

**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, May 2, 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
Roy Deary	Amenity Management Group (AMG)
Howard McGaffney	Amenity Management Group (AMG)
Robert Ross	Amenity Management Group (AMG)
Allen Skinner	Genesis Group

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Paton called the workshop to order at 10:04 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.

THIRD ORDER OF BUSINESS

UPDATES: District Engineer

A. Wild Oaks Manhole Repair

Mr. Skinner recalled previous discussion of settling issues around several manhole covers and the high cost to repair the problems. He noted that S.E. Cline (Cline) submitted a proposal

to complete less expensive minor, shallow, superficial-type repairs on three (3) of the worst manholes, with minimal compaction, in order to repair them enough to delay significant work for a few more years.

Mr. Skinner reported that Cline saw cut the area and discovered that there was a slab of concrete, where limerock would normally be subgraded. This condition was typical of almost all of the manholes that were exposed. Mr. Skinner investigated the reason for the concrete slabs, including contacting the original engineer, but no one knew.

Mr. Skinner recalled that the Ellis & Associates (EA) report revealed that the soils are loose down to 14' or 15'. It is possible that concrete was used in order to complete the work quickly. Supervisor Lawrence suggested that the District contact R.A. Scott to inquire. Mr. Kloptosky speculated that concrete was used because they knew they could not pass density tests in certain areas. Supervisor Gaeta asked if the City of Palm Coast was aware. Mr. Kloptosky did not know if the City signed off on the work; when he contacted the City, no one could recall.

Discussion ensued regarding the subsurface conditions throughout the District.

Supervisor Gaeta asked if the District can presume that the current manhole issues will be indicative of all of the District's manholes. Mr. Skinner stated that he cannot know until further soil testing is completed. Mr. Skinner speculated that concrete was likely used in other areas that had settlement issues.

Mr. Skinner indicated that, when this situation was discovered, Mr. Kloptosky contacted him. Cline was going to try recompacting the soils around the manholes but the concrete slabs were in the way, which raised the question of what to do. He noted that the Cline wanted to know what to do about the concrete slabs, as that was not in the originally proposed costs. Cline suggested removing the concrete slabs, compacting the soil and repaving the manhole areas. Mr. Skinner advised Cline of the risk that removing the slab might expose the loose soil, requiring recompaction to a much further depth, resulting in much higher costs. For this reason, the decision was made to leave the concrete in place.

Mr. Kloptosky acknowledged that, due to the findings, there were extra costs associated with Cline's work. The original proposal was \$5,767 for repair of three (3) manholes; however, when the issue was discovered, Cline had to strip the asphalt down to the concrete, which was lower than originally anticipated, resulting in more asphalt being needed. Furthermore, it was

more work for Cline to recompact the soil. Mr. Kloptosky stated that the final amount was \$2,653 more than proposed.

Knowing that the areas will crack again, Mr. Kloptosky still advocated the minor repair approach, every few years, as opposed to completing the major repair, which would cost more.

Supervisor Gaeta asked about wear and tear on the roads due to heavy trucks and equipment. Mr. Kloptosky discussed past repairs and reiterated that the settling issues will happen again.

B. Sailfish Drive Drainage Repair Project

Mr. Skinner recalled that the Sailfish Drive review set was delivered to the Board at the last meeting for the Board's comments. He noted that five (5) trees will be removed and the question regarding the type of replacement tree remains.

Supervisor Davidson indicated that the Architectural Design Committee (ADC) must also give an opinion, if a different type of tree will be used.

Supervisor Lawrence was in favor of keeping live oak trees, in order to maintain the aesthetic appearance. Supervisor Chiodo concurred.

Mr. Skinner asked the Board to let him know, at which time, he will submit the permit.

Supervisor Chiodo recommended advising residents to not fertilize trees, as it creates problems.

Supervisor Davidson inquired about the system that forces tree roots down. Mr. Skinner indicated that he discussed it with his firm's landscape architect and was told that it is not a healthy approach for trees but he will inquire further.

Mr. Kloptosky asked for copies of the drawings so that they can be included and this item can be in the next agenda.

Supervisor Gaeta recalled that the Board decided to hold off on the Sailfish Drive project, while investigating other solutions. Supervisor Davidson noted that the thought was to temporarily manage the problems, by having Austin Outdoor (Austin) clean out leaves and debris from the drains, etc.

Supervisor Lawrence voiced his opinion that the Board is ruining its credibility, as it consistently made commitments to the residents that the project would be completed. He reiterated his position that the District should move forward with this project now.

Supervisor Chiodo recalled that the Board discussed placing this project in the Fiscal Year 2014 budget to avoid tapping into this year's budget. Regarding proceeding with permitting and seeking bids, Mr. Skinner estimated that the permitting process would take six (6) to eight (8) weeks and most contractors will hold their prices for 90 days. Supervisors Chiodo and Gaeta voiced their opinions that proceeding now would be a little premature; the current actions are only a temporary measure.

Given the "surprises" that keep occurring, Supervisor Smith wondered about the integrity of the entire road system and suggested delaying the larger Sailfish Drive project until more is known. Supervisor Gaeta felt that, in order to maintain fiscal credibility, the District must take the current proactive measures in order to make a determination of the true problems. Supervisor Gaeta recalled that the "fix", completed last year, resolved the pooled water at the end of the road but it also simply pushed the water further up the street. Supervisor Chiodo reiterated that the previous problem was resolved but the Board must be fiscally responsible.

Regarding road issues, Supervisor Chiodo voiced his feeling that the manhole settling is unique to Wild Oaks.

Mr. Skinner felt that there was no harm in proceeding with permitting.

Supervisor Chiodo asked Mr. Kloptosky to comment on the best time to begin the permitting and bid process, as it would be best to have a reasonable estimate of the costs, prior to finalizing the Fiscal Year 2014 budget.

Mr. Skinner indicated that Board comments and a decision on the trees are pending from the Board.

FOURTH ORDER OF BUSINESS

UPDATES: Field/Operations Manager

Mr. Kloptosky advised that a new treadmill was purchased to replace a broken treadmill at Creekside.

Mr. Kloptosky reported that he received a resident issue form this morning, from the office. He advised that the residents of 76 Southlake Drive are consistently piggybacking through the south gates, now that their gate access devices (GADs) were deactivated and the names were removed from the call boxes. Mr. Kloptosky asked what can be done, as this is becoming a problem. Discussion ensued regarding the terms in the Rules of Procedure and

whether the term “piggybacking” should be added back into the rules. Supervisor Chiodo recommended having the sheriff’s department monitor the gate.

Regarding 76 Southlake Drive, Supervisor Gaeta noted that the “7” is no longer on the house; therefore, it appears that the address is “6” Southlake Drive. The matter was referred to the GHMA, as this is a code violation; Neighborhood Watch was also notified.

Supervisor Davidson advised that the GHMA will attempt to seize the property and evict the tenants.

Regarding The Village Center parking lot resurfacing, Mr. Kloptosky reported that Cline accepted the District’s counteroffer and reduced their total costs by \$5,000; the warranty was extended to four (4) years. He received the extended warranty and will forward it to the District Manager. Cline’s invoice, including the \$5,000 reduction, was received; however, Mr. Kloptosky is awaiting a letter of confirmation reflecting Cline’s acceptance of the \$5,000 reduction, rather than having it simply deducted from the invoice.

Regarding the pier, Mr. Kloptosky advised that entrance to the pier was blocked and signage was installed warning that the pier is closed. He stated that the condition of the pier continues to worsen, which is why access was closed. Mr. Clark originally advised against doing anything, since the District does not own the pier; however, given the deteriorating and dangerous conditions, Mr. Clark agreed with blocking access, as the District could have a liability issue, now that they are aware of the situation. Mr. Kloptosky indicated that he received a copy of the SK Engineering report. This report, along with the Logan Diving report, will be included in the next agenda for consideration. Steve, from SK Engineering, agreed to attend the next meeting to explain the situation and answer the Board’s questions. Mr. Kloptosky stated that he will begin obtaining quotes to complete the necessary repairs.

Supervisor Davidson indicated that he spoke to Mr. Clark and the concern was regarding egregious negligence and the loss of sovereign immunity, given that the District knows of the potential risk. He reported that Mr. Kloptosky contacted Mr. Patrick Leahy, General Manager of the golf course, who agreed with the District’s decision to close access. Supervisor Davidson spoke to Mr. Jay Gardner regarding the pier and Mr. Gardner will research the ownership matter; it appears that LandMar’s reorganized entity is probably the owner and will give the District a quit-claim deed.

Regarding the retaining wall issue at 37 Jasmine, Mr. Kloptosky reported that he received another email from Mr. and Mrs. Smith, which was forwarded to the District Manager. At this point, he is unsure what the Smiths are asking for. As directed by the Board, at the last meeting, Mr. Kloptosky obtained quotes for removal of the retaining wall, as the conditions are becoming worse. Mr. Kloptosky advised that Austin is not comfortable with removing the wall; they feel that additional stabilization would be necessary because there is not enough slope to comfortably stabilize the area, once the wall is removed. Mr. Kloptosky acknowledged that the costs would be more, however, Cline feels that they can remove the wall, remove 15' to 20' of vegetation along the wall, even the surface and install bahia sod, which will stabilize it. Cline's proposal was \$8,584.

Mr. Kloptosky suggested pursuing ICI for reimbursement of the costs, as ICI built the retaining wall on the District's property, without permission. Supervisor Davidson felt that ICI could be responsible for the removal costs but the grading and sodding would be the District's responsibility. Supervisor Lawrence felt that ICI should be responsible for both steps. Supervisor Smith questioned if the District wants to complete the project or turn it over to ICI. Mr. Kloptosky noted the importance of ICI's plans being approved by the District, should ICI complete the project. Supervisor Davidson suggested that, at the next meeting, the Board approve having Mr. Clark contact ICI demanding removal of the wall and stabilization of the area.

Mr. Kloptosky reported that he received resident requests to install signs prohibiting dogs from certain amenity areas, such as the soccer fields, due to the abundance of dog waste, as a result of owners not cleaning up after their dogs. He felt that the rules prohibit dogs on amenity property, with the exception of the dog park.

Regarding the permit issue related to relocating the mailbox on Pelican Court, Mr. Kloptosky stated that he obtained quotes to include the engineering, architecture and permitting costs, as required by the City. He indicated that the cost is nearly double; it was originally \$3,500 but will now be \$6,985. Additional proposals are pending.

Mr. Kloptosky indicated that he received two (2) letters regarding the croquet courts and Wild Oaks security. Additionally, he is constantly receiving complaints about people parking on the common area on the north end of Front Street. He spoke to those that are parking there but it

did not resolve the problem. Mr. Clark is researching whether the cars can be towed. Discussion ensued regarding ways to eliminate parking in the area.

Supervisor Davidson directed Mr. Kloptosky to notify the concerned residents that the District is working on the parking issue.

Regarding the issues on Chinier and what the District can do in that area, Mr. Kloptosky advised that St. Johns River Water Management District (SJRWMD) is approximately 50% finished with their analysis. SJRWMD has no issue with what was already done; it is permissible fire mitigation. SJRWMD wants to further investigate what they will allow to be planted in the area. Supervisor Lawrence asked if SJRWMD agrees with the bahia that was planted around the perimeter. Mr. Kloptosky stated that a decision is pending on what can be replanted. Mr. Kloptosky prefers to wait for SJRWMD, rather than prodding them.

Mr. Kloptosky recalled discussing upgrading to Bright House service at the main gate. He indicated that he previously reported that the monthly cost would increase from \$80 to \$130; however, the increase would actually be to \$140, per month.

A. Village Center Parking Lot Restriping

This item was not discussed.

B. Wild Oaks Road Repair

This item was not discussed.

C. Irrigation Pump House

Mr. Kloptosky reported that the Marlin Drive Pump House variable speed drive motor failed about two (2) weeks ago. The new motor cost was approximately \$5,000. He explained that the motor was replaced; however, within a short time, the pumps failed again, another part was replaced but the pumps failed a third time. As a result, the pumps have been off for nearly two (2) weeks. Mr. Kloptosky stated that the flower installation was postponed until the problem is fixed. He reported that repairs were completed and, as of yesterday, the pumps are running again. Mr. Kloptosky was unsure of the final cost for all repairs but noted that the District is responsible for 25%.

Supervisor Lawrence suggested reviewing the agreement, regarding the District's percentage, and negotiating with the new golf course owner. Supervisor Chiodo concurred. Mr. Kloptosky will review the historical usage records.

Mr. Kloptosky suggested that, going forward, the District budget for pump house repairs, as the equipment is getting old and could stop working at any time.

Mr. Kloptosky indicated that he is budgeting for a new tennis court roller, as the old one is rusting; he now has a shed where the new one can be stored.

Mr. Kloptosky reported that reregistration is at 57% and response is slowing such that assistance from resident volunteers is no longer necessary. He confirmed that all villages were contacted; 1,062 households have responded.

FIFTH ORDER OF BUSINESS

UPDATE: Amenity Manager

Supervisor Gaeta indicated that she was notified yesterday that a Board Member approached The Village Center staff. She read the following into the record:

“Mr. Chairman, if I may, although this was not an agenda Item, it was brought to my attention late in the day yesterday. I would therefore request to open the following topic up for discussion after I read it into the record!”

Supervisor Smith, I wish that I could report that your actions in deciding to purchase a microphone system for the GH room were well intentioned. Instead you willfully and knowingly disregarded the advice from the Chairman of this Board, the DM and the FOM and went ahead and did what you wanted to do without their approval. By your actions:

- *you have violated the “Code of Conduct”*
- *You have usurped the authority of the FOM and made an unauthorized purchase*
- *You have taken advantage of the position of the “newly appointed facility manager” by requesting the installation of this equipment in the GH room and put him in a very precarious position*
- *You were informed on several occasions that the DM & FOM were not in favor of your purchase and yet, you still went ahead and did it*

I am therefore recommending to the Board that you should not be reimbursed for this as there was no Board approval. Also, Ray, it appears that the rules regarding hierarchy do not apply to you and that you have little regard with respect to compromising the integrity of this Board. We have been a productive and harmonious Board up until your being seated and I believe you owe the Board an explanation. You also owe the Board, the FOM, DM and FM an apology!

Respectfully,

Marie Gaeta

Asst. Supervisor, GHBOs

Supervisor Davidson asked Supervisor Smith to hold his response until later in the meeting.

Regarding the tennis court roller, Mr. Ross indicated that quotes were received from B&B Tennis and Welch.

Regarding reregistration and following the “hard” opening, Mr. Ross presented various scenarios for the Board’s consideration.

Mr. Ross posed the scenario of a mother arriving at The Village Center or Creekside pool with several small children but left her Smart Amenity Access Card (SAAC) at home. He asked if the procedure would be to not allow entry without the SAAC, meaning that the woman must return home to get it.

Supervisor Davidson stated that the operating principles between the “soft” and “hard” rollouts is that these situations can be addressed during the “soft” opening; after the “hard” rollout, the SAAC must be available at all times that a resident wants to have access to the amenities. He felt that, as of August 1, the person must be turned away, until they present their SAAC; making an exception contradicts having the system.

The remaining Board Members agreed with Supervisor Davidson’s position.

Mr. Ross asked what to do if multiple people arrive to play tennis and one (1) person in the party does not have their SAAC. He feels that sending the one (1) person home to get their card will upset the others that are ready to play.

Supervisor Davidson voiced his opinion that the other players should be upset with the person who forgot their card; residents are responsible for cooperating in this process.

Mr. Ross asked if a known resident who does not have their SAAC should be asked to go home to get it and what should be done if the person refuses and continues using the facilities. Mr. McGaffney indicated that this type of scenario will be addressed later.

Mr. Ross questioned how to handle residents and guests using the café. Supervisor Davidson indicated that the new rules will state that the café is handled differently. Entering the café without a SAAC, then proceeding to use other amenities, will not be allowed.

Mr. Ross noted that people often open the back door so that other people can enter. Supervisor Davidson stated that entrance through the back door should be eliminated. Mr. Ross

suggested posting a sign on the door. Mr. McGaffney recommended including this in the notice sent to residents. Discussion ensued regarding wording for the sign.

Mr. Ross asked if a contractor needs a pass to enter the facilities to perform work. Supervisor Lawrence indicated that a contractor is given a vehicle pass. It was noted that contractors are there to complete work, not use the amenities; therefore, an amenity facilities pass is not needed.

Regarding realtors, Mr. Ross indicated that, when showing properties, realtors often tell people they can use the facilities for the day. Supervisor Davidson indicated that, before that scenario is allowed, the District needs to develop a policy. Mr. Kloptosky recalled discussion that, if a realtor, such as Mr. Cullis, owns property, day passes for the amenities may be obtained but the \$10 fee must be paid. Supervisor Lawrence pointed out that this plan works for realtors that own property or are residents of Grand Haven; a realtor that does not own property but is only showing it, cannot obtain day passes for prospective buyers. Supervisor Davidson noted that realtors employed by Mr. Cullis do not need to be residents, as they would be authorized agents of Grand Haven Realty, the property owner.

Mr. Ross asked if day passes and liability waivers are needed for each guest at a private function. Supervisor Davidson suggested that, in lieu of individual passes, each guest's name must be provided. Supervisor Lawrence recommended consulting Mr. Clark to ensure the District is protected, in this type of situation. Posing the scenario of a private rental of the facility with 50 guests, who are not Grand Haven residents, Supervisor Chiodo questioned if the \$10 fee should be required for each of those guests. Supervisor Davidson indicated that the District never required the \$10 guest pass fee for guests attending a private function. Supervisor Davidson felt that, if someone pays the rental fee for the facility, they should be able to provide a list of the guests of the function, in lieu of the \$10 guest fee. Mr. McGaffney stated that other CDDs collect a room rental fee; they are not trying to collect a "per head" fee.

Discussion ensued regarding managing guests entering at the gate for a private function and how to track those guests attending the private event.

Mr. Ross asked how to handle a resident who wants to register a guest but the resident does not have his/her SAAC with them. The Board agreed that the resident must present their SAAC in order to obtain a pass for their guest.

Mr. Ross stated that croquet players do not sign in. Supervisor Davidson indicated that this matter will be discussed later in the meeting.

Mr. Ross asked about month-to-month renewals of gate entrance and amenity passes. He noted a resident who regularly renews the gate and amenity passes, each month, for the same “overnight” guest, in order to avoid the standard \$10 day guest fee. Supervisor Davidson indicated that this is a matter of people “gaming” the rules and suggested issuing passes for only two (2)-week periods. Discussion ensued regarding what the District can do to limit abuse of the system. Supervisor Davidson directed Mr. Ross to inform the resident that the new rules are in place, the District is being more careful about this type of situation and any misrepresentations of fact, by a resident, in order to obtain access passes for guests, could result in the resident losing their own privileges.

Mr. Ross inquired about what to do at Creekside when card players and yoga class participants proceed into the building and to their activities. He asked if facilitators should interrupt the card games to ask for SAACs. During the “soft” rollout period, Supervisor Davidson suggested meeting with the organizer of each activity to explain the situation and ask them to remind their participants that they must present their SAAC, beginning August 1. Supervisor Lawrence suggested that the organizers have a facilitator check all of the participants’ SAACs, prior to beginning the game or class.

Mr. Ross questioned protocol when children are already in the pool but do not have their cards. In response to Mr. McGaffney’s question, the Board confirmed that, after August 1, if the child does not have their SAAC, they cannot use the pool/amenities, regardless of whether they are with their parent.

Mr. Ross stated that people oftentimes walk in and ignore the facilitators. He wondered what to do in those situations. Supervisor Lawrence felt that it then becomes a trespassing matter. In a situation where a known resident ignores a facilitator’s request to verify their SAAC, Mr. McGaffney asked if it would be better to involve Mr. Kloptosky, prior to calling the sheriff. Supervisor Lawrence felt that if the person is known to the facilitator, then Mr. Kloptosky should be asked to contact the person; however, if the person is not known, the facilitator should inform them of the rules. In general, common sense should prevail.

Supervisor Lawrence suggested that, during the soft rollout, people be allowed to enter, the first time, along with informing them that they will not be allowed entrance the next time. It was noted that this approach would require keeping lists of those who were allowed to enter.

A. Facilitator Script

Mr. Ross provided scripts for use with known and unknown residents, along with another script in case a situation escalates.

Mr. Ross read the following script for use with unknown residents:

“Good Morning,

Do you have your Grand Haven ID with you today? I need to validate it by scanning today.

What amenity are you using?

Thank you.”

Mr. Ross explained that, if the person has their SAAC, it is scanned and, if there are no problems, the process is complete. If the person does not have their SAAC, they will be informed of the CDD policy requiring them to carry their card with them at all times, while utilizing the amenities.

Mr. Ross asked the Board to consider allowing access once, after the August 1 hard rollout, with the facilitator warning the person that the next time they will not be allowed to enter without their SAAC. Supervisors Davidson and Gaeta disagreed with that suggestion. Supervisor Davidson pointed the SAACs need to be scanned because people might have moved, sold their homes, etc., and are still trying to use the amenities; scanning is the only way to determine if they are an authorized user.

Mr. McGaffney felt that it is not a good use of time and money to check SAACs every day, especially when the resident is known. He feels that random checks are better and should focus primarily on those that are unknown to the facilitators.

Supervisor Davidson asked Mr. McGaffney if he is suggesting this approach, even during the first few weeks of the hard rollout, when everyone is supposed to be checked. The goal of the first few weeks is to check everyone to ensure that all SAACs work and that everyone is registered.

Mr. McGaffney stated that he does not want the AMG team members to have to defend not checking someone's SAAC. Supervisor Davidson reiterated that everyone should be

checked during the first week and, after that, it is AMG's prerogative to determine who they will randomly check. Supervisor Gaeta pointed out that more random checks will be necessary later in the year, as the snowbirds return.

Regarding situations where the scan comes up with a red light, Mr. Deary stated that staff will presume that the SAAC is not valid, rather than the red light being due to equipment failure.

Supervisor Gaeta noted that she spoke to the CDD office staff and they reported no mechanical or scanning problems with the newly issued SAACs.

Mr. Ross reviewed the script for use when someone refuses to show their SAAC. Following the initial script, the following would be stated:

"We are simply enforcing the policies that the community has in place for your safety and protection. Our goal is not to make you upset. Although you are upset, I am asking you to please be considerate of the job we have to do and follow your policies. I recommend that, if you have any questions or concerns, you contact the Operations Manager. If you persist _____, I insist that you please follow the policy, helping me to avoid escalating this to the point where I will have to call someone to escort you out."

If the person proceeds to enter without permission, the following will be stated:

"Unfortunately, I am going to have to call and have you escorted out."

Mr. Ross stated that, at this point, the facilitator will call the sheriff's non-emergency number. Supervisor Gaeta clarified that, if the situation is hostile, 911 should be called.

Supervisor Davidson recalled previous discussion regarding offering nonresidents the opportunity to purchase a membership for \$2,500. Discussion ensued regarding whether to add this option to the facilitator's script.

Supervisor Davidson reviewed AMG's incident and follow up suggestions.

B. In-Service Preparation for KGHG Implementation

In response to Supervisor Davidson's question, Mr. Ross confirmed that AMG has not yet conducted in-service training on the standards and how to use the scanner system.

Supervisor Davidson asked AMG to comment on their procedure or plan, should the scanners not work. He stated that the CDD office staff will train the AMG staff to reset the system and advised that AMG staff should be trained to contact the CDD office staff, when there

is a problem. If staff cannot fix the problem, they should contact Dolphin Technical Solutions, LLC (Dolphin).

Mr. McGaffney reported that, today, while entering through the Creekside gate, he observed a large number of vehicles and children in the area; he felt that it is creating a hazard. Discussion ensued regarding the school bus stop location. Supervisor Davidson pointed out that the main problem is due to parents parking on both sides of the road, which limits access. A resident suggested that the problem could be addressed by having other parents remind people that they should not park in certain areas; he felt that most parents would abide.

****The workshop recessed at _____.****

****The workshop reconvened at 12:16 p.m.****

SIXTH ORDER OF BUSINESS

DISCUSSION ITEMS

Supervisor Davidson referred to various communications received from residents regarding the croquet courts. He explained that the Croquet Club previously had an in-house system for play, which worked well; however, they are currently going through transition which could lead to different individuals or groups vying for court time. He feared that, if this happens and the informal system dissolves, the District may need to consider a sign up system for use of the courts, similar to the system used for tennis. Supervisor Davidson pointed out that all players will need to have their SAAC readily available, when using the court; this policy holds true for any player using an amenity.

Supervisor Davidson indicated that statements were made that the croquet court is in disrepair and needs to be fixed. He stated that the court is an amenity and the condition should be that any average resident should be able to utilize the court in a manner conducive of the sport. Supervisor Davidson stressed that the intended quality of the court is for the normal resident; one (1) of the emails received discussed tournaments and championships. He reiterated that the intended acceptable quality is not tournament or championship quality. In an attempt to determine what is acceptable, Supervisor Davidson suggested that, in order to gain insight and make an informed decision, the Board should visit the croquet court and hear from Mr. Rich Burns regarding the conditions and his suggestions regarding maintenance and what should be done.

In response to Supervisor Gaeta's question, Mr. Burns confirmed that, for a championship court, size, not quality, is the only consideration.

Discussion ensued regarding the current informal scheduling procedure.

Supervisor Lawrence stated that he recently visited the croquet court and was shocked by the poor conditions. He recalled that the District previously tried completing minor repairs on the tennis courts but eventually needed to complete a major repair project; the problems are now fixed. Supervisor Lawrence feels that the croquet court presents the same situation. It was not properly constructed, which has created problems. Acknowledging that it will require capital, Supervisor Lawrence recommended that the District consider repairing the court.

Mr. Burns presented the results of his and Mr. Kloptosky's research. He discussed repair work at other croquet courts and how it relates to the District's courts. Mr. Burns indicated that maintenance is an issue. He discussed the type of grass on the court, the growth cycle and the conditions of the current grass.

In response to Supervisor Gaeta's question regarding whether Escalante was interested in maintaining the courts, Mr. Burns confirmed that they are willing to review the area. Supervisor Davidson asked Mr. Kloptosky to obtain a breakdown of the cost for Austin to maintain the croquet courts.

The Board discussed touring the croquet courts during the next workshop.

A resident croquet player discussed the playing conditions at Grand Haven, compared to courts around the country; the District's courts are lower quality.

Supervisor Chiodo recalled discussion of the croquet court issues a while back and noted that shifting was identified as a problem; however, it is not listed in the proposal presented. Mr. Burns indicated that it would not be necessary because, when the layer of sand is removed, it would be filled with something else to level it up and eliminate shifting.

A. Game Plan for Implementation of SAACs and Deactivation of GADs [BOS]

Supervisor Davidson indicated that facilitators are developing scenarios and it is nearing time to commence an informational campaign to generate more cooperation and increase the percentage of registered residents.

Supervisor Davidson stated that a commencement date for the soft rollout is needed. Supervisor Gaeta recalled discussion of beginning the soft rollout in June and July, in preparation for the hard rollout in August.

- **Gate Access Device Informational Letter [BOS]**

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

Supervisor Davidson presented sample informational letters to residents regarding deactivation of gate access devices (GADs). He felt that the informational campaign should be ready to go by mid-May.

Discussion ensued regarding the content in the sample notices.

Supervisor Lawrence preferred his sample letter because it is short and he feels that less is more. He feels that a minimal number of residents know or understand that their GADs will be deactivated if they do not reregister, which is why it is important to get the message out to the community as soon as possible.

Supervisor Davidson discussed his samples.

Supervisor Gaeta reviewed her sample and voiced her opinion that it is important to explain the “Keeping Grand Haven Grand” project.

Supervisor Smith recommended sending Supervisor Lawrence’s letter immediately, followed by sending Supervisor Davidson’s first sample letter a short time later.

Mr. Kloptosky noted that many residents will not be familiar with the abbreviations and terms used in the samples and suggested clarifying or fully listing the various terms; probably using no abbreviations or acronyms. Discussion ensued regarding how to state the message in a variety of ways so that residents will understand what is going to happen.

Regarding distribution, Supervisor Lawrence asked if the notices will be mailed to residents.

Supervisor Davidson indicated that the information will be emailed, posted around the community and placed on signs; the question of mailings remains. He noted the cost of mailing to each household and suggested that the information could be included in the next Oak Tree, which is mailed to every Grand Haven home, by the GHMA.

Supervisor Lawrence voiced his opinion that at least one (1) letter should be mailed to every property owner. Supervisor Davidson felt that notices only need to be sent to property owners and renters who have not reregistered.

Regarding the contents of Supervisor Lawrence’s sample, Supervisor Gaeta pointed out that it gives no information regarding where to reregister. Supervisor Chiodo suggested adding a

sentence instructing the recipient to update their information at the CDD office, along with providing the address, telephone number and the days and hours of operation.

Supervisor Davidson noted the importance of maintaining the community branding “Keeping Grand Haven Grand” rather than the phrase “Keeping Grand Haven a Grand Place to Live”, as Supervisor Lawrence used in his sample. Supervisor Gaeta suggested that “Please be certain.....” start a new paragraph.

It was suggested that mailing be delayed a few more weeks because fewer will be needed as more people reregister. Regarding dissemination of information, Supervisor Lawrence’s notice, as edited, will be emailed first, followed by Supervisor Davidson’s notice two (2) weeks later and, lastly, two (2) weeks later, the information will be mailed to those that have still not reregistered.

A resident suggested mailing “flashy” postcards, which would attract more attention than a regular letter in an envelope.

Discussion ensued regarding the information to include in the Oak Tree. Supervisor Gaeta suggested that, for consistency, the same contact information should be included in all notifications.

Regarding deactivation of the GADs and noting that the CDD cannot technically deny access, Mr. Kloptosky pointed out that the notices do not inform residents that those who do not reregister must enter through the main gate visitor entrance.

Supervisor Gaeta asked what instructions will be given to the guards, such as, whether they should issue monthly passes to owners and renters who did not reregister and had their GADs deactivated. Supervisor Gaeta recommended making the process difficult enough to motivate those residents to reregister.

Supervisor Smith asked if vendors, or those on a preferred list, will have unlimited access. It was noted that certain vendors only have access on certain days and time frames. Discussion ensued regarding the District’s GAD and gate entrance policies.

Supervisor Chiodo asked if residents, who have not reregistered, will be allowed to have a preferred guest list. Supervisor Gaeta pointed out that the District will not have the information if the person did not reregister. Supervisor Davidson noted that this is a further consequence for failure to reregister.

Supervisor Gaeta questioned what to do if unregistered residents gain access by calling their neighbor on the call box. Supervisor Davidson felt that there was no way to control that. Supervisor Gaeta recalled discussion of using the data from the system to track patterns in residents who give access.

B. May 2013 Road Resurfacing Detail Plan [TL]

Supervisor Lawrence indicated that he is working with Mr. Kloptosky and Robert to update the remainder of the Capital Improvement Plan (CIP). He plans to present a first draft at the next meeting.

C. Status of CIP [TL]

This item was discussed under Item 6B.

D. Gate Access Device Informational Letter [BOS]

This item was previously discussed.

E. Authorization to Issue Trespass Notices or Request Trespass Orders [BOS]

i. Resolution 2013-6, Designating Person Authorized To Issue Trespass Notices or Request Trespass Orders

The Board agreed to include this as a consent agenda item for consideration at the next meeting.

F. Keeping Grand Haven Grand [SD]

This item was previously discussed.

SEVENTH ORDER OF BUSINESS

UPDATES: District Manager

- **UPCOMING MEETING/WORKSHOP DATES:**
 - **BOARD OF SUPERVISORS MEETING**
 - **May 16, 2013 at 9:30 A.M.**
 - **COMMUNITY WORKSHOP**
 - **June 6, 2013 at 10:00 A.M.**

Mr. Paton indicated that the next meeting will be held on May 16, 2013 at 9:30 a.m., and the next workshop will be on June 6, 2013 at 10:00 a.m. He explained that the field visit to the croquet courts will be noticed for June 6, 2013 at 11:00 a.m.; the workshop will convene, the field visit will commence at 11:00 a.m., and the workshop will resume, following the field visit.

EIGHTH ORDER OF BUSINESS

UPDATE: GHMA Meeting Report [SD]

Supervisor Davidson indicated that discussion items included the Oak Tree and realtor presentations. He noted that many new realtors are not providing new homebuyers with the CC&Rs, etc., which is leading to many violations; people are moving into a deed restricted community without knowing the restrictions. Supervisor Davidson pointed out that each village's CC&Rs are posted on their respective websites; however, realtors should at least tell new homebuyers about them and where to find them.

Supervisor Davidson stated that the Architectural Design Committee (ADC) is being reorganized; there will be one (1) for new construction, with Mr. Cullis in charge, and another for changes, which will be resident controlled.

Supervisor Davidson reported that a Neighbor-to-Neighbor or "welcome wagon" program will begin; resident volunteers representing every village are being sought.

Supervisor Davidson advised that the condominiums were purchased; the owners approached the ADC regarding redoing the design. Discussion ensued regarding the plans for the condominiums.

NINTH ORDER OF BUSINESS

OPEN ITEMS

This item was not addressed.

TENTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Regarding reregistration, Supervisor Davidson reported that several residents have raised concerns by their refusal to identify the number of bedrooms in the home.

Supervisor Lawrence stated that some people do not want to give the information, as they are afraid it will be reported to the property appraiser and their taxes will increase. He stressed that the property appraiser will not see the District's data; therefore, those types of concerns are unfounded.

Supervisor Davidson pointed out that some residents do not want to give the information because they feel it is none of the District's business. Supervisor Smith suggested listing two (2) bedrooms for homes and one (1) for condominiums, should the resident refuse to give the

number. It was noted that distribution of GADs and SAACs will be limited to the number allowed based on those figures.

Supervisor Davidson reported on a letter received from Mr. Robert and Mrs. Amy Aiken regarding their concerns about security in the Wild Oaks area. He indicated that he will speak to an involved resident from the Forest Park area to explain that the dog park is an amenity for Grand Haven residents and, going forward, people using it will be checked. Discussion ensued regarding posting signs.

Regarding the tailgating issue, Supervisor Davidson indicated that the only solution is installing a second gate, which is an expensive solution.

It was noted that Mr. and Mrs. Aiken requested that the District conduct periodic checks of those using the amenities in Wild Oaks and want to know what to do if a resident observes an unauthorized person using them.

Supervisor Lawrence acknowledged that there are unattended amenities. Discussion ensued regarding a procedure for monitoring locations not included in AMG's contract. Supervisor Lawrence felt that responsibility falls to the Field/Operations Manager. Mr. Kloptosky stated that, on occasion, staff has been called to check a situation; however, he would not want that to be a regular practice, as people would constantly call the office. It was noted that the District has unattended amenities and, if someone feels threatened, they should contact the sheriff.

Questions regarding the possibility of the parvovirus virus in the dog park were raised in the letter. Supervisor Davidson felt that any contamination found that causes the virus, should be grounds for permanently closing the dog park.

These matters will be further discussed at the next meeting.

Regarding his purchase of a microphone system, Supervisor Smith stated that he did not intend on upsetting Supervisor Gaeta. He indicated that he provided Mr. Kloptosky with an internet connection a while ago; however, Mr. Kloptosky is very busy with other matters. Supervisor Smith recalled a comment, at the last meeting, about budgeting next year for new microphones. For this reason, he chose to proceed with the purchase, on the notion that, if it works, great, and, if not, the item could be returned.

Supervisor Smith indicated that the microphone bid he received from Mr. Kloptosky was \$10,000; however, the unit he purchased on Amazon was \$250 for eight (8) microphones. He

contacted Mr. Kloptosky to find out who knows about the system; Mr. Kloptosky provided him with the schematic, which was not very helpful. For this reason, Supervisor Smith contacted Mr. Ross and had him set the system up.

Supervisor Gaeta pointed out that the issue is the principle of Supervisor Smith proceeding, without Board approval. Supervisor Smith voiced his feeling that he took an action to solve a problem; he informed Mr. Kloptosky when he did it and Mr. Ross was happy to have the system installed. Supervisor Gaeta advised that Mr. Ross felt he was put into a situation or precarious position because he was approached by a single Board Member but was not aware that it was for an item that Supervisor Smith bought; he did not know that he should not be acting on the request and taking action from an individual Board Member. Supervisor Gaeta reported that Mr. Ross felt that, if he did not follow Supervisor Davidson's instructions, he would be jeopardizing his job. Supervisor Gaeta asked Supervisor Smith to understand that, years ago, threats were made to employees.

Supervisor Gaeta explained that Mr. Kloptosky told Supervisor Smith that he would get back to him, after he had a chance to speak to the District Manager; both agreed that this was not a good thing to do. Supervisor Smith questioned why it would not be a good thing to do. Mr. Kloptosky recalled that Supervisor Smith asked him to purchase the equipment. Mr. Kloptosky advised Supervisor Smith not to purchase the equipment, as it is something that he should do; however, he did not want to proceed with the purchase without discussing it with the District Manager. Mr. Kloptosky stated that Mr. Wrathell knew this was an ongoing discussion matter and advised that the Board should have the opportunity to weigh in on it, prior to the purchase. Supervisor Smith indicated that the Board can give their opinion now.

Supervisor Davidson pointed out that Supervisor Smith did not follow procedure. Supervisor Smith questioned why the District would not want to try a product where someone is giving them a "free" trial. Supervisor Gaeta reiterated that is not the case. Supervisor Davidson stated that, procedurally, there is a difference between the way things are done in the private and public sectors; this is the public sector and the hierarchy is set and must be followed. Supervisor Davidson noted that the public sector is subject to certain laws that must be followed; Supervisor Smith should have presented the equipment for consideration and, if approved, Mr. Kloptosky should have been the party to purchase it. Supervisor Smith's actions amount to an unauthorized purchase. Supervisor Smith disagreed, stating that the CDD did not purchase it, he did.

Supervisor Davidson questioned if this is a donation and Supervisor Smith does not expect to reimburse him for it. Supervisor Smith stated that, if the CDD wants to buy it, it can buy it from him; otherwise, he will ship it back. Supervisor Davidson advised that it is an unauthorized purchase. Supervisor Smith stated that his wife bought the equipment and questioned again, how this is an unauthorized purchase. Supervisor Davidson stated that, if the District “buys” it from Supervisor Smith, it is an unauthorized purchase because the Board did not approve it prior to purchase. Supervisor Davidson stated that the purchase was presented to the Board, after the fact, by someone who purchased it, without authority to do so. Supervisor Smith questioned what CDD money was used for the purchase. Supervisor Davidson stated that none was used, until Supervisor Smith asked the District to “pay” him for it.

Mr. Paton acknowledged that Supervisor Smith’s intentions might have been good; however, laws related to governmental entities prohibit the District from purchasing the equipment from Supervisor Smith without a conflict of interest. He noted that this type of action could snowball, if other Board Members did the same thing, creating a bad situation. Board Members do not purchase things.

Supervisor Gaeta reminded Supervisor Smith that this is a matter of precedent; what is to prevent other Board Members to act on their “good ideas”, in a similar manner. She reiterated that he might have been well intentioned; however, he was told, several times, by Mr. Kloptosky and Mr. Wrathell, to not make the purchase but he did so anyway. Furthermore, Supervisor Smith put the facilitator in a precarious position, as Mr. Ross did not know that Supervisor Smith was not acting on behalf of the Board.

Supervisor Smith contended that he did not tell Mr. Ross that he was acting on behalf of the Board; he simply asked Mr. Ross to plug it in. Supervisor Gaeta pointed out that, regardless of what was not said, Mr. Ross felt intimidated by Supervisor Smith.

Supervisor Chiodo asked how Supervisor Gaeta became aware of this situation. Supervisor Gaeta indicated that she has regular conversations with AMG and Mr. Kloptosky before meetings in order to be informed about anything that is taking place; it is for the same reason that she requests the audio of each meeting.

Supervisor Chiodo noted his concern about the microphones for the past six (6) years. He agreed that Supervisor Smith proceeded in the wrong way; however, he is now concerned about statements that were made today. Supervisor Chiodo stated that he believes Supervisor

Gaeta overstepped when she brought this subject up, earlier in the meeting, prior to the Board discussing it. He acknowledged that he does not want to return to the way things were but, it is a good idea so the Board should consider something like this, without buying it from Supervisor Smith.

Supervisor Lawrence felt that this discussion is troublesome and is “making a mountain out of a molehill”. He believes that this has been a learning experience for the Board Members. Supervisor Lawrence voiced the importance that the Board works together in a positive, friendly fashion; however, the discussion is heading towards alienation. He acknowledged the legal issues with buying the equipment from Supervisor Smith’s wife; therefore, she should return the equipment and the District should proceed with ordering it directly from Amazon.

Supervisor Gaeta agreed.

Supervisor Lawrence suggested including this as a consent agenda item for consideration at the next meeting.

Mr. Kloptosky reiterated that he spoke with Supervisor Smith about this and advised him that he should not make the purchase, as he should be the person to make the purchase. The breakdown occurred and Mr. Kloptosky did not make the purchase because Mr. Wrathell felt that the purchase should be discussed with the full Board, first. Mr. Kloptosky recalled notifying Supervisor Smith of the status.

Supervisor Lawrence suggested that, since this purchase is within Mr. Kloptosky’s discretion and the Board believes it is a good idea, Mr. Kloptosky should buy the equipment now so that it can be tested at the next meeting.

Supervisor Gaeta reiterated the importance of adhering to procedure, following the hierarchy and allowing the Board to discuss all matters.

ELEVENTH ORDER OF BUSINESS

ADJOURNMENT

There being nothing further to discuss, the workshop adjourned.

Secretary/Assistant Secretary

Chair/Vice Chair