

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

A Community Workshop of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, January 8, 2015 at 10:00 a.m.**, at the **Grand Haven Village Center, Grand Haven Room, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting were:

Dr. Stephen Davidson	Chair
Pete Chiodo	Vice Chair
Marie Gaeta	Assistant Secretary
Tom Lawrence	Assistant Secretary
Ray 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 (<i>via telephone</i>)	District Counsel
Barry Kloptosky	Field Operations Manager
Robert Ross	Vesta/AMG
Ashley Higgins	CDD Office Staff
Victoria Kane	CDD Office Staff
Brad Schaaf	Resident
Tracey Schaaf	Resident
Frank Benham	Resident
Rob Carlton	Resident
Pete Matthews	Resident
Craig Wilson	Resident
Pat Maloney	Resident
Valerie and Jack Wright	Resident
Kay Boner	Resident
Lisa Mrakovic	Resident
Bob Hopkins	Resident
David Reisman	Resident
Vic Natiello	Resident
Al Lo Monaco	Resident
Joanna Salkovitz	Resident
Murray Salkovitz	Resident
George Suhaj	Resident
Jim Ring	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

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

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS & PRESENTATIONS

- **Elimination of Periodic Main Gate Traffic Backup *[Brad Schaaf, 8 Lakeside Dr.]***

Mr. Brad Schaaf, a resident, stated that he was present to provide a proposal to reorganize Neighborhood Watch. He recalled discussion, at the last CDD meeting, regarding traffic backups onto Colbert Lane, primarily in the morning.

Mr. Schaaf advised that the central concept of his proposed solution would be to require all nonresident public access traffic, including resident guests, to enter only through the Main Gate, with access through the North and South Gates confined to residents, only. He proposed that all gates be available for egress, by everyone. Mr. Schaaf clarified that his approach does not require residents to only use the North and South Gates to enter; residents could enter through the Main Gate, as well. He suggested signage to alert residents to use another gate, when there are many vehicles at the main gate.

Mr. Schaaf proposed that the District install two nonresident gates at the Main Gate; he felt that those gates could be installed with little or no restructuring of the Main Gate entrance but might involve building another gate house.

Mr. Schaaf explained that the intention of his proposal was for it to be a “proposal to write a request for proposals” to “do the things that I envision”. He recommended removal of the call boxes at the North and South Gates and acknowledged that it was “tried” before but was not well received by residents. Mr. Schaaf felt that, despite the resident opinions, removal of the call boxes “introduces additional safety”.

Mr. Schaaf presented the “Project Goals and Objectives” of his proposal:

- A. *“First and foremost the proposed solution must provide demonstrable improvement, if not elimination, of the current periodic traffic backup on to Colbert Lane from the Main Gate.”*

Mr. Schaaf acknowledged that the District is required to allow public access but believed that safety of the access would be incorporated; therefore, he felt that the CDD could be criticized for not giving proper access if there are accidents on Colbert Lane or people are waiting.

- B. *“Improve Public Access, with no degradation of the current gate security policies and procedures in place to minimize unauthorized entry.”*
- C. *“Significantly expand the breadth and depth of electronic record retention of non-resident access and egress including electronic search capabilities.”*

Mr. Schaaf estimated the gate system to be five years old and stated that “a lot has happened since then”, electronically, which would reduce “human intervention”. He indicated that guard gates are not “security guards”. Mr. Schaaf stated “they are humans, they get tired during the day. Maybe they are really gung-ho in the morning in the way they check everything out but, in the afternoon they are tired and...yeah, okay. They are also subject to friends saying ‘oh, come on, let me in, I am just going fishing’. I mean, let’s be realistic about it, those things can happen.” For the aforementioned reasons, Mr. Schaaf believed that, the closer the gates are to being fully automated, the more those issues “go away”.

- D. *“The ability to readily quickly demonstrate and document full compliance with the Public Access requirements of all bond covenants should the need arise as the result of an IRS surprise audit.”*

Mr. Schaaf noted that, with a system that maintains good records, the District has the ability to readily and quickly demonstrate and document full compliance with the public access requirements, should the need arise, in the event of a surprise IRS audit.

- E. *“Provide the same level of gate security at Wild Oaks and The Crossings as exists at the Main Gate, 24/7/365.”*
- F. *“Satisfy Grand Haven residents that the CDD is clearly maintaining state-of-the-art security gate access within the legal constraints of required public access at all times into the future.”*

G. *“Quickly identify “persons of interest” for the police regarding criminal activity and suspicious incidents as well as the manner in which entry was obtained.”*

Mr. Schaaf proposed a “very detailed login and logout” process to know who is in or out of the community.

H. *“Provide the same, if not improved, easy gate access for residents and their guests while providing enhanced electronic record retention thereof.”*

Mr. Schaaf stressed his goal of not only “keeping track of” nonresidents but also residents and their guests.

I. *“Maximize resident “buy-in” to the proposed solution through an easily understood, detailed and credible cost/benefit analysis.”*

Mr. Schaaf felt that this item “cries out” for a cost-benefit analysis, which he is experienced in completing.

Mr. Schaaf presented a brochure from GateHouse Solutions and spoke about the gatehouse capabilities of another community and of other security vendors. He discussed automated gate passes, including printed directions, etc.

Mr. Schaaf commended the Board for labeling the lakes as amenities because it requires nonresidents to obtain a permission slip and pay \$10, per individual, to fish in the lakes; however, he felt that the process is not being implemented.

Mr. Schaaf relayed the following incident and referred to photographs taken during the incident:

“So, I was taking my walk down to the Intercoastal, Front Street and Montague and I looked over and huh, there’s a car and four kids fishing and I said boy, I can’t believe they are residents. I went over and took the picture of the tag and that’s all I was gonna do and then I was out of there; however, that fellow (pointing to a photograph), right there, he’s about 8” taller than me and probably 130 pounds heavier and I’m a coward, anyway, so it was a little intimidating. He is the fellow driving the car. Now, this is the, now I’m starting to take pictures, this younger fellow “kiss my a&%” and I’m thinking boy, this could get bad, this could get bad. That’s him afterwards. And, this fellow here, I was taking his picture. I didn’t realize while I was taking his picture, he was swinging the rod at

me with a hook on it. I only noticed it afterwards because there was a blur, there. And then this fellow here was not confrontational, at all.

When I spoke with them at first, I said you know, this is only for residents here. He says well, I work here. I said well, you are not a resident. Well my uncle is a resident. I said that doesn't make you a resident, you really need to stop. So I turned this over to Barry because it was an amenity, the pond is an amenity. They were fishing in the pond. They didn't have their passes, for sure. And then, from there I don't really know what happened."

Mr. Schaaf asked:

"How did they get in? They were in a car. They had to go through one of the gates so, I don't know whether we have the ability to find out how they got in. I do know that, with the one we are talking about here, they would not have gotten in".

Mr. Wrathell acknowledged Mr. Schaaf's efforts but commended the Board for its work. With regard to "security" as described by Mr. Schaaf, Mr. Wrathell explained that, as a public entity, the District does not have policing powers; therefore, it is limited in what it can do. He discussed the Board's research and extensive discussions regarding security. Mr. Wrathell pointed out that the Board implemented the Smart Amenity Access Card (SAAC) system and noted that one of Mr. Schaaf's samples was from a security company that responded to the District's request for proposals (RFPs) for security and software security services. He advised that the Board went through an extensive process evaluating numerous security options and alternatives.

Mr. Wrathell praised the Board for the tremendous progress made in the past five years to address security issues, despite the limitations encountered by a public, governmental entity, with public roads. He asked Mr. Kloptosky to review and comment on Mr. Schaaf's proposal.

Mr. Kloptosky referred to Mr. Schaaf's proposal to remove call boxes and divert traffic, with residents using the North and South Gates and converting the Main Gate to visitor traffic. He felt that the Board and residents should consider the consequences and impact of that action. Mr. Kloptosky questioned how adding traffic to the Main Gate would solve the existing traffic backup situation. Mr. Kloptosky presented an analysis of the impact of diverting traffic.

Mr. Kloptosky pointed out the discussion of costs to install a new security system, in Mr. Schaaf's proposal, which estimated \$250 per home. He stated that it would require a public

hearing and for all residents to buy-in to the concept because of the expense. Mr. Kloptosky noted the large amount of staff time involved in researching products and services and obtaining quotes; he questioned if the community wants staff's time spent doing this.

Mr. Kloptosky recalled that the District spent a lot of money upgrading the data system and residents might not fully understand its capabilities. He wondered how Mr. Schaaf's proposed system would integrate with the District's Door King system and the potential cost if it was necessary to revamp the system.

Mr. Kloptosky referred to the "Goals and Objectives" of Mr. Schaaf's proposal and addressed the following items:

A. *"First and foremost the proposed solution must provide demonstrable improvement, if not elimination, of the current periodic traffic backup on to Colbert Lane from the Main Gate."*

Mr. Kloptosky was unsure that "demonstrable improvement" could be demonstrated. He questioned if diverting all visitor traffic to the Main Gate would solve the backup problem and speculated that it might worsen it.

B. *"Improve Public Access, with no degradation of the current gate security policies and procedures in place to minimize unauthorized entry."*

Mr. Kloptosky was unsure that Mr. Schaaf's proposal would accomplish this.

C. *"Significantly expand the breadth and depth of electronic record retention of non-resident access and egress including electronic search capabilities."*

Mr. Kloptosky advised that the current data system is capable of this function.

F. *"Satisfy Grand Haven residents that the CDD is clearly maintaining state-of-the-art security gate access within the legal constraints of required public access at all times into the future."*

Mr. Kloptosky believed that the current system is a tremendous upgrade from the prior system and pointed out that "state-of-the-art" is a constantly changing concept. Additionally, cost versus benefit must be considered in a public access community.

G. *Quickly identify "persons of interest" for the police regarding criminal activity and suspicious incidents as well as the manner in which entry was obtained."*

Mr. Kloptosky stated that he is cautious about identifying “persons of interest”; the District works closely with the Sheriff’s Office on issues and were advised to be cautious, as the District’s involvement could interfere with law enforcement, if too involved.

Regarding the incident reported by Mr. Schaaf, Mr. Kloptosky indicated that it occurred on a Saturday and he was notified the following Monday. He explained that, typically, staff will investigate incidents on common property; however, residents should report incidents on private property directly to the Sheriff. Mr. Kloptosky stated that staff will ask people if they are a resident, ask to see the SAAC but staff does not engage the person, as the District does not have policing powers; staff informs the person that, if they are not a resident, they must leave and, if the person refuses to leave, a trespass order could be issued. Mr. Kloptosky pointed out that Amenity employees can investigate, if he or CDD staff is not on site. He stressed that encounters should never be confrontational.

Regarding the suggestion of limiting access at the Main, North or South Gates, Mr. Kloptosky noted daily resident input regarding the gates. He cautioned against limiting access, as residents are not fond of it; residents want to be able to enter and exit where they want. Mr. Kloptosky stated that many resident complaints are received when a gate is broken and must be closed.

Supervisor Smith recalled data presented, at the last meeting, which confirmed that the guards are “busy”; however, he requested data specific to the backed up traffic. He felt that the direction was to collect data to confirm the backup issues because improvement cannot be demonstrated if the issue was not measured, first. Supervisor Smith hoped that Mr. Kloptosky was prepared to present data or had a plan to collect data verifying significant traffic backups onto Colbert Lane. He questioned whether a problem exists, as he is hesitant to spend money solving a problem, if he is not convinced that it exists.

Mr. Kloptosky stated that a specific traffic study was not conducted. Based on his observations, Mr. Kloptosky advised that, on a daily basis, there are times when traffic at the Main, Crossings and Wild Oaks Gates backs up onto Colbert Lane, causing traffic jams when drivers try to enter, especially in the morning. Mr. Kloptosky noted that complaints about the backups are received, as well.

Ms. Kane presented transaction data collected by the Door King system. She referred to a graph of monthly directory calls, from every gate, which outlines the number of times the call box called the guardhouse, denoted in red, and the number of times the call box called a resident,

denoted in blue. For one gate, she stated that 61% of the May call box calls were to the guardhouse; she summarized that the majority of the calls were to the guardhouse.

Mr. Kloptosky indicated that the call box data was being presented to address the recommendation to remove the call boxes. He questioned how people would enter, if the call boxes were removed.

Ms. Kane reported 1,044 calls from The Crossings Gate call box, during July, 2014; 66% were to the guardhouse and 34% were to residents. Based on this data and Mr. Schaaf's recommendation to remove the call boxes and redirect all visitors to the Main Gate, in one month, 1,044 additional vehicles from just The Crossings Gate, would enter through the Main Gate. Ms. Kane summarized that, for the months presented, the data reflected 4,082 calls from The Crossings call box, with 39% to residents and 61% to the guardhouse; overall, approximately 35 vehicles, per day, would be diverted to the Main Gate, as opposed to being able to enter at The Crossings Gate.

Mr. Kloptosky discussed electronic issues associated with redirecting visitors.

Ms. Kane presented data for the North Gate. She noted that the North and South Gates primarily involve visitor calls to residents. At the North Gate, 93% of the calls were to residents and 7% to the guardhouse, which would result in approximately 21 visitors, per day, redirected to the Main Gate. Ms. Kane advised that, at the South Gate, 85% of the calls were to residents and 15% were to the guardhouse, resulting in about 32 visitors, per day, redirected to the Main Gate.

Ms. Kane indicated that the Wild Oaks Gate was the busiest gate for calls, with many days having more than 100 calls to the guardhouse, the majority being calls to open the gate for visitors to enter. She reported that, for December alone, there were 2,358 calls from the call box; 13% were to residents and 87% were to the guardhouse. Overall, there were 7,933 calls made from the call box, during the months shown, and all of those visitors would be redirected to the Main Gate, if the call box was removed. Ms. Kane reported that, for December, there was an average of 76 calls per day, which would be redirected to the Main Gate.

Ms. Kane summarized that, on average, if the call boxes were removed, 164 visitors per day would be redirected to the Main Gate, for a total of 4,920 per month and 59,696 per year entering at the Main Gate, rather than entering through an outlying gate.

Mr. Kloptosky indicated that the data clearly demonstrates the amount of traffic. He voiced his concern about how the additional traffic would be handled, if the call boxes were eliminated.

Mr. Schaaf felt that, while this information would be useful for the RFP, it is not an indication that the call boxes should not be removed. He stated that the call boxes could be replaced with a kiosk that would print a pass. Mr. Schaaf clarified that visitors would not be redirected; the situation would be handled at each gate, using the kiosk.

Mr. Kloptosky noted that Ms. Kane researched the kiosk approach with the existing security provider and other companies that supply the kiosks. He advised that the kiosk system relies on scanning a driver's license.

Mr. Schaaf disagreed and indicated that the license plate could be scanned, which is "just as good". He pointed out that the kiosk also photographs the vehicle occupants.

Ms. Kane indicated that, in the GateHouse Solutions system, one-keystroke passes are printed by scanning the driver's license, with the information saved into the system, and the guard "puts a print button on it". She explained that this system would require each house to have individual accounts so the resident could login to preauthorize their guests. Ms. Kane pointed out that, as a CDD, the account information could not be private; nothing can be password protected from public access. Additionally, the guards do not typically ask for or scan driver's licenses; they can be used to verify spelling but the CDD cannot require guests to show a driver's license to enter the community, nor can the driver's license be scanned and information kept on file. Ms. Kane advised that, furthermore, the CDD could not obtain information from a scanned license plate.

Mr. Kloptosky recalled that all of these matters were previously discussed, in meetings, when the District was revamping the security system. He agreed that the kiosks proposed by Mr. Schaaf are a wonderful system; however, legally, the CDD could not utilize that type of system because the roads are public, which is why the database was adjusted to the current system. Mr. Kloptosky felt that the CDD's current system is tremendous; much information can be tracked through the database.

Mr. Schaaf explained that his concept for Neighborhood Watch would be that it would provide the manpower to evaluate the situation and, if the CDD provided the data to him, he would provide the manpower. Mr. Kloptosky was unsure if that would be allowed. Mr. Schaaf

questioned why someone cannot volunteer to complete a project like that. Mr. Kloptosky believed that Mr. Clark must comment on this matter.

▪ **Possible Violations of the Florida Sunshine Laws – Brad Schaaf Correspondence Dated December 22, 2014**

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

Mr. Wrathell indicated that correspondence was received in which Mr. Schaaf made an accusation of Sunshine Law violations. He felt that an explanation of the Sunshine Law was necessary because the accusations referenced “a CDD Board Member” meeting with the GHMA and Neighborhood Watch representatives. Mr. Wrathell advised that, when an accusation of a Sunshine Law violation is made, the District’s policy is to address the accusation publicly, on the record.

Mr. Wrathell explained that the Sunshine Law restricts communications amongst the CDD Board, on items that could come before the Board for consideration; the Sunshine Law has nothing to do with an individual CDD Board Member communicating with the GHMA or Neighborhood Watch. He stated that, unless there is additional information that Management is not aware of, there was no Sunshine Law violation by “a Board Member” having any type of meeting with those entities. Mr. Wrathell pointed out that, when an accusation is made, it is a “heavy” accusation.

Mr. Clark indicated that he read Mr. Schaaf’s memorandum several times and noted that it stated that there “may be violations”, there is “a potential for violations”; however, he did not read any facts suggesting that there was a Sunshine Law violation. He felt that Mr. Schaaf suggested that “perhaps, Board Members had talked, independently, outside of a meeting, about certain things relating to Neighborhood Watch or, perhaps, other security issues”. Mr. Clark advised that he saw no evidence of that interaction occurring and recalled that he takes a very aggressive and conservative approach regarding Sunshine Law violations; he previously advised the Board Members to not discuss matters, which might be okay to discuss, to any accusations of a Sunshine Law violation. He explained that the Sunshine Law is violated when two or more Supervisors have a discussion, outside of a public meeting, on a matter that is District business or may come before the Board, in the future. Mr. Clark stressed that this does not mean that Board Members must avoid each other if they find themselves in a room together; also, if Board Members hear the same comment, such as a communication from a blog or email that is directed to more than one Board Member, it does not constitute a violation. He explained that a situation

could become a Sunshine Law violation if Board Members engaged with one another in the email and had a discussion. Mr. Clark was not aware of this situation occurring. He noted that matters were communicated to more than one Board Member and the Board wisely brought the matter to this workshop to discuss it in a public forum.

Mr. Clark confirmed that the Sunshine Law does not apply if a Board Member speaks to a GHMA Board Member or member of Neighborhood Watch, etc., about something that will come before the Board; it is not a violation because the matter is not being discussed with other CDD Board Members. He pointed out that Board Members cannot use another person as a conduit to relay information to another Supervisor.

Mr. Clark reiterated that he read Mr. Schaaf's correspondence but did not read any evidence that the Board or Board Members violated the Sunshine Law. He reminded the Board to be cautious and conduct business, related to another Supervisor, in a public forum.

Supervisor Davidson indicated that the correspondence contains four or five allegations of Sunshine Law violations, which are groundless; additionally, it contains a threat to sue but the threat does not specify who or what entity would be sued. He asked Mr. Clark to comment on the situation of a threat to sue the District, when the grounds are baseless.

Mr. Clark stated that the District would resist them and vigorously defend it. Regarding the four individual allegations, Mr. Clark referred to Mr. Schaaf's statement, "emails from any residents addressed to two or more members of the CDD BOS regarding the Neighborhood Watch resignations are potential violations of the Florida Sunshine Laws if they have not been publicly disclosed" and advised that Mr. Schaaf's "reminder" is not really true. He explained that an email sent from a resident or another party, which includes two Board Members, does not cause those Board Members to be in violation of the Sunshine Law simply because they received the same email; however, it could be a violation if those Board Members engage in a discussion about the email.

Mr. Clark referred to Mr. Schaaf's statement "Any emails from any residents addressed to two or more members of the CDD BOS suggesting that I be thwarted in my efforts to replace the resigning members of the Steering Committee are potential violations of the Florida Sunshine Laws if they have not been publicly disclosed." and advised that there would be no violation if two or more Supervisor receive the same email. He pointed out that this situation is further from being a Sunshine Law violation because the issue is Neighborhood Watch and, as he previously

advised, the Neighborhood Watch composition and what it does are not CDD issues; therefore, he saw no possibility of a Sunshine Law violation.

Mr. Clark indicated that Mr. Schaaf's third item was related to a lengthy discussion, at the last meeting, regarding Neighborhood Watch, the resignation of Neighborhood Watch members and comments about the NextDoor Grand Haven blog. He referred to Mr. Schaaf's statement "This entire segment of the meeting is rife with potential violations of the Florida Sunshine Laws regarding the prohibition of CDD BOS collusion with some residents of a community to the detriment of others." Mr. Clark questioned how Mr. Schaaf could recite something that was discussed in an open, public meeting and allege that it is a Sunshine Law violation, when it was, essentially, the opposite of a violation.

Mr. Clark referred to Mr. Schaaf's last item, directed to the Chair, which was related to a situation that occurred at Houligan's Restaurant. He described the situation as a relationship issue between some people. Mr. Clark stated that Mr. Schaaf suggested that his rights were violated because he was told that he might "go sit somewhere else". Mr. Clark indicated that, regardless of whether the incident occurred, it has nothing to do with the Sunshine Law.

Mr. Clark advised Mr. Schaaf that he takes the Sunshine Law very seriously and counsels people to be very careful and comply with the Sunshine Law. He stressed that he has never had an incident of a credible accusation of a Sunshine Law violation in a district that he represents.

Supervisor Davidson indicated that he received this correspondence from Mr. Schaaf, via email, a few days ago, and, last night, Mr. Schaaf emailed it to Management's Staff for distribution to District Counsel. He explained that, once the correspondence was emailed to Management, it became Board business and each Board Member should have received the email from Management.

Supervisor Chiodo agreed with Mr. Clark's position that the correspondence does not identify any Sunshine Law violations.

▪ **Resident Communication**

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

Supervisor Davidson referred to the documents located behind Tab 6.C., and asked Mr. Clark to discuss the rights of free speech versus when free speech crosses the line to defamation of a public official.

Mr. Clark indicated that he would provide a brief description; however, this is not a CDD issue.

Regarding defamation, Mr. Clark noted that, as public officials, Supervisors will be targets of people who are dissatisfied with them, who will “take it out” in certain ways, such as attending a meeting but others will discuss their issues in other forums. He advised that the Board has protection but it is limited protection because the Supreme Court decided that it was important to not squash the rights of people to air their political views, even in an obnoxious way; however, people cannot do something with malicious intent, such as the person saying something that they know or should know is untrue and they recklessly disregard the truth, simply for the purpose of harming the public official. Mr. Clark stated that, in that type of situation, the public official might have a cause of action for defamation.

Mr. Clark reiterated that this issue is not within the CDD’s scope to enforce those rules. If a public official believes that they were defamed, the official should seek outside counsel. He would never encourage a CDD to take up this issue.

Mr. Wrathell explained that the District’s Directors and Officers Liability Insurance (D&O) policy is to protect the Board, such as if a suit is filed against the Board or a Board Member, while serving their function, as a Board Member. He advised that the policy does not cover a situation where an individual Board Member wants to sue someone for slander or an equivalent. Mr. Wrathell confirmed that the D&O coverage is defense, only.

Supervisor Davidson referred to the “Nextdoor Guidelines for Neighborly Behavior” and expressed his opinion that the guidelines are not adhered to. He stated that two attorneys who practice public policy law reviewed the postings contained in the agenda and both attorneys gave their informal opinions that the postings went over the line of freedom of public speech. Supervisor Davidson indicated that both attorneys advised him to secure private counsel and investigate what could be done, in this situation, with regard to the author of the posts, the company that operates the website and the founder and moderator of the website, who did not control the postings according to the guidelines of the website. He confirmed that he engaged private counsel and is in ongoing discussions.

Supervisor Gaeta stated that she took exception to the comments in the correspondence, as there were accusations that were “totally untrue”. She indicated that the reason she asked Mr. Schaaf if he was a renter or owner, during the last meeting, was to clarify to the audience the rights of all residents; prior to the postings on NextDoor Neighbor, she did not know who Mr. Schaaf was. Supervisor Gaeta pointed out that, prior to the meeting, she gathered information to determine why Mr. Schaaf was coming to speak to the Board. She explained, at the meeting,

her previous affiliation with Neighborhood Watch and had not had a conversation with any Neighborhood Watch members prior to the meeting but, even if she did, it was not a violation of the Sunshine Law.

▪ **Wild Oaks Fencing and Special Assessment**

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

Supervisor Davidson recalled that Wild Oaks residents indicated that they were willing to pay a special assessment to have a fence installed. He noted that the District has never had a targeted special assessment and asked how it would be handled.

Mr. George Suhaj, a resident, clarified that he did not state that Wild Oaks residents would be willing to pay for the fence. He indicated that, prior to speaking with Wild Oaks residents, he needed figures; he did not speak for the residents.

Supervisor Davidson asked how a targeted special assessment for a level of service greater than any other village has would be created.

Mr. Clark advised that the District's ability to impose a special assessment is related to doing something that benefits the property. If the District undertakes a project that is only for one section of the community, it cannot assess the whole community; rather, only those that benefit could be assessed. Mr. Clark stated that the cost of the improvement would be divided across the number of units in Wild Oaks and, depending upon how the project was financed, the District could have a one-time assessment, use money from reserves, etc.; regardless, there would be a repayment plan against those lots. He recommended that the District include this project in its budget process so that the special assessment is included on the tax bill to ensure payment, rather than imposing the special assessment through a separate bill.

Supervisor Chiodo asked if the District requires a "buy in" from those that would be affected by a special assessment, prior to imposing it. Mr. Clark stated that it is not required but it would be wise to seek approval from those residents. Mr. Wrathell explained that, since this would be a new assessment, the District would be required to give written notification to those residents. Mr. Clark added that there would be a public hearing, as well.

Supervisor Davidson recalled that many lots do not have homes and questioned if lot owners would be upset about a special assessment; he stressed the need to obtain accurate estimates and poll residents.

Mr. Suhaj reiterated that he did not state that Wild Oaks residents were willing to pay a special assessment; he wanted an estimate of the cost.

In response to Supervisor Davidson's question, Mr. Kloptosky indicated that he is three-quarters finished with the estimate. He has a proposal from the main contractor for fencing and cameras but proposals for boring and electrical are pending, as well as the impact of an additional call box on the guardhouse, which could require additional man hours.

Mr. Suhaj felt that there would still be extra volume. He referred to the estimate provided by ABM Security Services (ABM), at the last meeting, to man the gate four hours per day, and voiced his opinion that it was high.

Supervisor Davidson clarified that the ABM estimate was to man a guardhouse 24/7, for one year. Mr. Suhaj disagreed. Supervisor Smith recalled that the cost would be approximately \$20,000 for a supplemental person at the Main Gate and noted that he objected to the expenditure because it was not proven to him that an extra person is needed. Mr. Wrathell believed that the hourly rate equated to \$15 or \$16 per hour. Mr. Suhaj disagreed and stated that, based on the figures he reviewed, the cost was grossly overstated.

▪ **Discussion of Resident Volunteers Assisting CDD Staff With Collection of Information and Data**

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

Mr. Clark recalled that this matter was addressed in 2008, when residents wanted to form a series of committees, with the committees providing direction or recommendations to the Board. He explained that the Board determined that the District cannot have committees without the committees being subject to the Sunshine Law; therefore, a committee must give public notice of its meetings, meet in public and produce meeting minutes. Mr. Clark indicated that, on limited issues, the District had "fact-finding" groups that were tasked with collecting data and delivering facts to the Board; the group cannot give recommendations if its meetings do not comply with the Sunshine Law.

Mr. Clark believed there was a suggestion that volunteer residents assume some of the guard tasks. He discussed liability and advised that, if volunteers are injured, liability rests with the CDD but, if a contractor's employee is injured, liability is with the contractor. Mr. Clark pointed out that the District has Post Orders; compliance is required to preserve public access. He was troubled by the prospect of delegating that responsibility to someone other than a contractor, who could be fired.

****Mr. Clark left the meeting at approximately 11:22 a.m.****

▪ **Elimination of Periodic Main Gate Traffic Backup [Brad Schaaf, 8 Lakeside Dr.]**

Discussion of this item resumed.

Supervisor Lawrence recalled that Mr. Schaaf indicated that his proposal was to address a potential backup at the Main Gate. He voiced his opinion that Mr. Schaaf's proposal would make the situation worse because the backup at the Main Gate is not due to resident traffic; rather, it is nonresidents entering through the visitor side. Supervisor Lawrence felt that directing all nonresident traffic to the Main Gate visitor lane would worsen it.

Mr. Schaaf clarified that his proposal was to convert both lanes at the Main Gate to nonresident traffic, only. Supervisor Lawrence pointed out that the backups would still occur because there would be one guard to handle both lanes.

Supervisor Lawrence indicated that Mr. Schaaf's proposal to eliminate all call boxes and ask residents not to use the Main Gate would create a "humongous" inconvenience, which he would find an unacceptable inconvenience to all residents. He believed that Mr. Schaaf's proposal was not a workable solution.

Mr. Schaaf voiced his opinion that the basis of whether the District implements his proposal depends on how safe the Main Gate is. He noted that some find it very safe but others find it unsafe. Mr. Schaaf questioned Supervisor Lawrence's use of the word "humongous" and stated that a traffic study must be conducted. He reiterated his suggestion to replace call boxes with kiosks. Mr. Schaaf felt that his proposal could be used as the framework for an RFP that identifies the issues and requests solutions from the contractors. He stated that he would be ashamed to submit this as a final proposal; the purpose of it was to "get people thinking".

Mr. Schaaf indicated that he would say one more thing, "then you won't have to listen to me anymore today". An audience member stated "good". Mr. Schaaf demanded to know who said "good". Supervisor Davidson replied "Somebody back there." Mr. Schaaf asked "It wasn't you Doc?" Supervisor Davidson stated that it was definitely not him.

Mr. Schaaf voiced his opinion that the Board must review the bidding.

Regarding the comments about what he sent last night, Mr. Schaaf stated, "Before I received the Grand Haven invitation, I had absolutely no idea, whatsoever. I thought it was going to be the proposal that I had and then you had other things. I had no idea that there were gonna be pages lifted out of things that I put in NextDoor Grand Haven, pasted in there, another one pasted in there and then, down on the bottom, down at the bottom, somebody in Costa Mesa, California, who, crossed the line and they're gonna sue 'em so, are you threatening me? Is that it? Because I had no idea."

Supervisor Davidson asked Mr. Schaaf if he heard anyone threaten him. Mr. Schaaf replied “Yes, I did.” Supervisor Davidson asked “Who?” Mr. Schaaf stated “You, you said you were gonna sue me.” Supervisor Davidson asked “Did I? Did anyone in this room hear (me) say I was gonna sue Mr. Schaaf?” Numerous people responded “No.” Supervisor Davidson stated “You have a very active imagination, Mr. Schaaf.” Mr. Schaaf asked “Well, what did you say about your two lawyer friends?” Supervisor Davidson replied “I said that I will engage counsel to discuss the matter.” Mr. Schaaf responded “Okay, well it’s the same thing.” Supervisor Davidson and numerous people disagreed with Mr. Schaaf.

Mr. Suhaj indicated “This is not the forum to discuss this. It is getting acrimonious. This is not the forum. If anything has to be done, it has to be done by legal means, not in a public forum. It is time to stop.”

Supervisor Gaeta recommended that Mr. Schaaf review the past meeting minutes, which reflect that the Board did its “due diligence” investigating security companies, including presentations and obtaining resident input regarding the level of security that the community wanted. She stated that residents were extremely opposed to GateHouse Solutions. Supervisor Gaeta recalled that three contractors were considered and, given what the District had and the amount that the community was willing to spend, the Board obtained what was needed for the community. She stressed that the community is secure and recalled the recent crime reports, which revealed that there is very little crime in Grand Haven. In response to Mr. Schaaf’s question regarding how people get in, Supervisor Gaeta pointed out that the guard cannot stop people from entering the community. She reiterated her suggestion that Mr. Schaaf read the information related to the District undertaking the data access control project.

Mr. Wrathell discussed the Board’s diverse backgrounds and interaction. He encouraged Mr. Schaaf to attend meetings because many discussions have been ongoing for many years, which focused on the same issues he presented today. Mr. Wrathell stressed that the District purposely try to conduct professional meetings and respect each other. He acknowledged that Mr. Schaaf’s accusations of Sunshine Law violations probably caused the discussion to extend beyond Mr. Schaaf’s proposal, due to the severity of the accusations and what they mean. Mr. Wrathell indicated that the Board takes what is said extremely seriously. He recalled the Board’s recent discussion and District Counsel’s advice that, because of the Sunshine Law and public records law, the Board should not become involved in social media. Mr. Wrathell pointed out that a person can make baseless comments on a social media website but the Board is focusing

on facts, data and information and trying to analyze and solve problems that arise in a productive, collegial fashion. He urged Mr. Schaaf and others to participate in that type of process, with the understanding that sometimes things will not go their way. Mr. Wrathell stated that the District wants to progress forward, in a positive manner, and work for the best of the community.

Mr. Schaaf stated, for the record, "I did not send any accusations until I read that last night and the strong implication with the Costa Mesa, with the strong implication that I could be subjected to legal action because that Costa Mesa thing was all about legal action, all about people being sued, okay, and there was a strong implication of that. I didn't like that, I didn't like it at all."

Supervisor Davidson stated "That was in your own mind; what that whole part of the, addition to the meeting packet..." Mr. Schaaf questioned "Would you say it was a reasonable conclusion?" Supervisor Davidson replied "No...."

Supervisor Smith asked that the meeting return to CDD business.

Ms. Tracey Schaaf, a resident, thanked everyone for their time and consideration.

*****The workshop recessed at 11:38 a.m.*****

*****The workshop reconvened at 11:55 a.m.*****

Supervisor Chiodo recalled Supervisor Smith's earlier comment that the root cause of the backup at the Main Gate remains unknown; it must be investigated before a solution can be developed. Supervisor Smith added that the time of day of the backups must be determined. Supervisor Smith indicated that Mr. Kloptosky planned to view a time-lapse video, to collect data. Mr. Kloptosky stated that the cause of the backups is related to volume of incoming guest and contractor traffic, along with only one guard on duty who must man the gate while attending to the incoming residents and call box calls. Supervisor Smith requested a quantitative measurement of the number of backup occurrences, and the maximum length and location of the backups.

Mr. Kloptosky felt that the only way to accomplish what Supervisor Smith wants would be to station a staff member in the guardhouse to collect data; however, the Board must determine whether it wants staff's time used for that. Supervisor Smith preferred use of a time lapse camera to collect data. Mr. Kloptosky stated that he must divert cameras to the Main Gate to accomplish it, as the current cameras might not be configured for that line of sight.

Supervisor Smith suggested renting a standalone time lapse camera. Mr. Kloptosky will research camera options.

FOURTH ORDER OF BUSINESS**UPDATES: Amenity Manager**

Mr. Ross reported that the New Year's Eve event was "quiet" but all attendees had a very good time.

FIFTH ORDER OF BUSINESS**UPDATES: Field/Operations Manager**

Mr. Kloptosky recalled that, at the last meeting, the Board directed him to obtain revised estimates from S.E. Cline Construction (Cline) to include the asphalt paving of Marlin Drive, in conjunction with the Sailfish Drive project; the estimate remains pending. The District Engineer is prepared to proceed with permitting and he will present data, at the next meeting, regarding trees, which caused a stall with the City. He noted that a resident is "resisting" allowing the District to remove the tree in front of his home. Mr. Kloptosky will obtain an opinion from District Counsel.

Mr. Kloptosky spoke with the District Engineer regarding the Creekside parking lot expansion. The project is in the final preparation stages to apply for a permit. He reported that the irrigation and landscape plans were submitted to the City. Two questions on the irrigation plan were finalized by Austin Outdoor (Austin), provided to the District Engineer and will be submitted to the City.

Regarding the Creekside pool, Mr. Kloptosky recalled that \$50,500 was budgeted to Marcite the pool, spa and kiddy pool. Mr. Clark is drafting the contract and the project is tentatively scheduled to commence on February 16, 2015 and will last three weeks. Mr. Kloptosky noted that the estimate also included repair and replacement of the coping around the pools. The contract price was \$44,200. In response to Supervisor Davidson's question, Mr. Kloptosky indicated that water aerobics will be inconvenienced. Mr. Ross advised that Creekside water aerobics could not be moved to The Village Center pool; they must join with The Village Center water aerobics group, during that time. Mr. Kloptosky confirmed that the water aerobics participants have not been notified; he is waiting to receive the contract before giving notification. In response to Supervisor Gaeta's question, Mr. Kloptosky advised that the

contractor is Blue Ribbon Pools, who is performing much of the pool maintenance work. Supervisor Davidson asked for color samples.

Mr. Kloptosky stated that the additional outside speakers tying into the existing microphone system will be installed Friday.

Mr. Kloptosky reported that the contract for additional cameras at the exit gates was executed. He indicated that the contract cost was \$8,950, not including the boring and conduit; Mr. Kloptosky will obtain an estimate. Mr. Kloptosky recalled that the original contractor was too busy and backed out of the job.

Mr. Kloptosky noted that the Marlin Drive storage shed was completed and the City's final inspection is scheduled for today.

Regarding the pickleball courts, Mr. Kloptosky stated that the information requested by the City, to date, was complete and provided to the contractor, Nidy Sports Construction (Nidy), to submit the permit application. He expressed concern that Nidy lost interest, as the application was not submitted and Nidy has not responded to several calls and emails.

Mr. Kloptosky reported that all of the Marlin Drive Pump House repairs were completed, with the exception of one support bracket for the transformer panel, which must be manufactured. He noted that completion did not include the concrete work that was supposed to be added to the original permit. PBM Constructors, Inc., (PBM) provided the necessary information and drawings to the City yesterday and was told that the City was unsure if the concrete work could be added to the permit and that it might involve obtaining a new permit. Mr. Kloptosky was unsure who Nidy spoke to but will follow up with the City. In response to Supervisor Chiodo's question, Mr. Kloptosky confirmed that it might help to call Mr. Ray Tyner, Palm Coast City Planner.

Supervisor Davidson recalled that the Marlin Drive and Sailfish Drive work should be completed prior to the summer rainy season. Mr. Kloptosky advised that Cline is prepared to commence work now; however, a tree issue with the City remains pending. Mr. Kloptosky recalled that the City wanted the District to install the same "caliber" of trees being removed, which is impossible. The only alternatives were to pay tree mitigation fees or install additional trees on the project site, which would involve planting on private property. Several homeowners were resistant to that concept and one owner does not want the trees removed. Mr. Kloptosky confirmed that five or six oak trees must be removed. Supervisor Lawrence questioned how the City can require installation of mature trees. Mr. Kloptosky clarified that the City offered the

options to pay mitigation fees or install additional trees on the property site. Supervisor Davidson recommended informing the City that additional trees cannot be installed at the property site but trees are needed in other areas of Grand Haven. Supervisor Lawrence wants District Counsel to give a legal opinion whether the City can actually require this from the District. Mr. Kloptosky was unsure what the mitigation fee would be. Mr. Wrathell noted that the City ordinance might allow for tree mitigation exceptions; however, there might be other provisions and fighting it could be more troublesome than paying mitigation. Supervisor Smith directed Mr. Kloptosky to obtain an estimate of the mitigation fee.

In response to Supervisor Smith’s question, Mr. Kloptosky confirmed that the street light test is ongoing; he will collect data for two months.

Supervisor Gaeta recalled that the Creekside men’s room was renovated and asked if the women’s room would be completed. Mr. Kloptosky advised that the women’s room has the same issues but not as severe; he believed that it should be completed but there are other priorities. Additionally, Mr. Kloptosky felt that a different contractor should be hired; however, he cannot locate an available and capable contractor. In response to Supervisor Gaeta’s question, Mr. Kloptosky confirmed that The Village Center restrooms are on the Capital Improvement Plan (CIP); however, the contractor issue is the same.

SIXTH ORDER OF BUSINESS

DISCUSSION ITEMS

A. Additional Mulching

Supervisor Lawrence voiced his opinion that the mulch becomes sparse because the District only mulches once per year. He previously recommended mulching every ten months, at a cost of \$40,000 per event. Supervisor Lawrence explained that, mulching on a ten-month cycle would result in one additional mulching event, over four years, which would be only \$40,000 more than what is currently expended or \$10,000 per year more, over four years. He recalled that the preference of Ms. Louise Leister, District Horticulturalist, was to have mulch “dustings”, as needed; however, he was against it because he believed that it would be problematic to determine where to “dust”.

Supervisor Lawrence acknowledged Ms. Leister’s concern about shifting the time of year of the mulching and asked Mr. Kloptosky if the timing would cause issues.

Mr. Kloptosky confirmed that timing would be a problem. He stated that mulching is typically completed in November but recommended that it be shifted to spring. Ms. Leister

previously informed Mr. Kloptosky that most communities mulch in the spring and he was unsure why the District did it in November.

Supervisor Davidson was in favor of mulching on a ten-month cycle. Supervisor Chiodo pointed out that a ten-month cycle would gradually shift the time of year for future mulching. Supervisor Davidson stated that it would require the District to coordinate with Ms. Leister to determine when to mulch, in coordination with plant rotations, etc.

Mr. Wrathell confirmed that a motion to approve a ten-month mulching cycle was not necessary; it is procedural. He noted that this change must be considered during the upcoming budget discussions.

B. Wild Oaks Fencing and Special Assessment

Supervisor Davidson recalled that Mr. Suhaj requested the cost for the fence to present to residents to determine whether residents were willing to pay a special assessment to have a fence installed in Wild Oaks. He noted that Mr. Suhaj was unsure he could obtain approval from 50% of the residents.

Mr. Kloptosky stated that many residents thought a gate would be installed; they did not realize the magnitude of the proposed project. He indicated that he has the proposals. Mr. Kloptosky noted that the current Wild Oaks fencing has periodic stone columns and asked if he should obtain proposals to continue with the stone columns.

Supervisor Davidson felt that the aesthetic appearance should continue. Mr. Kloptosky advised that it would be expensive. Supervisor Davidson pointed out that Wild Oaks residents would be the ones paying for the fence. All Supervisors agreed that the columns should continue.

Mr. Kloptosky recalled Mr. Suhaj's opinion that the guardhouse would not be affected and noted that it would impact the guardhouse because pedestrian traffic would also be required to call the guardhouse to gain entrance.

Supervisor Davidson directed Mr. Kloptosky to also calculate future maintenance costs and the cost for extra personnel at the Main Gate guardhouse, to answer calls. Supervisors Smith and Lawrence felt that the level of pedestrian traffic would be low and would not merit additional guardhouse personnel.

C. Resident Communication

Supervisor Davidson wondered if the GHMA and CDD could hold an informal Question and Answer (Q&A) session, every other month, to provide information to residents. He stressed that it must be informal, low-key and not confrontational.

Supervisor Lawrence felt that the residents that Supervisor Davidson wished to reach would not attend a Q&A session. He recommended that the CDD prepare a quarterly newsletter.

Supervisor Smith favored both a quarterly newsletter and holding Q&A sessions each month. He was concerned about delays in answering questions.

Supervisor Chiodo agreed to Q&A sessions but felt that monthly would be too often.

Supervisor Lawrence agreed with holding monthly Q&A sessions and adjusting the frequency, as necessary.

Supervisor Gaeta questioned if the purpose of the Q&A sessions would be to provide another venue for residents that choose against attending the CDD meetings. Supervisor Davidson replied affirmatively; it would be for those that cannot attend CDD meetings, due to work, etc.

Mr. Wrathell felt that the genesis of this discussion was what occurred on the NextDoor Grand Haven website and suggested discussing this at a future meeting. He wondered if the strategy was a means to counteract social media that “goes awry”.

Supervisor Davidson believed that the District has many new residents; therefore, it would be beneficial to have an informal opportunity for residents to interact with representatives of the GHMA and CDD Boards; he envisioned it to be more like a “Welcome Wagon”. He advised that the suggestion was based on his wish for the ability to share information about Grand Haven with residents.

Mr. Wrathell recommended scheduling quarterly welcome sessions for new residents; therefore, it could be an educational event, rather than a complaint session. He acknowledged and the Board welcomed Mr. Jim Ring, a resident, who moved into Grand Haven seven days ago.

Supervisor Gaeta asked Mr. Ring if a welcome session would appeal to him. Mr. Ring replied affirmatively; however, he believed that the District holds meetings often enough for residents to attend. He agreed that most who complain would not attend meetings. Mr. Ring stated that the discussion about a possible special assessment in Wild Oaks was concerning to him, as he was considering building a home in Wild Oaks.

Supervisor Gaeta proposed soliciting questions from residents and consolidating them to four to six questions, which the Board could answer at the beginning of its meeting every other month. Supervisor Davidson pointed out that this activity is what should occur during the regular “Public Comments” portion of the meetings. Supervisor Gaeta felt that the “Public Comments” were more conducive to individual resident issues or complaints; the suggestion would enable the Board to entertain questions and then provide an explanation, at the meeting. Supervisor Gaeta believed that residents should be encouraged to read the front of the Community Information Guide.

Mr. Vic Natiello, a resident, discussed his previous experiences within the community and voiced his opinion that the Board would be wasting its time; the same 20 people would attend, unless there was a major incident. He was not in favor of one member of the GHMA and the CDD Board representing the other members of their respective Boards, at a Q&A session. Mr. Natiello felt that, if a question could not be answered during the Q&A session, someone would accuse the Boards of hiding something. He favored receiving questions and addressing them during a meeting.

Mr. Wrathell asked if the CDD Office receives resident questions on a daily basis. Mr. Kloptosky replied affirmatively. Mr. Wrathell pointed out that the CDD already has a means for answering questions and suggested letting this matter rest, for another month, to determine if community outreach is necessary. Mr. Wrathell discussed the drawbacks of newsletters, Q&A sessions and collecting and addressing resident questions.

Supervisor Lawrence reconsidered his previous preference and agreed with Mr. Wrathell.

Mr. Wrathell estimated a cost of \$20,000 per year, to mail newsletters, quarterly, to 1,900 homes, and felt the Board may prefer to use those funds toward a capital project that residents can “see and use”.

Supervisor Smith preferred that the GHMA pay for newsletters. He agreed with Mr. Ring that the same people would attend Q&A sessions. Supervisor Smith suggested placing a longer article in the Oak Tree listing what was accomplished and what the District is working on.

Mr. Rob Carlton, a resident, agreed with Mr. Ring that the CDD provides sufficient communication and noted that the GHMA communicates, even more. He discussed various ways that the GHMA communicates with residents.

Supervisor Davidson stated that Resident Communication will be added to the Open Items List for future discussion.

In response to Supervisor Smith's question, Mr. Carlton advised that the closing date for the next Oak Tree is January 15, 2015 and it will be published on February 15, 2015. Supervisor Davidson indicated that he usually writes the CDD's article for the Oak Tree.

Supervisor Gaeta asked if the Oak Tree contains a link to the CDD's website. Supervisor Davidson stated that he always includes a link.

D. Sewer Problems

Supervisor Gaeta recalled a resident complaint letter, in the December 11, 2014 agenda, to Mr. Troy Railsback, of Southern States Management Group, Inc., regarding how deplorable the aging sewer pipes were. She believed that the Board decided not to respond, as it is not a CDD matter. Supervisor Gaeta stated that Mr. Kloptosky responded to Mr. Railsback.

Supervisor Smith indicated that he met with the resident, following the December meeting. He explained that the conditions were caused by tree roots invading the sewage system; the difficulty is that the CC&Rs for that neighborhood require those trees. Mr. Smith advised the resident of the process if the village wanted to change its CC&Rs; he placed the onus on the GHMA. He noted that he remains open to a dialogue regarding the situation and whether it was inappropriate to have that type of street tree and determine the long-term options, which he believed would be a joint activity between the CDD and GHMA.

E. Fiscal Year 2015 Capital Plan

Supervisor Lawrence distributed a revised Fiscal Year 2015 Capital Plan, denoting which items were started and those that were completed. He clarified that "started" refers to projects that were physically started; projects in the permitting or preliminary phases were not included as "started".

Mr. Kloptosky noted that work from Fiscal Year 2014 was completed prior to commencing some of the Fiscal Year 2015 projects.

Supervisor Smith recommended an additional line to identify the projects that are in the preliminary phase.

Supervisor Davidson asked if several of the projects were experiencing permitting delays and, if so, whether they could be discussed with Mr. Tyner at the same time. Mr. Kloptosky will contact Mr. Tyner.

Mr. Kloptosky indicated that he paces the projects because he, or his staff, must regularly monitor every project, on a daily basis. He voiced his opinion that contractors cannot be left to perform work, without constant supervision.

Supervisor Lawrence will add a column for “Work Initiated”.

Supervisor Gaeta noted that two treadmills must be replaced and asked if a better price could be obtained by purchasing both, at the same time. Mr. Kloptosky pointed out that these items are on the list but might not be completed; they were included in case one breaks. Supervisor Lawrence noted that the list is a “best guess” of projects that might be necessary.

F. Front Street North Stop Sign

Supervisor Lawrence recalled previous discussions regarding removal of the Front Street north stop sign. He stated that, since 1997, he was aware of only two accidents in Grand Haven, with both occurring on Waterside Parkway. Supervisor Lawrence explained that stop signs were installed several years ago, due to an individual speeding in the neighborhood. He advised that the owner of the property containing the stop sign believes that it devalues their home.

Supervisor Lawrence noted that 12 residents signed a petition requesting removal of the stop sign. He suggested retaining the stop sign on Chinier, where it merges onto Front Street, and removal of the stop sign on the north end of Front Street.

Mr. Kloptosky recalled the conclusion of the City of Palm Coast Traffic Engineer that the stop signs should not be removed. He stated that, based on the comments of the Traffic Engineer and Mr. Clark, the stop signs were installed for safety reasons and removal could result in potential liability, if an accident occurs.

Supervisor Lawrence contended that the stop signs were only installed to stop speeders; it was not because of a safety issue.

Mr. Kloptosky noted a desire for traffic to stop because of the mailbox location.

Supervisor Davidson questioned if a speed bump could be installed, if the stop sign was removed.

Mr. Wrathell believed that the District could be subject to a liability issue, if the stop sign was removed and an accident occurred. If the Board agreed to remove the stop sign, Mr. Wrathell recommended obtaining an opinion from a traffic engineer to substantiate that the sign was not necessary.

Mr. Kloptosky stated that he obtained an opinion from the City of Palm Coast Traffic Engineer advising that the stop sign should not be removed.

Mr. Woodville recalled that this matter was discussed at the November meeting and, based on the Traffic Engineer’s opinion, the District Manager was directed to notify residents. Supervisor Davidson indicated that the letter was halted in order to reconsider the matter.

Supervisor Lawrence pointed out that the opinion was from the City of Palm Coast Traffic Engineer and voiced his opinion that the District should hire a different traffic engineer and contended that, when the road was built, it was approved with no stop signs; therefore, he questioned the current necessity of the Front Street stop sign.

Supervisor Davidson suggested obtaining an estimate from the District Engineer to complete a traffic study. Supervisor Lawrence wanted the question posed “Would you recommend a stop sign to be on Front Street where Chinier intersects?”.

Mr. Kloptosky reminded the Board of the letter from the City of Palm Coast Traffic Engineer, which advised against removing the stop sign.

Supervisor Davidson voiced his understanding but stated that the Board is trying to trump that opinion. He directed Mr. Kloptosky to coordinate with Supervisor Lawrence to request an opinion from the District Engineer.

Mr. Kloptosky voiced his opinion that this matter relates solely to one resident who does not want the stop sign in front of their home. He noted that there are stop signs in front of homes, throughout the community. Mr. Kloptosky felt that, regardless of why the stop sign was installed, if it is removed and an accident occurs, the District could be open to liability issues for changing the circumstances.

Supervisor Davidson stated that, if the District hires a traffic engineer who renders the opinion that the stop sign is unnecessary, the District would have documentation to trump the opinion from the City of Palm Coast Traffic Engineer and eliminates the District’s liability. Mr. Wrathell stressed that it would not eliminate the District’s liability.

Supervisor Lawrence felt that the probability of an accident was low.

G. Updated Postcard Reminder Verbiage for Automobile Registration

Supervisor Davidson indicated that a few words were not included on the postcards; however, the District already has 4,000 postcards; the value of the postcards is \$400. Regarding why it was necessary to add the words “For security purposes”, Supervisor Davidson indicated that it was necessary because people were saying there was no reason to obtain the information, other than to harass residents.

Ms. Higgins felt that people would make the same claim, regardless of whether the statement was included. In response to Supervisor Davidson’s question, Ms. Higgins confirmed that Ms. Kane suggested including the verbiage on the postcards.

Supervisor Davidson suggested changing the verbiage the next time the postcards are printed. The Board agreed.

H. Additional Verbiage for Tennis Facility Policies

Supervisor Davidson recommended the following change:

Item (16): Change “Manager” to “Management Company”

This change will be included in the Rules, Policies and Fees for All Amenity Facilities to be presented at the upcoming public hearing.

▪ **Additional Revisions to the Rules, Policies and Fees For All Amenity Facilities**

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

Supervisor Davidson referred to the Rules, Policies and Fees for All Amenity Facilities and suggested the following changes:

Page 28, Item 5.: Insert “, including written or electronic” after “communication”

Page 28, Item 5.: Change “Treats District Staff or the personnel” to “Treats District Officers, Staff or all other personnel”

Discussion ensued regarding whether it is within the Board’s scope to suspend privileges for posting about a Board Member on social media and what constitutes a violation. Supervisor Lawrence asked for an opinion from District Counsel, prior to including this as grounds for suspension.

▪ **Discussion: Resident Actions - Fishing**

Discussion returned to the incident reported by Mr. Schaaf and his actions while approaching individuals who were fishing in a pond.

Supervisor Davidson noted that Mr. Schaaf’s approach and interaction with the individuals fishing violated District policy, already in place, and/or misunderstood the District’s Fishing Policy. He advised that the Fishing Policy is, if someone is fishing in a pond on private property, it should be reported to the Flagler County Sheriff’s Office that someone is trespassing on private property. Supervisor Davidson stressed that it is not a resident’s responsibility to confront the person fishing; confronting the person is a violation of District Procedures. If a person is fishing on District property, the resident should contact the CDD office or Amenity Manager and CDD or Amenity staff will question the person. He explained that the District wants to eliminate direct confrontation by residents.

Supervisor Davidson referred to resolutions that were developed between the District and the Sheriff’s Office, whereby, the District named people who had the power to confront

trespassers and issue trespass notices, if warranted. He wanted Mr. Schaaf to understand that his actions confronting the people fishing, have legal ramifications between the District and the Sheriff's Office.

▪ **Discussion: Is An Emergency Exit Legally Required For Wild Oaks**

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

Supervisor Smith referred to Wild Oaks, which has one ingress and egress point, and asked about a requirement to have an emergency exit from that village.

Supervisor Davidson stated that Wild Oaks has four travel lanes; therefore, the likelihood of all four lanes being blocked was low, compared to The Crossings, which only has two travel lanes.

Supervisor Smith questioned if the District was under a "legal code requirement" to have an emergency alternative. Supervisor Davidson replied no, not when it was built. Mr. Wrathell explained that the requirement would have been included during the development process. Supervisor Smith asked if there is a requirement that the District is violating. Mr. Wrathell responded no; however, the District could choose to take the extra step but there is no legal requirement. Supervisor Davidson explained that, in The Crossings, a logging road was cleared by the County and the County created an unpaved emergency exit road; surplus infrastructure bond funds were used for that project. Supervisor Davidson noted that the Wild Oaks is surrounded by swamp; therefore, it would be monumentally expensive to create an egress road, as it would require installation of a bridge, etc.

Supervisor Lawrence pointed out that the District did not initiate the project in The Crossings; residents requested it. Supervisor Davidson clarified that he received periodic requests from Wild Oaks residents but explained to them the reason it was neither as necessary nor as inexpensive a project as the unpaved emergency exit road in The Crossings.

SEVENTH ORDER OF BUSINESS

UPDATES: District Manager

• **UPCOMING WORKSHOP/MEETING DATES**

○ **BOARD OF SUPERVISORS PUBLIC HEARING AND REGULAR MEETING**

▪ **January 22, 2015 at 10:00 A.M.**

The next meeting will be on January 22, 2015 at 10:00 a.m., at this location

○ **COMMUNITY WORKSHOP**

▪ **February 5, 2015 at 10:00 A.M.**

The next workshop will be on February 5, 2015 at 10:00 a.m., at this location

Supervisor Davidson indicated that the public hearing will be held at the January 22, 2015 meeting.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

Regarding Item A., Supervisor Davidson stated that Ms. Leister should begin evaluating the drainage easements.

Mr. Kloptosky advised that, for Item E., two signs were installed; poles were received and installation of additional signs is underway. Supervisor Gaeta asked about moving the sign forward, at the south entrance. Mr. Kloptosky indicated that it is incorporated with the exit camera issue; the cost was included, within the budget amount and both projects will be completed at the same time.

Regarding Item F., Supervisor Davidson reported that the croquet court renovations will commence in the spring.

Item G., will continue on the list.

Supervisor Lawrence asked for the status of the St. Johns River Water Management District compliance issue. Mr. Woodville indicated that he did not hear from them; he will follow up.

NINTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Davidson reported that Mr. Ross provided him with an email and a 30-page Neighborhood Watch Manual. Mr. Ross also provided an email from Mr. and Mrs. Schaaf, received at 12:12 p.m., today, addressed to Supervisors Davidson and Chiodo, Mr. Ross and Mr. Carlton, which read:

"It is time for me to cut my losses. Accordingly I will not be volunteering to lead GHNW in its reorganization. my days of masochistic endeavors as a volunteer are long over LOL.

FWIW here are the materials I was going to discuss in case they may be helpful to others:

Take care,

Brad''

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being nothing further to discuss, the workshop adjourned.

On MOTION by Supervisor Smith and seconded by Supervisor Lawrence, the workshop adjourned at 1:24 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Secretary/Assistant Secretary

Chair/Vice Chair