUSINESS

DISCUSSION ITEMS

A. Optional Savings Program for District Operating Funds: Insured Cash Sweep (ICS [CW])

Mr. Wrathell indicated that a resolution authorizing him to open an Insured Cash Sweep (ICS) account will be included on the next agenda.

B. Establishment of Floor for Current Below Market Value Leases [SD]

Supervisor Davidson stated that it is necessary to establish a floor amount for current below market value leases.

Mr. Natiello reviewed a chart showing the current lease amounts and where they fall within the HUD fair market value (FMV) figures. He noted that if the floor is set at 50% of HUD FMV, only a few properties would fall below; the number is slightly higher if a floor of 80% is set.

Supervisor Davidson suggested mailing letters explaining the below market value lease terms and that the GADs and SAACs for those properties will be disabled in two (2) weeks. He stated that this approach should encourage the affected parties to provide leases which are at the desired level, at which time, the GHMA can begin garnishing rent to go towards the payment of owed GHMA fees, fines, etc.

Supervisor Gaeta questioned how the GHMA can actually garnish rent if the renter pays in cash. Mr. Natiello pointed out that the property owners do not want it known, as it then becomes an IRS issue and speculated that the leasing agent could receive numeration for setting up these situations for homeowners who do not want this income known.

This item will be included as a consent item on the next agenda.

Discussion ensued regarding gate procedures, once the GADs are disabled.

C. Smart Amenity Access Card (SAAC) Policies/Decision Tree [SD]

This item was not addressed.

D. FY2013 Capital Plan (TL)

This item was not addressed.

E. CDD Communications [RS]

This item was not addressed.

F. Update: Keeping Grand Haven Grand [SD]

This item was not addressed.

G. City of Palm Coast Stormwater Reimbursement [CW]

Mr. Wrathell reported receipt of the \$16,000 reimbursement check.

Mr. Wrathell indicated that about six (6) months prior to the District hiring him, the former management company, Rizzetta, switched to paying unemployment taxes through payroll, quarterly; however, it was set up with ADP as a business, which carries different rates than for a governmental entity. He explained that money is owed to the state and, because the difference was not paid for a certain period of time, the state raised the rate. The state sent its

notices to Rizzetta's Tampa office and, subsequent to termination, Rizzetta changed their address to their Orlando office. Mr. Wrathell stated that this was only recently discovered, when Management inquired about not receiving a notice on an unemployment hearing related to Grand Haven. Mr. Wrathell is attempting to have the rate reduced to the correct rate, along with only being required to pay the \$2,000 to \$3,000 that should have been owed, as opposed to the \$19,000 that has accrued, under the incorrect rate. He noted that the state allowed Rizzetta to change the address after Wrathell, Hunt and Associates, LLC, became the manager; therefore, Mr. Wrathell pointed out to the state that they allowed the address to be changed by an unauthorized officer. He is hoping the state will work with the District.

H. Update: ADA Compliance for Pool Lifts

This item was discussed during the Fifth Order of Business.

I. Gate Access Devices (GAD) Policies [SD] (*for informational purposes*)

This item was not addressed.

J. City of Palm Coast Public Hearings on Rate Adjustments for Water and Wastewater Service Charges (TL)

- **January 15, 2013 at 6:00 PM, Community Center**
- **February 5, 2013 at 6:00 PM, Community Center**

Supervisor Lawrence advised that the City is proposing a 24% rate increase over 22 months. He asked permission to prepare a letter to residents encouraging them to attend a public hearing on February 19, 2013 to voice their opposition to the increase.

K. GHCDD Boundary Contracture (*for informational purposes*)

Regarding contraction of the District, Supervisor Davidson indicated that the second reading will be on February 19, 2013. It passed 5-0 on its first reading.

SEVENTH ORDER OF BUSINESS

UPDATES: District Manager

- **UPCOMING MEETING/WORKSHOP**
 - **BOARD OF SUPERVISORS MEETING**
 - **February 21, 2013 at 9:30 A.M.**
 - **COMMUNITY WORKSHOP**
 - **March 7, 2013 at 10:00 A.M.**

The next meeting will be held on February 21, 2013 at 9:30 a.m., and the next workshop will be on March 7, 2013 at 10:00 a.m.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

This item was not addressed.

NINTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Gaeta asked that discussion of the GAD policy for Escalante employees and invitational golf members be reconsidered at the next meeting. Mr. Kloptosky spoke with the new manager who wishes to speak to the Board regarding this. Supervisor Gaeta stated that she was advised that Escalante is prepared to have its counsel work with District Counsel, as they feel the District is denying or infringing on their right to conduct business.

Mr. Natiello voiced his concern about a tennis court rule requiring players to sweep the court when they are finished. He feels that there is a liability factor and recommended that the rule be removed from future versions.

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being nothing further to discuss, the workshop adjourned.

On MOTION by Supervisor Gaeta and seconded by Supervisor Davidson, with all in favor, the workshop adjourned at 2:21 p.m.

Secretary/Assistant Secretary

Chair/Vice Chair