

**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, February 19, 2015** in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137** at **10:00 a.m.**

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
Scott Clark	District Counsel
Mike Munson	District Engineer
Barry Kloptosky	Field Operations Manager
Kevin Horran	Vesta/AMG
Roy Deary	Vesta/AMG
Ashley Higgins	Grand Haven CDD Office
Louise Leister	Horticultural Consultant
Al Lo Monaco	Resident
Pam and Jack Kennelly	Residents
Chip Howden	Resident
Jim Gallo	Resident
Fred DePietro	Resident
Barbara DePietro	Resident
George Amandola	Resident
Chip Hunter	Resident
Tom Byrne	Resident
Rob Carlton	Resident
Ron Merlo	Resident
Don Plunkett	Resident
Otto Bohmueller	Resident
Bob Schwarzlow	Resident
David Alfin	Resident
Bob Hopkins	Resident
George Suhaj	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

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

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

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

Mr. Otto Bohmueller, a resident, advised of rocks protruding through the sand on the Esplanade. He asked what is occurring in the area between Waterside Parkway and Hole 16 of the golf course, which was cleared of vegetation and has remained clear for several months.

Ms. Louise Leister, District Horticulturalist, explained that the area was cleared and sprayed as part of the CDD's Firewise project; the area should be planted soon but not heavily. She noted that the area was previously a fire hazard.

Mr. Jack Kennelly, a resident, reported algae and "filth" in the lake behind his home and provided photographs. He spoke with the person spraying along the bank who informed him that, previously, there was an easement at the end of the lake that allowed boat access; however, the easement no longer exists so the area cannot be treated from the water, which is why the issue will never be resolved. Mr. Kennelly stated that a lake view was critical to him when he purchased his home and asked the CDD to remedy the situation.

Mr. Kloptosky confirmed that the lake could previously be accessed but additional landscaping was installed, which blocks the easement, preventing the boat from accessing the lake. He believed that the issue was remedied by creating a new easement, which has been used to access and treat the lake. Mr. Kloptosky advised that the lake was treated twice but it will take time.

Mrs. Pam Kennelly, a resident, noted an increase in the number of people fishing in the CDD lakes and vehicles parking and entering onto private property. She expressed concern that the individuals are unknown and have access to see into homes. Mrs. Kennelly stated that, as a police officer, she approached some of the individuals but acknowledged that she probably should not have approached them. She voiced her understanding of the public access aspect of

the community but questioned how the unknown individuals are entering and whether the District can obtain identification and license plate numbers. Mrs. Kennelly asked about liability, if someone is injured. She indicated that the fish are being caught and kept.

Mr. Kloptosky was aware of the issue and discovered that one individual was not a resident, based on the vehicle license plate. Additionally, law enforcement was contacted but the individuals left before they arrived. Mr. Kloptosky encouraged residents to contact law enforcement directly.

Mrs. Barbara DePietro, a resident, reported a similar incident; she obtained the license plate number and was advised that the individual gained access via a friend in Grand Haven. She stated that the individuals came up behind her and, fortunately, they were nice; however, she could have been in a dangerous position.

Mr. Kloptosky reiterated that residents should contact law enforcement, directly.

Mrs. Kennelly recalled that lake banks are an amenity and people are not permitted on anyone's lake bank, other than their own. Mr. Kloptosky clarified that those using the lake banks must have a resident or guest pass to use the lake. Supervisor Gaeta explained that all lakes are amenities and residents and guests are not limited to utilizing only the areas behind their homes. In response to Supervisor Gaeta's question, Mr. Clark confirmed that residents can photograph people.

In response to a question, Mr. Kloptosky indicated that license plate numbers and vehicle descriptions are provided to law enforcement. Supervisor Lawrence believed that the pond in question can only be accessed by crossing private property. Mr. Kloptosky explained that Pond 19 only has a stormwater easement. Supervisor Lawrence surmised that anyone fishing in that lake gained access illegally; therefore, residents should report trespassers to the Sheriff.

Mr. Wrathell advised Mr. Fred DePietro, a resident, that his topic was included for discussion later in the meeting.

FOURTH ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS & PRESENTATIONS

▪ **Amenity Manger**

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

Mr. Roy Deary, of Vesta/AMG, presented the Café Income Statement and reported that, for the first time, the Café was profitable. He announced that, based on the profit sharing arrangement, the District will receive \$6,042.68 of the net profits.

Mr. Horran reported receipt of \$240 in tennis fees for the month and minor income from ball machine rentals. He advised that the Valentine's Day event was very successful.

- **Utility Easement Inspections: *Louise Leister, Horticultural Consultant***

Mr. Kloptosky reviewed photographs and gave a history of previous damages and repairs related to pipes collapsing due to mitered ends collapsing. He stressed that the damage was discovered when depressions appeared and stressed that they were not sink holes. Mr. Kloptosky explained that most locations with a stormwater sewer contain an easement; however, in some locations, trees and vegetation impeded access for the equipment needed for the repair.

In response to Supervisor Chiodo's question, Mr. Kloptosky indicated that the builders plant the trees and vegetation when homes are built. He noted that the builders claim to have landscape plans depicting the plant materials in those locations; therefore, the Architecture Design Committee (ADC) must have approved the landscape plans.

Supervisor Davidson advised that this matter will be part of a more extensive discussion of the legal and political ramifications of this.

Ms. Leister explained that an easement is a section of property that is left open so that the District can access for maintenance purposes; therefore, large hardwood trees should not be planted in the easements. She noted that most of the damage to underground pipes, etc., is related to the weight of the tree, not root damage. Ms. Leister advised that the trees that are planted in those areas trees should not have aggressive root systems that can enter the pipes in search of water or oxygen, nor should they grow so large that access is impeded, preventing machinery from passing through. She discussed the difficulties encountered to remove obstructions in easements and the extreme weight of trees. Ms. Leister continued reviewing photographs of damage to underground pipes, due to trees. In response to a question, Mr. Kloptosky confirmed that the photographs contain vegetation planted within the easements.

Ms. Leister emphasized that the types of vegetation depicted should never be planted in easements and noted the high cost to remove vegetation and trees to provide access. She stressed that the weight of the trees and vegetation causes underground damage.

Ms. Leister stated that the easements must be evaluated to determine the current landscape materials that have potential to damage or break underground pipes and what is not a

problem and should remain safe vegetation for those areas; however, generally, nothing should be planted in the easements. She advised that the maintenance entry locations must be reviewed, as the community builds out, to ensure open access to allow regular inspection and maintenance to areas. Ms. Leister pointed out that property owners might refuse access through their private property, if the easement is obstructed.

In response to Supervisor Lawrence's question, Ms. Leister confirmed that it is only a matter of time before large hardwood trees will damage underground pipes. Supervisor Chiodo asked if the District has any assurance that the ADC will not approve landscape plans containing landscaping in the easements. Ms. Leister stated that she reviews the ADC plans but does not receive the plot plan depicting ROW easements; she will ask the ADC to provide the plot plan with the landscaping plans.

Supervisor Lawrence questioned what happens and who is accountable if the CDD asks property owners to remove vegetation within the easements but the property owner refuses because the landscape plan was approved.

Supervisor Smith pointed out that the community now has two ADCs; one for existing homes and another for new construction, with the later ADC controlled by Mr. Jim Cullis, of Grand Haven Realty. In response to Supervisor Smith's question, Ms. Leister confirmed that she works primarily with new construction, unless there are complicated issues related to existing construction.

Supervisor Davidson noted that the District has authority over the new ADC to request that it no longer approve such landscaping; the current landscaping situation is the result of what the developer and original builders allowed to happen.

Supervisor Gaeta asked Mr. Tom Byrne, a resident and Chair of the ADC, what happens if residents install walkways or landscaping without obtaining approval, as property owners went to considerable expense installing items within the easements. Supervisor Davidson stated all entities are trying to prevent this situation from occurring in the future by developing standards, which will be enforced by both ADCs and the District. Determinations regarding what must be removed and who is responsible for removal will be discussed once the standards are established.

Ms. Leister provided an update on the vine removal project. She indicated that much progress was made with vine removal and spraying, resulting in "opening up" the golf course area, which benefits the community and property values. Ms. Leister noted that the vine removal

takes time and, as areas are cleared, they must be sprayed, several times, before new plants can be installed.

Ms. Leister noted that street trees were pruned yesterday, work was performed on huge exotic invasives and dangerous vines were mowed. She advised that minor landscaping will be installed in the bare spot near the south entrance to coordinate with the landscaping. Ms. Leister commented on the high speed limit on Waterside Parkway and the high rate of speed at which residents drive through the community.

Mr. Chip Howden, a resident, asked about the plans for the utility box at Waterside Parkway and Flamingo Court. Ms. Leister indicated that the area was sprayed and plants were ordered; the area previously contained a lot of obnoxious weeds and vines, which required numerous sprayings. Ms. Leister confirmed that the utility box will be concealed but the vines must be dead; otherwise, the vines will grow and tangle with the new landscape materials. In response to a question, she advised that quick growing Arizona cypress will be planted around the utility box because they grow rapidly, absorb noise, are drought tolerant and insect and disease resistant.

○ **Discussion: Board Policies Regarding Results of Utility Easement Inspections**

Supervisor Davidson reviewed slides of his property, relative to utility easements, drainage, etc. He noted that it was realized that, in some locations, the utility pipes were not installed in the middle of the utility easements.

▪ **Notices, Responsibilities and Financial Considerations**

a. **Removal of Trees, Shrubs, Vegetation**

Supervisor Davidson stated that the first easement issue is what is planted over the pipes and the second is gaining access through the easements to perform maintenance. He advised that, in evaluating the easements, Ms. Leister's first consideration will be whether there are other ways to access the ponds. He pointed out an area where, if other access points did not exist, the vegetation and pool pumps, pipes, etc., lying within the easement would have to be removed from the properties on both sides of the easement, as well.

b. **Replacement of Trees - Tree Count??**

Supervisor Davidson referred to his own home and noted that he purchased it when it was nearly completed and the landscape plans were approved by the ADC at the time of purchase; he had no input on the plans and pointed out landscaping that was installed for privacy. He explained that, if the landscaping was installed within the easement, over the pipes and must

be removed because it could damage the pipes, the property would be under the tree count requirements of the ADC and City. He questioned where new trees would be installed and speculated that, if trees must be removed, the tree count requirements must be amended. Supervisor Davidson reviewed various areas where access through the easements is limited and vegetation and obstructions that must be removed, if they endanger the underground pipes.

Ms. Leister identified the trees pointed out by Supervisor Davidson and advised that those trees have no potential for an aggressive root system or to grow tall; therefore, the tree placement over the pipe appeared to be okay. She noted that the magnolia tree is large, with a heavier root system, and has the potential to grow to 60' and, currently, it is not an issue; additionally, the magnolia tree is on private property.

Supervisor Davidson stated that this leads to the question of who is responsible, if the trees are on private property. He surmised that, if the trees were large hardwoods, the Board must decide how to address them. Supervisor Davidson suggested locating the underground pipes, prior to the District or homeowner removing any trees in the easements. In response to Supervisor Lawrence's question, Supervisor Davidson indicated that there are several ways to locate the plastic pipes, such as inserting a line with a camera that can trace the pipe system. He explained that, first, Ms. Leister will identify the affected easements and then the pipe locations will be located.

A resident felt that there are underground utility issues, as well. Supervisor Davidson acknowledged the comment but stressed that those do not threaten or affect the pipes. The resident questioned if utilities must be removed to perform maintenance. Supervisor Davidson was unsure.

A resident asked about the difference between access and easements and whether the District's access to the ponds with a truck is different than the easements. Supervisor Davidson explained that, provided the District has access over an easement or publicly owned property, there is no maintenance issue but, if the pipes are threatened, the easements become an issue.

c. Replacement of Turf

This item was not discussed.

d. Other

Supervisor Davidson recalled discussion regarding who is responsible and noted his past research of the CC&Rs for each village, which are not consistent.

Mr. Clark stated that, from a legal perspective, the analysis performed may differ in each location. He referred to his memorandum regarding Sailfish Drive and noted that, essentially, it contains this type of analysis. Mr. Clark explained that the easements are located on the plat and then the plats must be researched to determine the status of the easements. Next, it must be determined what declaration applies to the plat and the language must be researched. Without reviewing each one, he surmised that the declaration that applies to Sailfish Drive is similar to the type of language that will be found, with a few exceptions. Mr. Clark advised that the language related to Sailfish Drive states that there will be no planting of trees or shrubs in easements but ends with “unless with the consent of the grantee of such easement”, which is a troublesome statement because, in the CC&Rs, easements are granted in favor of various parties, such as the declarant, the City or County or the CDD, if the CDD accepted maintenance responsibility. He noted that, for Sailfish Drive, the roadways were conveyed to the District early in the process and the declaration provides that the CDD controls the road; therefore, if trees were planted after conveyance, they would be the CDD’s responsibility. If trees were planted before the conveyance and the declarant agreed to installation of the trees, the property owner could argue that they received consent; however, the District could still remove the trees if they impair the function of the easement. Mr. Clark stated that he was not troubled about the District’s right to remove obstructions in the easements but who pays for it would vary from declaration to declaration. He recommended that, once decided, the Board commemorate its decision by rule and proceed through the rulemaking process to clearly set the District’s rules for utility easements and plantings in the easements, which must be complied with.

Mr. Clark acknowledged that questions would arise in situations where the ADC approved the landscape plan and whether it overrides the terms of the easement. He felt that ADC approval would not override because the easements and declarations were in place at the beginning, with the ADC approval coming after and, while the ADC has regulation over landscaping, it probably does not have the right to override the easement, which was recorded.

Supervisor Lawrence asked if the ADC would be financially accountable if it allowed planting in the easements. Mr. Clark stated that, if he were an owner and the CDD told him to remove the plants at his own expense, he would take the position that the ADC was financially responsible.

Mr. Wrathell discussed a similar situation in another District that resulted in much pain and agony, including newspaper articles, battles with the city and tree ordinances. He indicated

that, in the other District, recognizing that the vegetation was installed many years ago, the District was willing to relocate vegetation, when possible, provided the property owner signed a license agreement stating that they could only keep a certain type of vegetation that would not impact the right-of-way. Mr. Wrathell explained that the agreements were recorded and travel with the property. He noted that the agreement states that the District will allow certain things and, in exchange for being able to keep certain things, the District will pay once to remove or relocate the other vegetation and, if the property owner violates the terms of the agreement, the property owner would be assessed for the cost of any future removals. Mr. Wrathell explained that the agreement calmed the politics that evolved in the situation and worked well; it was the most reasonable and fair approach and, while public funds should be protected, this was appropriate action by the District.

Supervisor Davidson recalled the District's dilemma that some villages follow the Master Declaration, which states that nothing can be planted in the easements; however, someone, most likely the ADC, approved plantings in the easements. Supervisor Lawrence pointed out that the ADC is part of the GHMA; therefore, the GHMA ultimately would pay if the ADC was financially responsible. Supervisor Davidson read:

“The owner of a lot subject to any easement shall not construct any improvements that may result in landscape, whether it is hedges, trees, landscape items may interfere. If any owner constructs any improvements on such easement areas or landscapes such areas as aforesaid, the owner of the lot shall remove, at the owner's expense, the improvements of landscape or landscape items, upon written request of the declarant, the association or the grantee of the easement. If the owner fails to remove improvements or landscaping, the declarant, the association or the grantee of the easement may enter onto the lot and remove the improvements or landscaping at the expense of the owner, who shall reimburse the cost of removal within 15 days of the demand. The party removing the improvements or landscaping shall not be responsible for any damage caused by removal and shall not be required to restore any portion of the lot damaged by the removal.”

Supervisor Davidson indicated that this provision existed in most villages after 2002. He referred to his property and noted that, in his opinion, his situation would be different because the grantee stamped approval of the landscape plans.

Supervisor Davidson questioned if the language is enforceable. He asked for Board input regarding whether Ms. Leister should evaluate the easements.

Mr. Byrne indicated that he is on both ADCs. He presented a guideline of what the ADC follows when making decisions. Mr. Byrne pointed out that many homeowners do not obtain ADC approval. He read the following from Section 2, Paragraph E, on Page 11, of the standards book:

“Landscaping and the building of driveways or fencing within various easements may be permissible but any cost associated with removal of such features to assess underground pipes and improvements is the responsibility of the property owners. Property owners are encouraged to research easement restrictions. ADC approval is not authorization to violate easement restrictions that may exist.”

Supervisor Lawrence asked if the ADC explicitly informs property owners of this information when approval is given. Mr. Byrne confirmed that property owners are advised of the information in the letter sent by the GHMA’s management company. Mr. Byrne noted that the ADC considers aesthetics. The ADC is not necessarily considering easements; rather, it is concerned about setbacks and things associated with property lines, the street, etc. Supervisor Davidson pointed out that, going forward, easements must be included. Mr. Byrne indicated that the standards are periodically updated.

Supervisor Smith stated that he wished to think about this topic before considering solutions and requested the cost of the easement survey to define the problem. Supervisor Davidson indicated that the cost would be Ms. Leister’s normal rate. Supervisor Smith pointed out that conducting the survey would be beyond Ms. Leister’s normal contract. Supervisor Smith wanted to know the results of the survey to understand the size and scope of the problem before considering solutions.

Supervisor Davidson agreed with Supervisor Smith’s comments for remedial actions but felt that, as a preventative measure, a policy or rule should be established for new construction. Supervisor Smith urged communicating now with the ADC handling new construction and cautioned against making decisions in haste.

Supervisor Chiodo felt that the issue should be discussed further at a workshop. He agreed that a rule is necessary to ensure that the issue does not expand further. Supervisor

Chiodo wanted to know the cost for the easement survey, as well. He pointed out that Mr. Clark must advise the Board regarding legal issues.

Supervisor Lawrence believed that the easement survey must be completed, as it would cost more to rectify broken pipes than to complete the survey and take action now. He agreed that the District must communicate the rules to both ADCs that nothing should be planted in the easements that could cause problems. Supervisor Lawrence opined that the Board should proceed rapidly to establish a rule for new construction, stating that if something is planted and causes a problem, the homeowner will be responsible. Regarding existing homes, Supervisor Lawrence felt that it would be difficult to require those homeowners, who believed they obtained approval, to pay.

Supervisor Gaeta agreed with the previous comments but voiced her opinion that the District must eventually conduct the easement survey; therefore, she favored initiating the survey, immediately, rather than postponing it.

In response to Supervisor Davidson's question, Ms. Leister stated that the easement survey would take several days to complete. Supervisor Davidson asked Ms. Leister to provide an estimate.

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, authorization for the Chair to make a decision on approving or not approving Ms. Leister's easement survey, based on what Ms. Leister provides, was approved.

In response to Mr. Bohmueller's question, Supervisor Davison confirmed that the underground pipes are plastic and not metal. Mr. Bohmueller asked about replacing pipes with concrete. Mr. Kloptosky explained that concrete is used in certain instances; however, typically, the pipes are plastic. Mr. Bohmueller questioned if the District should video the pipes. Supervisor Davidson stated that the cost would be high and, although it would be a good preventative action, the District is currently most concerned about aboveground threats.

Mr. Wrathell advised that the underground pipes are designed to last 20 to 30 years. Supervisor Gaeta asked Mr. Wrathell to provide documents and information related to his other District that had ROW issues. Mr. Wrathell noted that the other District utilized license

agreements but believed that much of the same verbiage could be included in the District's rules and could utilize a license or other type of agreement if the District relocates vegetation, etc.

Supervisor Lawrence suggested that the District ask the GHMA if it would waive the tree count requirement when the District determines that trees in the easement must be removed.

Mr. Al Lo Monaco, a resident, recalled that, in the 1990s, the ADC was controlled by LandMar, the builders and the landscape contractor and the ADC approved everything. He agreed about a potential issue if the District asked property owners to remove vegetation.

Regarding the City tree count requirements, Ms. Leister explained that, when a tree is removed, the City calculates the amount required to be restored, based on inches. She indicated that, if there is not room to plant more trees on the affected property, a fee must be paid and the City would determine where to plant trees, throughout the City. In general, the District would have no input regarding where the City plants trees.

Supervisor Davidson believed that the City and ADC tree counts are different. He indicated that, if the ADC requires a higher tree density, the District should be able to keep this matter internally.

Ms. Leister advised that, in some sites, especially if the homeowner forces the issue, the City will demand a permit. She noted that the District could encounter problems if it is caught removing trees.

Mr. Wrathell voiced his opinion that the District should proceed and pay the tree fees if the City demands it.

Supervisor Lawrence asked if the ADC considered establishing an alternate tree count criteria for mature homes. Mr. Lo Monaco indicated that the ADC received numerous requests to remove healthy live oak trees and, with the GHMA's approval, an addendum to the standards was written, which required evaluation by an arborist and a valid reason to remove a healthy mature tree. Mr. Lo Monaco explained that, regardless, if the tree count does not meet the requirements, a tree must be planted. Discussion ensued regarding the ADC tree count requirements.

Mr. Wrathell surmised that the District has the right to remove items from the easements and, if it pays to do it, the District further has the ability to do what must be done.

Mr. Howden urged the Board to consider the far-reaching impact. He recalled a mitered end easement issue near his home and was required to move a crape myrtle tree. Mr. Howden obtained approval from the ADC of the new tree location and relocated it with no problems. He

felt that, if the District pays to remove or move trees and vegetation now, it should be prepared to pay for others, in the future.

Mr. Wrathell advised that, if the Board decides to pay for removal or relocation, it not be included in the District's rules; rather, each instance should be considered on a case-by-case basis.

Mr. George Amandola, a resident, asked if, once removal is completed, property owners would be allowed to plant vegetation that would not impact the pipes. Mr. Wrathell explained that the other District set specific criteria of what was allowed in certain areas. Mr. Amandola pointed out that, if an issue with the underground pipes arises and the District allowed property owners to plant in the easements, those owners would be required to pay to remove vegetation for which the District gave permission. Mr. Wrathell replied affirmatively; those terms of the license agreements specified that anything planted or installed would be at the property owners' discretion and cost and, if the District required access, it was the property owner's responsibility to replace it and, furthermore, if anything caused damage, the property owner would be liable. Mr. Amandola felt that the District should not allow plantings in the easements because granting exceptions complicates the situation. Supervisor Davidson noted that Mr. Amandola's suggestion would impact his privacy fence and sound barrier, which would make him unhappy if they were removed. Mr. Amandola stressed that the District cannot make anyone happy with this plan.

******The meeting recessed at 11:48 a.m.******

******The meeting reconvened at 12:02 p.m.******

▪ **Pond 10 Pond Bank Issues**

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

Supervisor Davidson noted that Ms. Leister's memorandum incorrectly references Riverbend Drive. Mr. Kloptosky confirmed that it should be Riverfront.

Mr. Kloptosky stated that residents informed him that sand was dumped and spread on the pond bank. He was advised by the condo association that it was repairing drainpipes and downspouts and sand was installed because the bank had been eroding. Mr. Kloptosky indicated that sand was not the correct way to repair erosion, as the sand is currently eroding more quickly and entering the pond. He requested an opinion from Ms. Leister and she advised that the sand could kill the grass. Mr. Kloptosky reviewed photographs of the area.

Supervisor Lawrence asked if this was CDD property.

Mr. Kloptosky stated that the CDD owns the property along the pond banks. He indicated that the CC&Rs are vague but Mr. Troy Railsback, of Southern States Management Group, Inc., the GHMA Manager, concluded that it is the condo association's responsibility to maintain the banks; however, there should have been CDD approval or involvement in repairing the pond bank. Mr. Kloptosky reiterated that the repair was not the correct type; it did not stabilize the bank and worsened the problem.

Mr. Kloptosky presented Ms. Leister's memo regarding the erosion issue and recommended repair, along with a \$3,000 proposal from Austin Outdoor (Austin) to complete the project. He voiced his opinion that the condo association should pay for the repair and recommended that the District Manager or District Counsel send a letter.

Mr. Wrathell indicated that he will send the letter.

In response to a question, Ms. Leister confirmed that time is of the essence, as the trees and grass could die and the District could incur fines from the St. Johns River Water Management District (SJRWMD) for polluting the pond with runoff. Additionally, the situation could result in more algae blooms and disrupt the pond. Mr. Kloptosky stated that he was prepared to proceed immediately and recommended that the work be completed and either seek reimbursement from the condo association or have Austin bill them directly.

Mr. Wrathell asked Mr. Clark if there would be an issue with the District completing the repair and billing the condo association without first giving them the opportunity to cure the situation. Mr. Clark advised that the District should proceed, provided it deems the situation an emergency or one that could worsen. Regarding the repair, Mr. Clark stressed that the District should not allow the condo association the opportunity to complete the repair. Mr. Clark explained that the emergency that could exist would be the possibility of being fined by SJRWMD.

Supervisor Smith asked Mr. Kloptosky if there was conversation with the condo association. Mr. Kloptosky stated that he did not send anything in writing; however, he spoke to Mr. Hunter and Mr. Railsback.

FIFTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. MINUTES

i. Approval of January 22, 2015 Regular Meeting Minutes

B. UNAUDITED FINANCIAL STATEMENTS

i. Approval of Unaudited Financial Statements as of January 31, 2015

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

Supervisor Smith pointed out the \$23,122 "Interest and miscellaneous" line item, on Page 2, and asked about the source of the revenue. Mr. Wrathell was unsure.

Supervisor Gaeta referred to the "Roads (2018 project) and "Roads" line items, on Page 4, and asked if the "Roads" line item was for the roads not included in the 2018 project. Mr. Wrathell explained that, due to setting aside funds for the 2018 road project, via the Capital Improvement Plan (CIP), two "Roads" categories were created.

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

▪ **Discussion: Rumors Regarding Financial Stability of District Management Firm**

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

Mr. Wrathell reported hearing rumors circulating around Grand Haven regarding the financial stability of his firm. He speculated that the rumors were related to another company, Gardnyr Michael Capital, Inc. (Gardnyr Michael), owned by his firm's partner, Mr. Pfilip Hunt. Mr. Wrathell noted that Gardnyr Michael closed last year. He stressed that Wrathell, Hunt and Associates, LLC is a separate, standalone company, which had nothing to do with Gardnyr Michael. Mr. Wrathell assured everyone that his firm is financially stable, doing well, increasing the number of employees and expanding to a larger office, which is a sign of the firm's growth.

Discussion of the Unaudited Financial Statements as of January 31, 2015 resumed.

Supervisor Gaeta referred to the "Irrigation repairs & replacement" line item, on Page 3, and asked Mr. Kloptosky if the irrigation heads were being replaced with MP rotator heads. Mr. Kloptosky replied affirmatively; replacement is ongoing as the heads break.

SIXTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

Regarding the Sailfish Drive project, Mr. Munson indicated that he convinced the City of Palm Coast that the District only needs to replace 30% of the removed trees; therefore, the District will be fine if the removed trees are replaced with the 4½" caliper trees. He stated that

he will email S.E. Cline Construction (Cline) again to obtain clarification of the estimates; he wants certain items removed. Once the information is received, Mr. Munson will prepare a bid document for Cline and proceed with the project. Mr. Munson advised of a pipe extending from one pond to another that runs under some mailboxes. He explained that each end of the submerged pipe must be plugged and the water removed from the pipe, requiring access to the pipes; one side contains many plantings and trees, which could affect access. Mr. Munson noted that Cline's proposal included a note that the plugs might not work.

Supervisor Lawrence asked if Cline will cut into the pipe to drain it. Mr. Munson replied affirmatively. Supervisor Smith questioned if the submerged pipe is filled with water and, if so, how water would flow into it. Mr. Munson explained that the pipe will be plugged for the construction phase; a dry pipe is necessary to connect into the new 15" pipe. In response to Supervisor Davidson's comment, Mr. Kloptosky clarified that the submerged pipe is an equalizing pipe; it is not a drainage pipe. Mr. Munson indicated that the pipe will be unplugged, once the work is completed. Mr. Kloptosky pointed out that the 60" pipe is concrete; therefore, it should not be damaged.

Regarding 37 Jasmine, Mr. Munson stated that he will review the completed project following today's meeting.

Mr. Kloptosky presented photographs of the 37 Jasmine project. He recalled that the agreement required a 3:1 slope but he was unsure that requirement was met; additionally, 20' to 30' of underbrush was to be removed but he believed that only 10' to 12' was removed. Mr. Kloptosky heard that the property owners are pleased with the work.

Supervisor Lawrence questioned what happens when the Bahia grass grows tall and whether it would cause erosion, if it dies. Mr. Kloptosky indicated that the District could have Austin weed whack the Bahia periodically. Supervisor Chiodo asked if there is any implied warranty, once the District Engineer signs off on the project. Mr. Kloptosky felt that the warranty was included in the agreement.

Supervisor Lawrence voiced his opinion that the slope is steep and asked Mr. Clark about potential liability if someone falls and is hurt. Mr. Clark stated "yes, we need to be happy with it, as well". Mr. Kloptosky indicated that Ms. Jean Ball, of ICI Homes, possesses a sign off document from the homeowner.

Supervisor Gaeta recalled Mr. Kloptosky's unsureness that the required 3:1 slope was achieved and questioned why the District Engineer would sign off on the project if the

requirements were not met. Mr. Clark confirmed that, if the condition is such that someone could be injured, the District would be responsible, regardless of what it writes; therefore, the condition should be evaluated. Mr. Munson noted that, typically, stormwater ponds have 4:1 slopes, due to the maintenance needs and, if steeper, a fence is usually installed.

Mr. Munson referred to a drainage issue on Lakeview Lane.

Mr. Kloptosky recalled that a letter regarding this matter was received last year; he inspected the area, met with Cline and developed options to resolve the issue. He received a proposal from Cline but had issues with both of Cline's proposed solutions; therefore, he deferred to the District Engineer to inspect the area. Mr. Kloptosky advised that a follow up letter was received requesting an update on the progress.

Mr. Munson reviewed photographs of the concrete drive, south of the pond, where water sheetflows to the pond or to the easement to be picked up by an inlet.

Mr. Kloptosky pointed out an area where the landscaping is higher than the road, which created improper flow, causing water to back up on the concrete; the area must be reviewed. He identified other areas where water is backing up. Mr. Kloptosky discussed the potential remedies and reiterated his opinion that the District Engineer should evaluate the area and render an opinion. In response to Mr. Wrathell's question, Mr. Kloptosky confirmed that the District owns the driveway/road. Supervisor Gaeta pointed out that it is not included in the District's road repair projects.

Mr. Kloptosky recalled that Cline's \$32,000 proposal was missing certain components. Mr. Munson pointed out that the homes have paver driveways, which is a concern. Mr. Munson voiced his opinion that a small yard drain should be sufficient for the quantity of water. In response to Supervisor Gaeta's question, Mr. Munson expressed his understanding that a permit would not be necessary if no trees were removed. Mr. Munson stated that a construction inspector from his office inspected the area and felt that the concrete was fine. Mr. Kloptosky indicated that residents are concerned about defllective cracks in the concrete; the magnitude and expense of the project is the Board's discretion but residents are upset.

Mr. Munson felt that a quicker, less expensive repair would be to leave the concrete but remove the strip of sod running along the concrete drive, regrade the existing berm and install a small drain. Supervisor Lawrence suggested that the Board Members visit the site to view the cracks.

Supervisor Chiodo recalled that this is one of three areas where it appears to be a street but is not and were not built to be streets. He cautioned that, whatever the District does at this location will set a precedent for the other locations.

Supervisor Gaeta concurred with Supervisor Chiodo and asked if the other areas are cracked as significantly. Supervisor Lawrence noted that all concrete will crack.

Mr. Wrathell pointed out that the road only benefits the property owners along that segment; therefore, if they insist that it be repaired, the District could impose a special assessment on the specific property owners. As his home is on that segment of the road, Supervisor Smith applied the logic that the Sailfish Drive property owners should be assessed for the repair on Sailfish Drive.

Mr. Kloptosky reviewed photographs of the concrete extension to Lakeview lane and noted that many concrete slabs are cracked. He indicated that the City was advised of issues in the area, including a potential waterline break. The City advised that preventative work is not performed; they repair it when it breaks.

Mr. Kloptosky acknowledged Mr. Munson's opinion that all concrete cracks but stressed that residents are adamant that they want the road repaired.

Supervisor Davidson recommended obtaining estimates for each of the repairs presented by Mr. Kloptosky and Mr. Munson. Mr. Kloptosky confirmed that he will obtain proposals from Cline.

Regarding the Creekside parking lot project, Mr. Munson indicated that he will meet with the City to review and address the City's comments.

Mr. Kloptosky reported that the last word he received from the City regarding the pickleball court was that the City was aware of the project, was waiting for the permit application from the contractor and would approve it within three days of submittal of the application. He spoke to Nidy Sports Construction (Nidy) who advised that the City would not accept a permit application from them because Nidy does not have a general contractor (GC) license. Mr. Kloptosky indicated that Nidy was dismayed about the City's requirement because Nidy builds courts throughout Florida and has never encountered a GC license or permit requirement. The City advised Nidy that, in lieu of a CG license, they could obtain a paving license from the County. Mr. Kloptosky explained that, in order to obtain a paving permit, Nidy must take classes, pass a test and pay a fee, which Nidy found impractical. He advised that, for a fee, Cline might be willing to pull the permit and subcontract the project to Nidy.

Supervisor Davidson felt that, if the project cannot proceed, the District should “organize the masses” to attend a City Council meeting.

In response to Supervisor Gaeta’s question regarding potential issues, Mr. Clark advised that the onus would be on Cline, if Cline pulls the permit.

Mr. Munson questioned if the CDD, as the owner, could obtain the permit. Mr. Kloptosky voiced his opinion that a homeowner can obtain a permit but was unsure if the CDD could, as it involves a commercial facility.

Supervisor Chiodo pointed out that, at some point, the District must address the continuing issues with the City Council.

Mr. Wrathell noted that, in many areas, the local contractors association has influence when permitting becomes incredibly difficult. Supervisor Lawrence advised that City Councilman Jason DeLorenzo is an employee of the Home Builders Association but has been unable to change the opinion of other City Council members. Supervisor Davidson indicated that, prior to the recent election, the two new City Council members acknowledged the issues and stated that they would try to do something.

Mr. Kloptosky recalled that the District remains under contract with Nidy for the pickleball court and questioned the logistics of Cline obtaining the permit. Mr. Clark felt that the District’s current contract situation with Nidy must be “cleaned up” before Cline seeks the permit. Mr. Kloptosky noted that this approach will increase the cost of the project. Mr. Clark commented that the District needs 100 people to voice the same during the public comments of a City Council meeting.

B. Amenity Manager

This item was presented during the Fourth Order of Business.

C. Field/Operations Manager

i. Pond 10 Pond Bank Issues

This item was presented during the Fourth Order of Business.

ii. Resident Request for Streetlight on Eastlake Drive

Mr. Kloptosky recalled that this matter was discussed at the last meeting; however, he requested that the residents submit the request in writing.

Mr. Kloptosky referred to a diagram and noted that the distance between the fifth and sixth streetlights on East Lake Drive is significantly greater than between other lights. Supervisor Lawrence asked if there are District or commercial standards regarding spacing

between streetlights. Mr. Kloptosky believed that the Florida Department of Transportation (FDOT) sets the spacing standards and that all of the streetlight locations were inspected and approved.

Mr. Kloptosky discussed a potential location for a streetlight, where there is a u-shaped turnaround island. He spoke with some Eastlake Drive residents and found that some favor installation of an additional streetlight, while others do not.

Mr. Kloptosky reported an estimated cost of \$7,600 to \$8,000 for the boring, conduit and lines, wiring, labor, purchase of the streetlight and installation.

Mr. Fred DePietro, a resident, indicated that the light is necessary because the street is completely dark in that area and, additionally, there is a vacant lot next to his home. Supervisor Lawrence questioned if the lack of light is caused by the oak trees. Mr. DePietro confirmed that the oak trees block the light. Supervisor Lawrence speculated that this could be a District-wide issue and questioned if the trees could be pruned. Mr. DePietro felt that trimming the trees would not improve the lighting. Mrs. Barbara DePietro, a resident, concurred; even if the trees are trimmed, the distance between streetlights remains great. Mr. Clark advised that the District can trim the trees, presuming they sit within CDD controlled easements.

Mr. Kloptosky discussed information from the City website regarding streetlight criteria, when streetlights are installed and when they are not. He highlighted a section related to providing security lighting to property owners, when requested.

Supervisor Gaeta pointed out a section stating that general streetlighting is not to be installed to provide security.

Supervisor Davidson noted that the standard discussed is the City's standard; Grand Haven has a "grander" lifestyle with a higher level of service.

Supervisor Smith asked for the average distance between streetlights, throughout the District. Mr. Kloptosky stated that the distance depends upon the height of the streetlight; higher poles are likely further apart, while residential poles are shorter and likely spaced closer together. Supervisor Lawrence asked about wattage. Mr. Kloptosky felt that the residential wattage varies from the other streetlights. Supervisor Smith asked if the Eastlake Drive situation is an anomaly or if 500' spacing occurs in other parts of the community. Mr. Kloptosky guessed not but was unsure. Supervisor Smith believed that a streetlight should be installed, if the spacing is an anomaly. Mr. Kloptosky will inspect the community. Supervisor Davidson suggested trimming the nearby trees and installing a higher watt bulb to determine if it improves the lighting, prior to

installing an additional streetlight. Mr. and Mrs. DePietro were agreeable to Supervisor Davidson's recommendation. Supervisor Davidson directed Mr. Kloptosky to proceed with trimming the trees and replacing the bulb.

Mr. Kloptosky recalled road settling issues in Wild Oaks about one-and-one-half years ago; three areas were repaired. He identified another depression in Wild Oaks, in front of 192 Willow Oak Way. Mr. Kloptosky obtained a quote from Cline and advised that he will proceed with the repair, assuming the cost is within his scope of approval.

Supervisor Lawrence speculated that the depression issues will continue because the ground was not compacted sufficiently.

Mr. Kloptosky advised of another depression and cracking in front of 3 Heron Court, which will also be repaired.

Mr. Kloptosky stated that the concrete driveways and sidewalk at the Marlin Drive Pump House were completed. He was unsure of the final cost but confirmed that the cost exceeded the CIP budget because the City required thicker concrete. He reviewed photographs of the Marlin Drive Pump House and identified an area that will be regraded and pine straw, sod and spartina will be installed.

Mr. Kloptosky referred to a previous easement repair on Osprey Circle and advised that a pipe is failing at 57 Osprey Circle. He noted that there are two parallel pipes underground; the District was aware of a break in one pipe but cracks were discovered in the other pipe. Mr. Kloptosky reported that Cline repaired both, on a time and materials basis; the final cost for that project was \$5,138.86. He explained that, for the current work, the easement was graded and the sod must be replaced; however, Cline noted numerous cracks in the second pipe. Mr. Kloptosky indicated that he hired a contractor to video the lines, as he must determine whether to replace the entire pipe or line it. He advised that the contractor cannot video the pipes because the pipes are blocked with silt; the contractor provided a \$2,150 quote to jet-vac the pipes and video.

Supervisor Chiodo asked about the source of the issues in the Osprey Circle area. Mr. Kloptosky believed that tree roots caused the issues, which is why two trees were previously removed.

Supervisor Lawrence recalled hearing that the lifespan for the pipes is 15 to 20 years. He pointed out that the pipes were installed in about 1997 and questioned what might be necessary in the next five years. Mr. Kloptosky advised that pipes are failing but not at a great rate.

Supervisor Gaeta wondered if a line item for pipe issues should be added to the budget. In response to a question, Mr. Kloptosky noted that the repairs vary in size, scope and cost.

Mr. Kloptosky reported that the surface of The Village Center spa is cracking; a proposal from Blue Ribbon Pools is pending. In response to Supervisor Smith's question, Mr. Kloptosky voiced his opinion that the cracking is not evidence of settling, as the interior of the spa is not cracked.

Mr. Kloptosky distributed a letter from the resident at 7 Marshview Lane who noted erosion at the back of their property. The situation is similar to others in the District and the resident wants the District to pay to repair it. Mr. Kloptosky explained that the CDD property is on a natural grade. In this situation, the builder filled the lot to build the home but did not properly stabilize it; therefore, the issue is between the owner and the builder and, unfortunately, the builder is no longer in business. He voiced his opinion that the property owner is responsible for repairs. Mr. Kloptosky believed that the resident wants a written response.

Mr. Wrathell pointed out that the letter was addressed to the GHMA and not the CDD. Mr. Kloptosky concurred but stated that it was forwarded to the District because the District owns the sloped property behind the home. Mr. Wrathell recommended communicating the information verbally or inviting the residents to a meeting. Mr. Clark explained that the District has natural property that was unimproved and someone changed it; therefore, it cannot be the District's fault.

Mr. Wrathell and Mr. Clark will coordinate on a letter. Supervisor Smith recommended that Mr. Kloptosky speak to the owner first.

Mr. Kloptosky indicated that 3,000 Community Information Guides were ordered and 700 were distributed. He questioned if the remaining guides can be distributed to others and at the predetermined fee, where applicable. The Board agreed.

D. District Counsel

i. Traffic Light Bond

Mr. Clark indicated that Flagler County provided an application and the application was submitted.

ii. 37 Jasmine Drive

This item was discussed during Item 6.B.

iii. Cullis Exchange

Mr. Clark indicated that Mr. Cullis signed the Exchange Agreement and the Chair's signature will be obtained today.

iv. Utility Easement Issue

This item was discussed during the Fourth Order of Business.

Mr. Clark reported that the Quit-Claim Deed for Waterside Parkway was received from the City. Mr. Wrathell requested a copy of the deed. Mr. Clark stated that he sent the deed and it should arrive today.

Supervisor Smith asked if the Cullis Agreement contains a contingency. Mr. Clark advised that the deal will not close if Mr. Cullis does not obtain the permits.

E. District Manager

Mr. Wrathell advised that \$22,500 of the \$23,122 "Interest and miscellaneous" line item, on Page 2, was a payment from Escalante Golf for the Marlin Drive Pump House project.

i. Upcoming Community Workshop/Regular Meeting Dates

○ **COMMUNITY WORKSHOP**

- **March 5, 2015 at 10:00 A.M.**

Mr. Wrathell indicated that the next workshop is scheduled for March 5, 2015 at 10:00 a.m., at this location.

○ **REGULAR MEETING**

- **March 19, 2015 at 10:00 A.M.**

Mr. Wrathell indicated that the next meeting is scheduled for March 19, 2015 at 10:00 a.m., at this location.

SEVENTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Continued Discussion: FY2015 Capital Needs Based on 10-Year Plan [TL]

Supervisor Lawrence had nothing additional to report. Supervisor Gaeta identified differences in the count, which Supervisor Lawrence will correct on the next version.

B. Continued Discussion/Update: Waterfront Park Security Fencing [TL]

Supervisor Lawrence spoke with Mayor Jon Netts about the District's concerns and Mayor Netts discussed them with the City Manager, Mr. Jim Landon. He stated that Mr. Landon felt that the fence would have little benefit to Palm Coast residents and would not recommend that the City install the requested fence but was willing grant the District a license to install the

fence on City property. Supervisor Lawrence pointed out to Mayor Netts that Grand Haven has nearly 2,000 homes and 4,000 residents; Mayor Netts will discuss this with Mr. Landon.

Supervisor Lawrence asked Mr. Kloptosky to estimate the cost. Mr. Kloptosky stated that an estimate was requested and is pending.

Supervisor Lawrence stated that he will speak to the other City Council members.

Supervisor Davidson recalled prior discussions with Councilman DeLorenzo, who floated the idea of splitting the cost.

C. Continued Discussion: Main Gate Traffic

Mr. Kloptosky presented cumulative data of the Main Gate traffic reflecting when backups occur and the duration; data collection continues. He noted a pattern of backups from 8:00 a.m., to 1:00 p.m. Discussion ensued regarding the cause of backups and options to resolve them. Mr. Kloptosky recommended adding a guard during certain times.

Supervisor Smith felt that much of an additional guard's time would be idle and suggested that Mr. Kloptosky find administrative or other tasks for the extra guard to do between busy times at the gate. Mr. Kloptosky stated that he will speak to the security company regarding Supervisor Smith's suggestion. Mr. Kloptosky speculated that the security company might have clerical work that the extra guard can do during idle times so that the District is not billed for the full five hours that the guard is at the Main Gate. Supervisor Gaeta questioned if that type of arrangement is in place for the regular guards. Mr. Kloptosky replied no.

Supervisor Chiodo noted backups from the Wild Oaks Gate visitor's side, onto Colbert Lane. Mr. Kloptosky stated that the backup at the Wild Oaks gate relates to the busy times at the Main Gate, as Wild Oaks visitors are calling the Main Gate.

The Board directed Mr. Kloptosky to conduct a pilot program with an additional guard at the Main Gate, Monday through Friday, for five hours per day, and continue tracking the backups.

D. Continued Discussion: Wild Oaks Pedestrian Fencing and Special Assessment [BOS]

Mr. George Suhaj, a resident, indicated that, upon hearing the potential \$120,000 cost, Wild Oaks residents find the cost "astronomical and out of control". He voiced his opinion that the cost seems high, especially when hearing that the cost to blacktop about 200' to 300' of two lanes of a road and sod is only about \$32,000.

Mr. Suhaj reiterated that \$120,000 seems too high.

Mr. Suhaj stated that the Wild Oaks residents believe that the CDD is responsible for the security and safety of the community. Supervisor Davidson pointed out that Mr. Suhaj's statement is untrue; the CDD is responsible for controlled access and the Sheriff is responsible for safety and security. Mr. Suhaj disagreed.

Mr. Suhaj advised that the Wild Oaks resident feel that they should not be responsible for the cost to install the requested pedestrian fence, given the high cost. He questioned the cost again, noting that a road replacement project covering a smaller distance is expected to cost less.

Mr. Kloptosky indicated that certain components of the proposed pedestrian fence project could be eliminated; he estimated the cost based on the "best look" and continuing with the current appearance. He explained that, to maintain the same appearance, 30 pillars must be installed, which "adds up".

Mr. Suhaj expressed his understanding.

Mr. Kloptosky confirmed that the cost would be less if the pillars are eliminated and a cut-rate pedestrian fence was installed; eliminating the pillars would reduce the cost by about \$60,000.

Mr. Suhaj indicated that the Wild Oaks residents are considering tabling this item until they can regroup and decide what to do. He advised that the opinion of the Wild Oaks residents is that, since the CDD was made aware that they want a pedestrian fence, due to security concerns, the liability comes back to the CDD, if it does not do something about it. Mr. Suhaj stressed that the Wild Oaks residents want the Board to know that they are bringing up the issue of liability.

Supervisor Davidson pointed out that the CDD has no ability to keep the public out of any part of Grand Haven and questioned what type of liability the CDD would have. Mr. Suhaj agreed that the District cannot keep people out. Supervisor Davidson stated that, given this, the District has no liability; therefore, the liability argument does not hold up. Mr. Suhaj disagreed and indicated that "it can go a couple different ways". Mr. Suhaj advised that, currently, there is not a lot of community support to pay for a \$120,000 pedestrian fence. Mr. Kloptosky pointed out that there is much more to this than just a fence; the project involves components, electronics, etc. Mr. Suhaj acknowledged Mr. Kloptosky's comment and clarified that he meant the whole package. Mr. Kloptosky contended that continually referring to it as a \$120,000 "pedestrian fence" would lead people to believe the cost is high and reiterated that the pedestrian fence is not the only thing involved in the project. Mr. Suhaj reiterated that he meant "the whole

package” and he is not faulting Mr. Kloptosky’s estimated prices; he is conveying the opinion of the Wild Oaks residents. Supervisor Lawrence noted that anyone could demand entrance at the gate and they must be allowed to enter. Mr. Suhaj expressed his opinion that, from a security standpoint, people would be deterred by a pedestrian fence; only those that know about the public access would use it. Mr. Suhaj conceded that there is no such thing as “100% security” but there can be a deterrent and the illusion of security, which is what the Wild Oaks residents want. Supervisor Lawrence felt that those entering at that location are entering for a reason, such as to view the eagles or use the dog park. In response to Supervisor Lawrence’s question, Supervisor Davidson confirmed that he has not yet spoken to the Forest Park representative regarding residents of that community using the dog park.

E. Continued Discussion: Evening Community Workshops [MG]

Supervisor Gaeta recalled previous discussion about replacing some CDD workshops with community workshops involving the CDD, GHMA and residents. She explained that one workshop could be held and, depending upon resident sentiment, the CDD and GHMA Boards could determine whether to hold additional community workshops.

Dr. Rob Carlton, GHMA President and resident, indicated that he must present the idea to the GHMA.

Supervisor Lawrence recalled that the Board previously agreed to hold a trial workshop; therefore, it is only a matter of scheduling it. He wants the GHMA to participate.

In response to a question, Supervisor Gaeta clarified that this would not be a CDD workshop focused on CDD business, it would be a “Community Information Night”. Supervisor Davidson stated that, if the CDD workshop was held the first two hours, followed by the “Community Information Night”, it would be similar to the town hall meeting format. Supervisor Gaeta agreed but it would be attended by all of the CDD Board Members and the District Manager. Supervisor Gaeta concurred that the GHMA representatives could choose whether to attend the CDD workshop portion or choose to only attend the “Community Information Night”. Dr. Carlton questioned if the expectation is to have a GHMA representative attend or all of the GHMA Board Members. Supervisor Gaeta indicated that it is the GHMA Boards’ decision regarding who would attend. Supervisor Davidson recommended that the entire GHMA Board attend.

Mr. Wrathell questioned what the Board is trying to accomplish by holding a “Community Information Night” in lieu of its regular workshops. He suggested that the Board

could hold evening CDD workshops to determine if anyone attends. Mr. Wrathell noted the potential difficulty in determining what the CDD and GHMA Boards would address.

Supervisor Gaeta stated that she envisioned the “Community Information Night” to be more interactive than a regular CDD workshop; it would give residents the opportunity of a question and answer session. Supervisor Davidson surmised that, in this case, the Board could hold a two-hour workshop followed by the “Community Information Night”.

This item was deferred to the next workshop.

F. Update: SJRWMD Permitting [BK/RW]

This item was deferred to the next workshop.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

NINTH ORDER OF BUSINESS

SUPERVISORS’ REQUESTS

Supervisor Davidson indicated that, at the Flagler County Commissioners’ meeting on Tuesday night, RG Partners was awarded the contract to build a cell tower near the first detention pond, south of The Crossings, on the northwest corner. He felt that this may become another issue for Grand Haven residents because the City will have administrative overview of the construction of the tower, in spite of the property being on the County’s property. Supervisor Davidson noted that the tower will be 150’ tall, making it perhaps the tallest structure in the County.

It was determined that the March Workshop will be held.

Supervisor Smith asked to add a discussion item to the workshop agenda regarding a “relook at the strategic objectives of this Board”. Supervisor Lawrence asked Mr. Wrathell to forward the Board’s previously established strategic objectives.

TENTH ORDER OF BUSINESS

ADJOURNMENT

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

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 2:12 p.m.

Secretary/Assistant Secretary

Chair/Vice Chair