

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

A Regular Meeting of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, April 17, 2014 at 9:30 a.m.**, in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting were:

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

Also present were:

Craig Wrathell	District Manager
Rick Woodville	Wrathell, Hunt and Associates, LLC
Howard McGaffney	Wrathell, Hunt and Associates, LLC
Scott Clark	District Counsel
Jim Sullivan	District Engineer
Barry Kloptosky	Field Operations Manager
Ashley Higgins	CDD Office Staff
Robert Ross	Vesta/AMG
Frank Sockman	Palm West Home Realty
Eddie Muse	DSI Architects
Louise Leister	Horticulture Consultant
Earl _____	Resident
Chip Howden	Resident
JoAnn Smith	Resident
Sarah Lockhart	Resident
Nan Stillman	Resident
Donald and Elizabeth Denby	Residents

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the meeting to order at 9:32 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

**PUBLIC COMMENTS (3-Minute Rule;
Non-Agenda Items)**

There being no public comments on non-agenda items, the next item followed.

FOURTH ORDER OF BUSINESS

**CONSULTANTS, GUEST REPORTS &
PRESENTATIONS**

A. Vista Par Unfinished Condos, [Frank Sockman, Palm West Home Realty]

Mr. Frank Sockman, of Palm West Home Realty, indicated that he assisted in negotiating the deal with the unfinished condominium project at The River Club. He provided a history of the project, discussed the current conditions and a brief timeline for the project.

Mr. Eddie Muse, of DSI Architects (DSI), indicated that the project is currently in the design approval phase with the City of Palm Coast. He anticipates a response within the next few weeks. Mr. Muse advised that he performed a cursory review of the City's comments and has addressed the issues. Mr. Muse anticipates that the project will go out for bid in three weeks. Once the general contractor is hired, the construction will commence no later than July, 2014.

Supervisor Smith recalled that the original plan included two buildings and asked if the plan remains the same. Mr. Muse clarified that the original plan called for four buildings; however, two have not been started. Mr. Muse advised that attention will shift to the other two buildings, once the units begin to sell in the first two buildings. In response to Supervisor Davidson's question, Mr. Muse stated that the second two buildings are part of Phase 2; if Phase 1 sales are aggressive, Phase 2 will proceed more quickly.

Supervisor Davidson asked if the number of platted units will remain the same as in the original plan. Mr. Muse replied affirmatively. Mr. Sockman indicated that each building will house 24 condominium units. In response to Supervisor Gaeta's question, Mr. Muse advised that the condominiums will be two and three-bedroom units. Mr. Sockman noted that the units will be priced between \$225,000 and \$450,000. Regarding parking, Mr. Sockman stated that the parking area was included on the original plan; it is essentially the same as the Riverview Condominiums. Mr. Sockman noted that the City has approved the parking plan.

Supervisor Davidson asked if the development will be part of the same association as the other condominiums. Mr. Sockman commented that the new units are not required to be under the same association as Phase 1; however, that would be the ideal scenario.

Supervisor Gaeta directed Mr. Sockman to provide the Board with copies of the renderings. Mr. Sockman agreed and noted that the floor plans are the same as in the Riverview Condominiums but with three plans, rather than four. In response to Supervisor Davidson's question, Mr. Sockman advised that the developer is Lavaya Properties, of Jacksonville.

Supervisor Davidson recalled that the District has encountered difficulties with the City, regarding permitting, and asked if the City is the cause for delays with this project. Mr. Sockman replied no and added that the City helped with many matters.

In response to a question regarding parking, Mr. Sockman explained that the units will have two-car garages and an allotted number of parking spaces. Discussion ensued regarding selling the units; Mr. Sockman stated that interest is stable.

Supervisor Davidson asked Mr. Sockman to provide the elevation drawings for posting on the District's website. In response to Supervisor Lawrence's question, Mr. Sockman estimated that units will be ready within six months of commencing construction.

B. LLRP and General Landscape Budget – Remainder of Fiscal Year 2014 & Proposed Fiscal Year 2015 [Louise Leister, Horticulture Consultant]

****This item, previously Item 4.C., was presented out of order.****

Ms. Louise Leister, Horticulture Consultant, provided an overview of the current landscape projects. She indicated that several pond banks are being replanted, including South Lake, Marsh Crossing and Creekside. Ms. Leister explained that the project was previously on hold due to a shortage of spartina plants. Removal of dead or dangerous trees will continue. Ms. Leister advised that dead vegetation will be replaced, along Waterside Parkway and in other areas. She noted that Firewise mitigation work continues in areas where the Florida Forest Service (FFS) will not or cannot work. The work completed by FFS has saved the District a substantial amount of money.

Ms. Leister indicated that dead plants in South Park and North Park will be replaced. Dead Washingtonian Palms that were removed will not be replaced, as the area has sufficient vegetation; however, small plants will be replaced, as necessary. Specialty palms will be treated for deficiencies.

In response to Supervisor Gaeta's question, Ms. Leister confirmed that the projects she is highlighting were included in the Fiscal Year 2014 budget.

Ms. Leister stated that, as of May 7, the District will have spent \$10,750 for dead tree removal. To date, \$2,384 was spent on vine control for Firewise mitigation. She advised that \$4,335 was spent for landscape rejuvenation, including the removal and replacement of dead vegetation. Ms. Leister summarized that, \$15,600 of the \$60,000 budget was spent, leaving \$44,363 for palm planting, specialized fertilization of the palms, replacement of dead landscape plants and additional tree work.

Ms. Leister advised that the tree work will go over budget this fiscal year; a portion of the landscape budget will be used to offset the overage.

In response to Supervisor Gaeta's question, Ms. Leister pointed out that landscape costs were under budget the past few years. Ms. Leister discussed the difficulty in estimating the number of trees that will die. She explained that a dead tree is removed as soon as possible when it is endangering personal property or could cause personal injury. Ms. Leister indicated that the District sole sources its tree work to a single vendor, which is why the District can receive quick service and is number one on the contractor's list, should there be damage due to a major weather event. In response to Supervisor Davidson's question, Ms. Leister confirmed that dead trees that pose no threat are not removed. She clarified that this discussion only relates to the removal trees on CDD property; the golf course or property owner is notified, by the GHMA, if they have a dead tree.

Supervisor Gaeta recalled that the irrigation rotators were being changed and asked if that is still being completed. Ms. Leister replied affirmatively, stating that they are being replaced, as needed.

Regarding the \$50,000 Firewise mitigation budget, Ms. Leister advised that she is waiting for FFS to finish to determine what must still be completed. She stated that she intends to use the entire \$50,000 budget to remove vines and spray, to get ahead of the growth.

Ms. Leister discussed plants and trees that were installed within the community. Ms. Leister indicated that the flowers will be changed the week after Easter; the violas will be replaced with yellow marigolds. Supervisor Davidson asked if the violas could be reused elsewhere. Ms. Leister replied no; violas die when the temperature exceeds 90°.

Mr. Chip Howden, a resident, recalled discussion about replanting spartina and asked if Ms. Leister plans to install spartina on banks that back up to resident property. Ms. Leister indicated that she only plants on CDD property.

Ms. JoAnn Smith, a resident, expressed her concerns regarding the swamp “mess” on Jasmine Drive and asked if anything could be done to improve drainage. Supervisor Davidson noted that it is a wetland area. Ms. Smith stated that she observed uprooted trees, along the walkway, due to the conditions. Ms. Smith felt that the wet conditions and the trees being completely covered in vines will cause the trees to become “stumps”.

Ms. Leister explained that the property is regulated by the St. Johns River Water Management District (SJRWMD) and they will not issue a permit for anything to be removed from that area. She stated that the area is supposed to be wet; it collects water that drains from resident properties. Ms. Leister summarized that the wetland preserve is functioning as designed; it collects water runoff before it enters the Intracoastal Waterway.

Ms. Smith stated that she viewed documents that designate the area as “recreational”. Supervisor Davidson clarified that the land is owned by the CDD and platted as “recreational”; however, it is administered and controlled by the SJRWMD. In response to Ms. Smith’s question, Supervisor Davidson advised that the SJRWMD is aware of the conditions and toured the area with Ms. Leister. Ms. Leister reiterated that the SJRWMD will not let her do anything in the wetland area.

C. RFP for Landscape Services [Louise Leister, Horticulture Consultant]

*****This item, previously Item 4.B., was presented out of order.*****

Ms. Leister reviewed the RFP for Landscape Services. She noted that only minor adjustments were necessary, such as upgrading the palm count number, the dates and the RFP tabulation percentages. Ms. Leister advised that, on Page 8, the first item, under the “Price” category, should be changed from “20” to “15” points; the entire “Price” category is worth 20 points, combined. Ms. Leister stressed that price is not always a good indicator of quality of work; in her experience, the lowest priced contractor usually provides the worst service. She indicated that she increased “Understanding of Scope of Work” from “15” to “25” points; as she believes a complete understanding of the scope of work is essential.

The following changes were made:

Page 2, Paragraph 1, Line 3: Insert “not” after “but”

Page 25, Item 5.: Change “IRRIGATION” to “IRRIGATIONS”

Throughout the documents: Change “Client” and/or “Owner” to “District”

Page 40, Item 2., Line 4: Change “preformed” to “performed”

Page 44, Item 2.g.: Change “A Community Ad Hoc Group” with “The Horticulture Consultant”

Ms. Leister referred to Page 50, Item 3., and noted that the on-site irrigation technician’s weekly hourly requirement was reduced from 40 to 30 hours per week. Additionally, the irrigation technician will be required to sign in and out at the Main Gate upon entering and exiting the community. In response to Supervisor Lawrence’s comment, Ms. Leister advised that the irrigation technician will not have a gate access device (GAD); however, if one is used, contractor will only receive “credit” for the hours entered on the log.

Supervisor Lawrence referred to the evaluation criteria item “Understanding of Scope of Work”, on Page 8, and asked how knowledgeable other contractors could be about the community’s landscaping scope of work and needs. Ms. Leister advised that it would be very difficult for an outside contractor to fully understand the scope; if the District awards the contract to a different contractor, it would require Ms. Leister and Mr. Kloptosky to spend a large amount of time familiarizing them with the community. Mr. Kloptosky recommended requiring all prospective bidders to attend a mandatory site visit. Supervisor Gaeta noted that this requirement must be added to the RFP. Mr. Wrathell cautioned against designing the RFP to naturally give the incumbent contractor an unfair advantage. Mr. Kloptosky favored scheduling a one-time mandatory site visit for all interested contractors. Mr. Wrathell confirmed that the mandatory site visit requirement will be added to the RFP.

Mr. Kloptosky suggested that all contractor questions be addressed by Management’s office. Mr. Wrathell stressed the importance of each potential bidder receiving exactly the same information. Mr. Clark stated that the best process would be to schedule a single, mandatory site visit and require questions to be submitted in writing, with the District responding in writing and copying all other interested bidders. In response to Supervisor Davidson’s question, Mr. Clark confirmed that all potential bidders should receive a copy of all questions and answers.

Supervisor Lawrence referred to Item 2, on Page 8, and asked about the “cut off” distance for a contractor, with regard to geographical location of the contractor’s headquarters or office. Ms. Leister recommended Orlando as the furthest distance, which is approximately one hour away from the District; she voiced her opinion that the contractor should be located within the general vicinity of the CDD. Ms. Leister noted that many contractors have satellite offices in the

area. Supervisor Davidson suggested that the Board further define the “geographical location” criteria, once the bidders are known.

Supervisor Smith asked that, in the future and for ease of review, the Board receive redline versions of documents such as this.

In response to Supervisor Lawrence’s question, Mr. Wrathell indicated that the RFP will be advertised in Flagler County and, if the Board wishes, the RFP could be forwarded to specific contractors. He encouraged the Board, Staff and Ms. Leister to notify him of contractors that should receive the RFP.

Supervisor Gaeta questioned the concept of the District sending the RFP to contractors other than those who respond to the advertisement. Mr. Wrathell explained that the intent of an RFP is to include as many interested contractors as possible; the District can alert contractors of the RFP.

Regarding contract renewals, Mr. Clark advised that the rules recently changed and might be “tighter”. He explained that the rules now state that a contract can only be renewed if the renewal price is listed in the submitted bid; contracts cannot “rollover” at the end of the contract term, if the price was not included in the bid. Mr. Clark recommended that the RFP identify a specific contract term and ask for a bid on the initial term, along with prices for a three-year renewal term. In response to Ms. Leister’s question, Mr. Clark confirmed that this requirement would enable the District to renew, with the same contractor, beyond the initial contract period. It was noted that the current landscaper’s bid may have included renewal information. Mr. Clark advised that, although the information might have been included, the RFP must require it, so that all contractors can bid in the same manner.

Supervisor Davidson asked if it weighs unfavorably on a contractor that is only willing to bid on the contract term, rather than the contract term plus the renewal term; thereby, giving the Board grounds to disqualify that bidder. Mr. Wrathell indicated that it should not disqualify the bidder. Mr. Clark concurred, stating that failure to provide a bid for the contract renewal term should not be grounds for disqualification; bidding on the renewal term should be optional.

Mr. Howden advised that horticultural work in the lakes might be necessary and asked if the current RFP includes this type of work. Supervisor Davidson indicated that it is not included in the RFP; this topic will be discussed later. Mr. Howden voiced his opinion that the RFP should not be approved until it is amended to include that work. Supervisor Davidson stated that the possible work, mentioned by Mr. Howden, involves discussions with the GHMA and

responsibilities that are beyond the scope of the District’s standard landscape services contract. Mr. Howden felt that the District’s decisions on the lakes should involve the GHMA. Supervisor Chiodo concurred with Mr. Howden. Supervisor Davidson pointed out that the lake matter has nothing to do with the District’s general landscape services.

Mr. Wrathell indicated that the RFP will be included for discussion at the workshop.

FIFTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. MINUTES

- i. Approval of March 6, 2014 Continued Meeting Minutes**
- ii. Approval of March 20, 2014 Regular Meeting Minutes**

B. UNAUDITED FINANCIAL STATEMENTS

- i. Approval of Unaudited Financial Statements as of March 31, 2014**

C. Relocation of Horseshoe Pit and Convert Existing Area to Two Petanque Courts

Mr. Wrathell presented the Consent Agenda Items for the Board’s consideration.

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

****The meeting recessed at 10:57 a.m.****

****The meeting reconvened at 11:08 a.m.****

SIXTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

There being no report, the next item followed.

B. Amenity Manager

Mr. Ross questioned why the Main Gate issues 30-day guest passes but the office can only issue 14-day passes. Supervisor Davidson indicated that there is inconsistency between the 30-day, out of Flagler County, overnight guest passes, issued by the Main Gate, and the District’s policy that only allows those guests to use the amenities for 14 days. Supervisor Davidson asked that this topic be included for discussion at the next workshop.

Mr. Ross stated that the smart amenity access cards (SAACs) are working properly and residents understand the system. He confirmed that SAACs are constantly “spot checked” and, recently, very few violators have been discovered.

Supervisor Gaeta noted that tennis fee revenue was at \$1,723, year-to-date.

In response to Supervisor Gaeta’s question, Mr. Ross reported that approximately 270 residents have signed up for “Resident Appreciation Day”; he expects about 350 participants.

C. Field/Operations Manager

Mr. Kloptosky reported issues with the AquaCal heat pumps at the Creekside pool. He advised that one unit is “down” and another is barely functioning; the system cannot operate on only two units. Mr. Kloptosky advised that the Fiscal Year 2014 Capital Plan budgeted \$24,333 to replace four pool heaters at Creekside. He presented a \$26,000 quote from Duda Pools, not including the permit fee of approximately \$500. Mr. Kloptosky felt that the overage is not an issue, as the District realized savings in other areas of the Capital Plan. In response to a question, Mr. Kloptosky indicated that the pumps were original to the pool and met their life expectancy; repair costs are becoming substantial. Mr. Kloptosky recommended purchasing new heat pumps as soon as possible.

On MOTION by Supervisor Chiodo and seconded by Supervisor Lawrence, with all in favor, the Duda Pool proposal for four AquaCal pool heater pumps, in a not-to-exceed amount of \$26,000 and a 10% contingency, for a total of \$28,600, was approved.

Mr. Kloptosky reported that complaints and requests were received regarding the designated smoking area at Creekside. Mr. Kloptosky noted that the designated smoking area is currently near the tiki bar; many people are complaining about the smell of smoke at the pool. He suggested relocating the designated smoking area to beyond the fenced area and away from the pool.

▪ **Continued Discussion: Gym Equipment**

*****This item, previously Item 7.D., was presented out of order.*****

Mr. Kloptosky indicated that he met with Mr. Lloyd, of Lloyd’s Exercise Equipment (Lloyd’s) regarding replacement of the two elliptical machines at Creekside with Landice brand machines. Mr. Kloptosky confirmed that the Landice machines provide the same functions as

the machines that are being replaced and recommended purchasing the Landice elliptical machines. Regarding adding a recumbent elliptical machine, as discussed by Supervisor Gaeta, at the last workshop, Mr. Kloptosky stated that Mr. Lloyd does not recommend installing it unless it is an additional piece of equipment, as it is designed for specific types of physical therapy and injuries; it is not a highly popular option for the average person. Mr. Kloptosky noted that Creekside does not have sufficient space to add a third elliptical machine.

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, the purchase of two Landice elliptical machines for Creekside, in a not-to-exceed amount of \$6,190, was approved.

Mr. Kloptosky referred to a letter that was received from Mr. Paul Kimmel, a resident, regarding pond bank erosion issues. He visited Mr. Kimmel and observed the pond bank behind the residence. Mr. Kloptosky advised that the bank is becoming steeper. Mr. Kimmel's neighbor reported cracks in his lanai. Mr. Kloptosky advised the residents that the Board has not resolved the pond bank issues and presented photographs of the conditions near Mr. Kimmel's home. Mr. Kloptosky voiced his opinion that the issues presented are the responsibility of the homeowners, not the CDD.

Mr. Kloptosky expressed his professional opinion that the homes were built on fill, which is leading to erosion issues. He believes that the homeowners' issues are with the developer, not the District; however, Mr. Kimmel's builder is no longer in business. Mr. Kloptosky noted that, per the homeowner's request, he forwarded the concerns to the GHMA.

Supervisor Davidson recalled that this situation is similar to others that are issues with the builders, not the District. He noted that this issue came to the Board's attention because of the inference that the pond banks were eroding and "destroying homes", although the comments were not accurate. Supervisor Davidson stressed that the area is not experiencing pond "erosion" that would create the issues described by Mr. Kimmel.

Mr. Kloptosky noted that the resident also misunderstood the purpose of spartina, along the pond banks, and felt that its inability to grow was causing the bank to erode. He stated that he explained to the resident that the builder should have stabilized the soil during the building stage.

Mr. Kloptosky recalled discussion, at the workshop, regarding potential drainage issues on Lakeview Lane, because the road was not built to the same standards as typical roads. Per Supervisor Smith's request, Mr. Kloptosky indicated that he researched other areas that might have similar issues. He discovered an area near the South Entrance, on Waterside Parkway, and presented photographs of the road conditions. Mr. Kloptosky advised that S.E. Cline Construction, Inc., (Cline) is willing to visit the site and render an opinion of the road conditions. He stated that, although the road has an inverted crown, it has many cracks and is "disintegrating". Mr. Kloptosky reported a similar area on North Front Street.

The Board agreed that Cline should dig into the road to determine the underground conditions. Discussion ensued regarding whether the subject road is included in the District's road plan. Mr. Kloptosky stated that it is classified as "Waterside Parkway"; however, it is essentially an extension of Waterside Parkway.

Mr. Kloptosky reviewed photographs of North Front Street and advised that nearly every concrete slab has cracks in it. The Board discussed conditions on South Front Street. Supervisor Chiodo felt that the street leading into South Village has similar issues.

Mr. Lawrence stressed that Mr. Kloptosky must verify that these are CDD roads, not private property.

Mr. Kloptosky recalled previous discussions regarding resurfacing the croquet court. He reported that Master Turf Farms will give a presentation at the May 1, 2014 workshop.

Mr. Kloptosky presented photographs of the Clubhouse Pier and discussed the progress. Supervisor Smith asked if anything was discovered that could increase the cost of the project. Mr. Kloptosky indicated that the contractor was concerned that the center piling might have been in worse condition than originally presumed; however, it was determined to be no worse than the other pilings. In response to Supervisor Lawrence's question, Mr. Kloptosky confirmed that the pier will be restored to its original design. Mr. Kloptosky explained that wood on the walkway was prematurely disintegrating due to improper installation. Supervisor Lawrence asked if there is a more economical method to build the "wraparounds". Mr. Kloptosky voiced his opinion that the agreed method is the most typical and the most economical process.

Mr. Kloptosky reported that the contractor expects to complete the project within five weeks; work commenced one week ago.

In response to Supervisor Lawrence's question regarding the pier lights, Mr. Kloptosky indicated that recessed lights will be installed. He expects that the benches will be reinstalled.

Mr. Kloptosky indicated that the Creekside men's restroom was closed for repairs. The women's restroom was temporarily converted to a "unisex" restroom and the sign was changed. He stated that the women's showers were temporarily closed. Mr. Kloptosky reviewed photographs of the restroom conditions.

Mr. Kloptosky presented photographs of the Esplanade lake bank erosion repairs. Work commenced on Tuesday and should be completed in five to seven days. In response to Supervisor Gaeta's inquiry, Mr. Kloptosky advised that there is no guarantee that erosion will not occur in other locations within the community. Supervisor Davidson asked if the bench will be reinstalled. Mr. Kloptosky replied affirmatively and stated that he is considering adding a second bench, using funds from the "community" line item.

Mr. Kloptosky indicated that he is waiting for the contractor to notify him of the anticipated start date for replacement of the remaining deck drains at The Village Center pool.

Mr. Kloptosky reported that the audio system contractor received the deposit check and ordered the equipment. Work will commence once the equipment arrives.

Mr. Kloptosky presented a photograph of the 2014 Kawasaki Mule™ 4010 4x4, which was recently purchased. He discussed the possibility of storing the vehicle in the pump house, if the permit allows for installation of a larger door.

i. Hire Full or Part-Time Maintenance Worker

Mr. Kloptosky distributed and reviewed a list of pending projects within the community. He discussed additional work, not included on the list, which could be completed, in-house, if another maintenance worker was added.

Supervisor Lawrence pointed out that the list contains 82 items.

Mr. Kloptosky indicated that the list reflects work that needs to be completed during regular hours when staff can find time. He stated that the list is increasing.

Supervisor Smith commented that, while Mr. Kloptosky's list is impressive, he cannot determine how much time each of the items would take staff to complete. Mr. Kloptosky advised that he will add the number of man-hours needed to the list. Supervisor Chiodo pointed out that most of the tasks on Mr. Kloptosky's list are recurring activities. Supervisor Chiodo asked Mr. Kloptosky to also identify the frequency that each item must be completed, each year. Supervisor Lawrence directed Mr. Kloptosky to include the tasks previously discussed, such as pressure washing the sidewalks and curbs, painting streetlights, etc. Mr. Kloptosky stated that he purposefully left those items off of this list, as he views those tasks differently, as they can keep

a single person busy for several months. Supervisor Lawrence reiterated his request that those items be added to the list.

Supervisor Smith recalled previous discussion of potential parking areas, with Mr. Kloptosky focusing on an area near Creekside.

Mr. Kloptosky confirmed that the focus was on Creekside because there were areas that could accommodate additional parking. He reconsidered parking options at The Village Center and noted that additional parking could be created if the hedge, near the circle entrance, and the croquet practice court, were removed. Mr. Kloptosky stated that, according to Cline, this modification would yield approximately 20 parking spaces. He voiced his opinion that the croquet practice court has always been a “problem”; therefore, removing it and building two new croquet courts elsewhere would allow the District to install additional parking.

Supervisor Davidson clarified that the District currently has three croquet courts, which includes a double court and the practice court. He advised that, if the practice court is removed, it must be relocated. Supervisor Davidson stated that the District must retain three croquet courts and asked Mr. Kloptosky to confirm how this can be accomplished.

Mr. Kloptosky suggested installing a “half” parking lot on the front section of Creekside and leaving one court in that location, as a practice court. He recommended expanding parking to an area by the soccer net and using that area for the new double croquet courts. Mr. Kloptosky recalled that parking in this area will be necessary, if new pickleball courts are installed in this location.

Supervisor Gaeta asked about the impact to landscaping and trees, if Mr. Kloptosky’s proposed modifications are completed. Mr. Kloptosky indicated that Cline advised that there is sufficient footage to retain vegetation to create a “blind”; however, prior to commencing anything, the District would need a conceptual drawing and the District Engineer must review the work to determine if it is feasible.

Supervisor Smith identified a grassy area on the side of the tennis courts, measuring 40’ to 45’, and asked if it could be converted to a parking lot. Mr. Kloptosky was unsure if that area falls within a wetland and/or the upland preserve areas.

Supervisor Smith questioned why the District must retain three croquet courts. Supervisor Davidson indicated that the District has an obligation to the bondholders not to remove an actively used amenity. Mr. Wrathell agreed with Supervisor Davidson; however, he felt that the elimination of the practice court would probably not raise concerns with the

bondholders, especially if it is being replaced with additional infrastructure, such as parking. Mr. Clark advised that it does not appear to be a major issue.

In response to a resident's question, Mr. Kloptosky confirmed that the croquet practice court is frequently utilized.

Supervisor Davidson directed Mr. Kloptosky to develop conceptual drawings. The Board must determine whether the courts should be repaired now or should the District undertake a massive reconstruction of various items. Supervisor Lawrence felt that the District should develop a "game plan" to increase parking. Supervisor Gaeta noted the potential cost to increase parking and stated that she is in favor of hearing from the croquet expert. Mr. Kloptosky stated that the most he can provide is sketches; the Board needs to review a conceptual plan prepared by the District Engineer. Supervisor Davidson confirmed that, at this point, the Board does not want the District Engineer to become involved. The Board directed Mr. Kloptosky to prepare sketches outlining each of his envisioned options.

D. District Counsel

i. Pump House Agreement

Mr. Clark indicated that, per the Board's direction, he mailed a letter to Escalante Golf (Escalante). Escalante responded by asking the District to send the invoices for payment. Mr. Clark explained that Escalante's letter advised that their investors will not allow them to enter into an agreement with the District, if they do not have control over maintenance of the pump house. He referred to the previously prepared agreement and recalled that the Board insists that the District control every aspect of the maintenance work and budget, while Escalante wants to work with the District to reach a consensus on the maintenance work and budget. Mr. Clark reiterated that the District differ on this issue and might not reach a resolution; therefore, he believes that the District will likely proceed, as it wishes, and assess Escalante for their portion of the repairs and maintenance costs.

Supervisor Davidson asked about the fertigation aspect, including delivery of water to the golf course, and recalled that the Board wants to "decouple" that aspect from the District's obligation and responsibilities. Mr. Clark agreed that the fertigation matter "sticks out" in this scenario and noted that Escalante's counsel did not address the fertigation aspect. Supervisor Davidson stressed that this is significant, as the Board does not want the District to be responsible or liable for the health of the golf course greens.

Supervisor Davidson suggested that, if the District and Escalante are at an impasse, it will require building separate infrastructure to fertilize the water coming out of the pumps. Mr. Clark indicated that his letter suggested that Escalante could assume responsibility for the entire fertigation process. Supervisor Davidson felt that this is a “bargaining tool” for the District because of the expense to Escalante if they had to build new infrastructure for fertigation. Mr. Clark stated that he advised Escalante that, while the District might be obligated to provide the golf course with water, it is not obligated to accommodate Escalante’s fertigation needs.

Supervisor Lawrence suggested that Escalante should be satisfied with only controlling the fertigation aspect, as the water provider (the District) is maintaining the pump house facility.

Mr. Kloptosky explained that water flows from the pump house directly to Escalante’s property; the District’s irrigation splits off of that line in four locations, on the golf course, and flows back to irrigate the District. He commented that the process is “backwards”, compared to how it should be.

Mr. Clark stated that the irrigation system was designed to facilitate the golf course first, with the District’s common areas being secondary. Supervisor Lawrence confirmed that irrigation to the District’s common areas was added after the original system was installed.

Supervisor Gaeta recalled that Escalante is opposed to the District relocating the fertigation tanks outside of the structure. Mr. Clark clarified that Escalante felt that moving the tanks was not necessary. Mr. Kloptosky conveyed the opinion of PBM Constructors, Inc., (PBM), that the fertigation tanks caused severe corrosion within the pump house. Supervisor Gaeta reiterated Escalante’s opinion that relocating the tanks is not necessary and questioned how the District will bill Escalante for this part of the work. Mr. Clark advised that, regardless of Escalante’s position, the District will bill Escalante for their 75% portion of the costs and, if Escalante does not pay, the expense will be placed on their tax bill.

In response to Supervisor Lawrence’s question, Mr. Clark confirmed that he heard nothing additional regarding the deposit that Escalante paid to a different contractor.

ii. Cullis Easement Requests

Mr. Clark indicated that Mr. Cullis did not provide documents for the Board’s consideration. He reported that Mr. Cullis requested two easements; one was not complicated. Mr. Clark stated that Mr. Cullis wishes to defer this matter to the May meeting. Mr. Clark explained that the complicated easement relates to the easement for retention in Wild Oaks; there are many items to consider, such as permitting and obtaining an appraisal. He voiced his belief

that it was concluded that bond funds were not used to acquire the area; therefore, consent of the bondholders and compensation to the bondholders are not required.

iii. 43 Jasmine Berm

Mr. Clark indicated that a response from ICI Homes (ICI) is pending. He recalled that ICI submitted a confidential settlement agreement. Mr. Clark explained that the District cannot maintain the requested confidentiality; therefore, he contacted ICI and they might be willing to rescind the confidentiality request. Mr. Clark stated that he spoke to Mrs. Smith regarding the offer and she remains interested in building a retaining wall. Mrs. Smith contacted an engineer and is questioning if the offer amount would cover the cost to build the retaining wall.

In response to Supervisor Davidson's question, Mr. Clark confirmed that ICI is offering a cash settlement and will then "walk away". Supervisor Davidson voiced his understanding that the homeowner wants to build a retaining wall on CDD property, which should not be allowed; it should be built on the homeowner's private property. The Board agreed with Supervisor Davidson's opinion.

▪ **Release of Easement – City of Palm Coast**

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

Mr. Clark provided a handout regarding the City's request to give the District a quit-claim deed to the Waterside Parkway section owned by the City. He recalled that the City has an easement requires the District to release.

Mr. Clark reviewed an aerial photograph depicting the area where their easement sits. The purpose of the easement was to "get Ditch 10 across Old Kings". He explained that Ditch 10 brings the District its reuse water; an easement along Ditch 10 was given to the original developer to provide water to the golf course. Mr. Clark stated that all easements were eventually conveyed to the golf course and the CDD. He noted that, at some point, the District utilized bond proceeds to improve filters on its wastewater treatment plant so that the quality and quantity of reuse water entering the golf course would be sufficient. Mr. Clark advised that, in 2005, the District conveyed its utilities to the City and the City assumed responsibility for providing reuse water. He indicated that the 2005 utilities conveyance included pump stations, easements, etc.; subsequently, it was discovered that there was an oversight and the easement assigned to the District and the golf course was not released. Mr. Clark recommended approving the release of easement.

Supervisor Lawrence recalled that a disabled pump station sits on the west side of Old Kings Road and questioned who owns it. Mr. Kloptosky presumed that the District owned the pump station. Supervisor Lawrence suggested asking the City to take the pump station, in exchange for the District approving the release of easement. Mr. Clark confirmed that the District can make the release of easement conditioned upon the City accepting the Ditch 10 Pump Station.

Supervisor Davidson introduced Ms. Sarah Lockhart, a resident and former Senior Planner with the City of Palm Coast Planning Department, and asked for her input. Ms. Lockhart indicated that “it does not hurt to ask”.

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, the Release of Easement By Grand Haven CDD and Escalante to the City of Palm Coast, conditioned upon the City accepting the Ditch 10 Pump Station, was approved.

▪ **Cullis Easement Requests**

****Discussion of this item resumed.****

Ms. Lockhart stated that she emailed her comments to Mr. Clark regarding the first easement; she will forward them to Mr. Wrathell, as well.

Regarding the easement request for the 9th green, Ms. Lockhart stated that she is speaking on behalf of herself, Ms. Nan Stillman and Mr. and Mrs. Donald Denby, all of whom are residents. She expressed their concern that the District might “strip ahead” of the City in the review process. Ms. Lockhart voiced her opinion that there are fatal flaws with Mr. Cullis’ site plan; she questioned if the District will “end up with four units, by the time this is all over”. She cautioned the Board against approving the easement prior to the City taking final action. Ms. Lockhart reminded the Board that it is not the land use authority. She stated that the parcel in question has zero units assigned to it; therefore, Mr. Cullis must go through an approval process, possibly involving amending the Development of Regional Impact (DRI), applying for a Small Scale Plan Amendment and modifying the Planned Unit Development (PUD). Ms. Lockhart advised that Mr. Cullis would be required to go through a public hearing process to amend the PUD.

Ms. Lockhart conveyed various other concerns regarding Mr. Cullis' project, including the width of the driveways, physical location of the units, whether the units would have one or two-car garages, whether garbage collection would occur and whether the road would have sufficient room for vehicles to turn around. She strongly urged the Board to "let this run its course".

Mr. Clark advised that this matter is a policy decision of the Board; the Board did not approve an easement; rather, it "gave a nod", saying that the District will review it to determine assistance can be provided to Mr. Cullis. Mr. Clark recommended remaining neutral by neither advocating for the units nor working against the units; the Board must only determine what is "right" to do with the District's assets. He does not want the District to be in a position of trying to stop development of the units because they have bond assessments and, if the Board disallows the units, there may be property owners who will not pay assessments, requiring the money to come from another source. Mr. Clark urged the Board to be cautious and maintain neutrality. If the project cannot be built, for other reasons, it could be a problem; however, the issue would not be the District's fault.

Supervisor Davidson pointed out that Mr. Cullis does not need the easement until the City approves the project. Supervisor Davidson recalled a comment from Ms. Lockhart and asked if she is implying that Mr. Cullis' four units would be "excess inventory" beyond the District's 1,901 designated units. Ms. Lockhart replied affirmatively. Supervisor Lawrence referred to Ms. Lockhart's contention that this parcel has zero units assigned to it and noted that he reviewed internal Grand Haven documents showing six units. Ms. Lockhart agreed that sales and marketing documents show units on the parcel; however, the actual Development of Regional Impact approval does not reflect units. Ms. Lockhart stated that the only multi-family parcel in Grand Haven CDD is River Club and the condominiums. Ms. Lockhart reiterated that, in the formal documents, the District already has 1,901 units and none of those units are assigned to that parcel, in a reliable form, for land use designation purposes.

Mr. Clark noted that Ms. Lockhart's comments mean that another parcel has allocated units that will not be built. Ms. Lockhart stated that there are five units, around Waterfront Park Drive, which fall outside of the CDD's boundaries. Supervisor Lawrence commented that there might be six properties.

Mr. Wrathell pointed out that the District cannot assess those units. He stressed that the Board must not do anything that could hinder the assessments already assigned to the property in

question; otherwise, the bondholders would have reasonable recourse against the District. Mr. Wrathell advised that the debt was assigned to that property and is “locked in”.

Supervisor Lawrence recalled that there was a previous attempt to bring the five or six properties within the District but it was not approved.

Supervisor Davidson noted that Ms. Lockhart presented information that conflicts with the District’s understanding and asked Ms. Lockhart to coordinate with Mr. Wrathell to determine the number of units.

Supervisor Davidson advised that the Board will take no action until the City approves a formal site plan.

E. District Manager

i. Upcoming Regular Meeting/Community Workshop

- **COMMUNITY WORKSHOP**
 - **May 1, 2014 at 10:00 A.M.**
- **BOARD OF SUPERVISORS MEETING**
 - **May 15, 2014 at 9:30 A.M.**

The next workshop is scheduled for May 1, 2014 at 10:00 a.m., and the next meeting is scheduled for May 15, 2014 at 9:30 a.m.

SEVENTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2013, Prepared by Grau & Associates [CW]

Mr. Wrathell presented the Fiscal Year 2013 audit. He reviewed the financial highlights, on Page 2, and stated that the District’s assets exceeded liabilities by \$20,839,382. Mr. Wrathell noted that the District has approximately five years remaining on its bonds; therefore, liabilities related to bond debt decrease each year. He indicated that there was a decrease in total net assets of (\$1,004,232), primarily the result of depreciation of physical assets. The District’s ending fund balance was \$2,470,573, which was an increase of \$497,071, compared to the previous year.

Mr. Wrathell advised that the audit report format has changed, since the last audit, based on new requirements. He noted that, under the previous format, bond issuance costs were amortized over the life of the bond; however, the new format requires the - off of bond issuance costs.

Mr. Wrathell reviewed the “Statement of Net Position”, on Page 7, and the “Balance Sheet”, on Page 9, and discussed the modified accrual accounting method. He stated that the District’s “Accounts receivable” line item appeared high because invoices might have been logged into the system and the “check run” was generated after the month end.

Mr. Wrathell referred to the “Statement of Revenues, Expenditures, and Changes in Fund Balances”, on Page 11, which reflects changes in the fund balances. He stated that, overall, expenditures were under budget and revenues were over budget, resulting in a \$554,759 increase in the “General Fund”. The “Debt Service Fund” had a negative balance because the District lowered its debt assessments in order to increase the operation and maintenance (O&M) assessments. The “Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – General Fund”, on Page 22, reflects the District’s actuals versus its budgeted amounts. Mr. Wrathell concluded that the increase in the fund balance was greater than anticipated.

Mr. Wrathell indicated that the Proposed Fiscal Year 2015 budget will be included for discussion at the next workshop.

Mr. Wrathell advised that Page 18 shows that the District’s bond proceeds were invested in safe, AAA-rated investment vehicles. The District’s operating accounts are in FDIC insured accounts.

Mr. Wrathell referred to the “Report on Internal Control Over Financial Reporting and On Compliance and Other Matters”, on Pages 24 and 25, and indicated that the auditor did not identify any deficiencies on internal control over financial reporting considered to be material weaknesses and there were no instances of noncompliance required to be reported. Mr. Wrathell stated that no current or prior year findings were identified in the “Management Letter”, on Page 26.

Mr. Wrathell stated that the District received a clean audit.

- **Consideration of Resolution 2014-2, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2013**

Mr. Wrathell presented Resolution 2014-2 for the Board’s consideration.

On MOTION by Supervisor Lawrence and seconded by Supervisor Smith, with all in favor, Resolution 2014-2, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2013, was adopted.

- **Notice of General Election - November 4, 2014 – Seats 1, 3 & 5 (4-Year Terms)**
 ****This item, previously Item 7.F., was presented out of order.****

Mr. Wrathell indicated that the General Election will be held on November 4, 2014. He advised that Seats 1, 3 and 5, currently held by Supervisors Gaeta, Chiodo and Lawrence, respectively, will be up for election.

- **Consideration of Resolution 2014-3, for Placing Special District Candidates on General Election Ballot**

Mr. Wrathell presented Resolution 2014-3 for the Board’s consideration.

On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, Resolution 2014-3, for Placing Special District Candidates on General Election Ballot, was adopted.

- **Qualifying Period: Noon, June 16, 2014 – Noon, June 20, 2014**
 - **Candidates May Pre-Qualify Beginning June 2, 2014**

The candidate qualifying period will be noon, June 16, 2014 through noon, June 20, 2014. Candidates may pre-qualify beginning June 2, 2014.

****Mr. Wrathell left the meeting.****

****Supervisor Davidson stepped out of the meeting.****

****Supervisor Davidson returned to the meeting.****

B. Continued Discussion: Advertising in Community Information Guide (*formerly known as Resident Directory*)

Supervisor Davidson distributed the draft solicitation for advertisements. He advised that the back cover advertisement space was sold for \$1,000. Discussion ensued regarding the rates.

C. Capital Plan [TL]

- **Roadway Capital Budget and Plan**
- **Sailfish Drive Drainage Project**

Supervisor Lawrence indicated that he increased the Sailfish Drive drainage project budget from \$80,000 to \$130,000 and noted it for completion during Fiscal Year 2015, in conjunction with Marlin Drive, Lakeside Way and western Sailfish Drive. He advised that the only remaining road item for Fiscal Year 2014 is resurfacing The Village Center south parking lot.

- **Proposed Fiscal Year 2015 Capital Plan** *(to be provided under separate cover)*

Supervisor Lawrence advised that the District will be faced with a challenge in Fiscal Year 2018 because the plan anticipates spending \$823,000 for roadway repairs and the Board wants to fund the work without increasing assessments. He stated that, in order to have sufficient funds, the District must increase the “Road Resurfacing” O&M budget to \$277,000 per year, beginning in Fiscal Year 2015. Supervisor Lawrence indicated that, assuming there are no unexpected road expenditures, from Fiscal Year 2015 through 2018, the District will be under budget for the next few years and those excess funds can roll over to a designated reserve account, earmarked for roadway repairs. He explained that the purpose of keeping the O&M budget for roads constant is that the District will build reserves to pay for large projects.

Supervisor Lawrence noted that curb and base repairs were added to his plan.

Supervisor Gaeta questioned if the 3% inflation rate built into the plan is sufficient.

Supervisor Smith felt that ownership of the curbs should be determined.

Mr. Kloptosky recalled previous discussion where it was determined that the property extends to where the apron meets the asphalt. Mr. Kloptosky voiced his opinion that, with regard to stormwater, the curbs are the District’s responsibility because they are part of the stormwater system.

Supervisor Lawrence suggested that the Board’s position should be that the CDD is responsible for curbs in front of common roads, such as Waterside Parkway. He felt that property owners should be responsible for other areas, with the exception of Wild Oaks, where the property line falls behind the curb.

Discussion ensued regarding who is responsible for maintenance and repairs when the curb is owned by the property owner but it is part of the District’s stormwater management system. Mr. Clark suggested that the Board might need to adopt a policy regarding these situations.

Supervisor Davidson asked that this item be included for discussion at the next workshop.

Supervisor Lawrence indicated that there should be room in the Fiscal Year 2015 Capital Plan budget to consider completing a major parking lot project.

Supervisor Gaeta pointed out that the Fiscal Year 2014 Capital Plan budgeted \$5,000 for each of the heat pumps, at Creekside; however, overall, the cost was \$8,000 more.

- **Continued Discussion: Advertising in Community Information Guide** *(formerly known as Resident Directory)*

Discussion of this item resumed.

Supervisor Smith asked Ms. Higgins to explain how she determined the advertising rates. Ms. Higgins indicated the rates were determined after conferring with the contractor at We Do Signs.

Ms. Higgins indicated that We Do Signs already delivered the first draft of the guide. She is reviewing it to ensure accuracy. She stated that the guide should contain approximately 170 double-sided resident contact information pages, in addition to the other information and advertisement pages.

Supervisor Chiodo recommended increasing the cost for a one-quarter page, inside cover advertisement to \$250. Discussion ensued regarding the advertisement locations, sizes and prices. The Board agreed to eliminate the “inside-partial” advertisement size from the purchase options.

Ms. Higgins stated that she plans to send an e-blast to the community regarding advertising and asked how long residents should be given to purchase advertisement. May 1, 2014 was set as the deadline for resident advertisements and Supervisor Davidson asked Ms. Higgins to provide an update on the progress of sales at the next workshop.

In response to Supervisor Smith’s question, Ms. Higgins confirmed that advertisers must provide a “print ready” advertisement. Supervisor Davidson suggested including the “print ready” requirement in the e-blast.

Supervisor Lawrence felt that the goal should be to generate \$20,000 worth of revenue, which equates to 17 or 18 pages of advertising.

Ms. Higgins reported on the success of the photo contest; over 50 photographs were submitted and more are expected. The photographs are being displayed on presentation boards and voting will commence on April 29. Supervisor Gaeta asked if the Board will have final approval of the photographs to be included in the guide. Supervisor Davidson stated that the selection is based on resident votes, unless there is a tie. Ms. Higgins noted that a large number of photographs will likely be used in the guide.

Mr. Kloptosky reported that there was an incident at the CDD office involving a resident who refused to provide the District with a copy of his vehicle registration. He noted that, shortly after a situation at the Main Gate, the Flagler County Sheriff’s Office called the CDD office and inquired about the District’s process and wanted to know why the District is requesting copies of vehicle registration. Mr. Kloptosky asked the Board how the CDD office staff should respond to

the Sheriff's inquiry. Supervisor Lawrence recommended that District Counsel contact the resident. Mr. Kloptosky stated that, while he has a suspicion, due to the situation at the Main Gate, he is not sure who prompted the Sheriff's involvement. Ms. Higgins noted that the resident involved in the incident at the Main Gate previously threatened CDD office staff when asked for a copy of his registration.

Mr. Clark suggested that the Sheriff's Office call him, after which he will submit a public records request asking for a copy of the complaints that were received regarding the District's entrances. He noted that, in another CDD, this approach was successful in dispelling the Sheriff's interest in the matter.

Mr. Kloptosky directed Ms. Higgins and Ms. Kane not to answer the Sheriff's questions; however, they are to provide Mr. Clark's contact information.

Discussion of the Community Information Guide resumed.

Supervisor Gaeta pointed out that three seats will be up for elections and questioned if printing should be delayed until after the candidate qualifying period. Supervisor Davidson indicated that the guide is a "snapshot" of what exists on the day it was printed; therefore, printing the guide should not be delayed.

D. Continued Discussion: Gym Equipment

This item was discussed during the Sixth Order of Business

E. PBM Constructors, Inc., Annual Maintenance Service Proposal [BK]

Mr. Kloptosky presented the revised proposal which includes the information previously requested by the Board, relating to emergency services, etc. Mr. Clark recommended that Mr. Kloptosky obtain a rate schedule.

On MOTION by Supervisor Smith and seconded by Supervisor Chiodo, with all in favor, the PBM Constructors, Inc., Annual Maintenance Service Proposal, as presented, for \$400 per visit, for quarterly maintenance visits, was approved.

F. Notice of General Election - November 4, 2014 – Seats 1, 3 & 5 (4-Year Terms)

- **Consideration of Resolution 2014-3, for Placing Special District Candidates on General Election Ballot**
- **Qualifying Period: Noon, June 16, 2014 – Noon, June 20, 2014**
 - **Candidates May Pre-Qualify Beginning June 2, 2014**

This item was discussed following Item 7.A.

G. Update: Osprey Lake Bank Group [PC]

Supervisor Chiodo distributed a handout. He recalled that, late last year, several Osprey Lake residents raised issues regarding erosion of the lake banks and the GHMA's requirement to plant spartina on the lake banks. Supervisor Chiodo stated that a group researched the matter and formulated opinions regarding the issues and resolutions.

Supervisor Chiodo advised that the group's findings were that residents continue to believe that erosion is occurring on their lake banks and may be due to a variety of factors, the CDD mandated the planting of spartina in support of Florida-Friendly planting guidelines and the GHMA enforces the planting requirements. He stated that residents believe that the CDD should be responsible for correcting the lake bank erosion issues, as well as expanding the lake bank plant recommendations to include other plants.

Supervisor Chiodo indicated that the group recommended separating the matter into two issues. First, regarding the erosion issue, the group believes that the District needs "expert confirmation that the lake banks are eroding and that such erosion is negatively impacting the stormwater retention pond and/or the residential properties that abut ponds". Supervisor Chiodo advised that a Cline employee inspected the lake banks and provided his opinion that the pond operation is not being impacted. He recommended seeking the District Engineer's opinion and, if problematic erosion is confirmed, the CDD must take the necessary action to resolve the problem. The second issue is to determine what should be planted.

Supervisor Chiodo informed the group that he would recommend that the Board reconsider its position regarding spartina. He clarified that he did not commit to the Board changing its position; rather, he only stated that he would present the suggestion.

Supervisor Davidson asked if Cline was the contractor that built the retention ponds. Mr. Kloptosky acknowledged that Cline built some of the ponds but he was unsure if they built all of them. Supervisor Davidson concluded that Cline constructed the detention pond in Grand Haven; therefore, they are familiar with the required function of detention ponds.

Mr. Kloptosky presented photographs from Cline. He pointed out areas of erosion near a home, which has nothing to do with the CDD; the erosion is solely owner-created, due to the homeowner's roof and pool drainage pipes and outlets. Mr. Kloptosky reviewed additional photographs. He discussed property lines in some areas, noting that the homeowners' property lines fall short of the pond; therefore, the CDD owns the land adjacent to the pond.

Mr. Kloptosky presented an email he received from Cline, following the site inspection. Regarding the stormwater retention pond behind Osprey Circle and Egret, Cline issued the professional opinion that “despite some minimal erosion on the banks, the retention pond functions as designed; the pond performs its function as part of the infrastructure for stormwater retention, as part of the storm system in that section of Grand Haven”.

Supervisor Smith inquired about the position of the Cline professional. Mr. Kloptosky indicated that he is a site supervisor and his main contact at Cline. Supervisor Chiodo asked if the Cline representative is an engineer. Mr. Kloptosky replied no.

Supervisor Davidson noted that the illegally installed drainage system, identified in the photographs presented by Mr. Kloptosky, must be removed, immediately.

Supervisor Davidson asked the Board Members if they are satisfied with Cline’s “professional” opinion or do they wish to obtain an opinion from a qualified engineer. Supervisor Chiodo felt that an engineer should inspect portions of the area. Supervisor Gaeta supports having an engineer provide an opinion. Supervisor Smith stated that he is “on the fence” but would likely favor an engineer’s opinion. Supervisor Lawrence supports obtaining an engineer’s opinion.

Mr. Chip Howden, a resident, distributed photographs. He stated that he has done what the District asked him to do but the result was a drop-off of at least 6” to 9” and an entire row of spartina was lost. Mr. Howden noted that Ms. Leister’s comments were sought. He read Ms. Leister’s comments regarding littoral shelf plants. Mr. Howden discussed the condition of his lake bank and stated that he finds the lake bank conditions unsafe for him to stand on; therefore, planting and maintaining in the manner required by the CDD is difficult.

Mr. Howden explained his lake bank maintenance efforts. Supervisor Lawrence asked if other properties are experiencing the same issues. Mr. Howden stated that his neighbors have not adhered to the requirements and those properties do not have the same type of erosion issues, which leads him to believe that what the District is asking him to do is causing erosion.

Supervisor Davidson asked that this topic be included for priority discussion at the next workshop. He suggested that the Board review available information and brainstorm what can be done.

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, directing the District Engineer to inspect the Osprey Lake pond and issue an opinion and report, was approved.

H. Update: Keeping Grand Haven Grand Phase 3 [SD]

This item was not discussed.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

NINTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

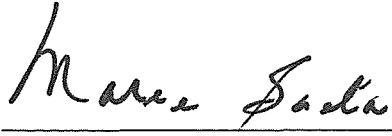
This item was not discussed.

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being no further business to discuss, the meeting adjourned.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 2:05 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair