

**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, October 15, 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:

Peter Chiodo	Vice Chair
Marie Gaeta	Assistant Secretary
Tom Lawrence	Assistant Secretary
Ray Smith	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Howard McGaffney	Wrathell, Hunt and Associates, LLC
Scott Clark	District Counsel
Jim Sullivan	District Engineer
Barry Kloptosky	Field Operations Manager
Roy Deary	Vesta/AMG
Ashley Higgins	Grand Haven CDD Office
Mr. Mark Rohrbeck	Celera IT Services, Inc.
Olga Lagunchik	Resident
Rob Carlton	Resident
Patricia Smith	Resident
Bob Hopkins	Resident
Jim Gallo	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. McGaffney called the meeting to order at 10:07 a.m., and noted, for the record, that Supervisors Chiodo, Gaeta, Lawrence and Smith were present, in person. Supervisor Davidson was not present.

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)**

Ms. Patricia Smith, a resident, asked if oak trees on Sailfish Drive would be removed during the paving project. Mr. Kloptosky indicated that approximately six trees will be removed. Ms. Smith noted that the pond behind her home collects a lot of trash. Mr. Kloptosky was aware of the issue; the trash was removed and he notified the aquatics contractor who sprayed the pond.

FOURTH ORDER OF BUSINESS

RESIDENT APPEAL

- **Ilya Lagunchik: 34 Marshview Land (Trespass Notice)**

Mr. Clark recalled that a Trespass Notice was issued in 2010. Historically, Mr. Lagunchik or his mother appeared several times, requesting that the Trespass Notice be lifted. The matter was discussed in January, 2014; however, the Board was concerned and requested Mr. Lagunchik's appearance at the October, 2014 meeting but he did not appear. Recently, Mr. Clark received a letter from Mr. Lagunchik requesting that this matter be placed on the agenda, which he felt was appropriate. When a Trespass Notice is initially issued, the Board is required to review it at the next meeting. If requested to do so, Mr. Clark believed it appropriate to periodically listen to the person issued the Trespass Notice.

Ms. Olga Lagunchik, mother of Mr. Ilya Lagunchik, indicated that her son was not in attendance because he was out of the country. Supervisor Gaeta asked when Mr. Lagunchik would return. Ms. Lagunchik stated that he will return next week. Supervisor Gaeta asked for Mr. Lagunchik's age. Ms. Lagunchik replied 20 years old; the Trespass Notice was issued when he was 15 years old.

In response to Supervisor Gaeta's question, Mr. Clark confirmed that he did not know that Mr. Lagunchik would not be in attendance.

Ms. Lagunchik recalled the Board's previous request for evidence of positive changes in her son. She presented her son's Associates of Arts diploma from Daytona State College, where he graduated in May, 2015, with honors. Ms. Lagunchik presented the original of her son's acceptance letter and scholarship from Stetson University; he will enter Stetson University in January, 2016. She presented two recommendation letters from August, 2015. Ms. Lagunchik's family has lived in Grand Haven for over 16 years. She reiterated that the Trespass Notice was issued five years ago, when Mr. Lagunchik was 15 years old, and asked the Board to consider lifting it.

Mr. Clark stated that the matter can be deferred until Mr. Lagunchik can attend or the Board can proceed today. He advised that critical remarks by CDD staff should only be made in Mr. Lagunchik’s presence. If Mr. Kloptosky has no issues, the Board could proceed but, if Mr. Kloptosky has critical comments to share, they should be held until Mr. Lagunchik is present.

Mr. Kloptosky had several items regarding Mr. Lagunchik that he wanted to present to the Board; based on Mr. Clark’s advice, this matter should be deferred, pending Mr. Lagunchik’s attendance.

This item was tabled to the November 19, 2015 meeting.

In lieu of sending a Certified Letter, Mr. Clark notified Ms. Lagunchik, on the record, that this matter will be continued to the November 19, 2015 meeting; District Counsel will provide no additional notice. Mr. Lagunchik should attend the November meeting.

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, tabling this item to the November 19, 2015 meeting, was approved.

FIFTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. APPROVAL OF MINUTES

- i. August 6, 2015 Community Workshop**
- ii. August 20, 2015 Regular Meeting**
- iii. September 3, 2015 Regular Meeting and Public Hearings**
- iv. September 17, 2015 Continued Regular Meeting**
- v. September 17, 2015 Community Workshop**

B. APPROVAL OF UNAUDITED FINANCIAL STATEMENTS

- i. Unaudited Financial Statements as of September 30, 2015**

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

Supervisor Gaeta indicated that she provided her edits to the minutes to Management’s office.

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

FIFTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

Mr. Sullivan indicated that the 2015 Annual Report related to the Series 2004A bond was submitted to Management. Work on Sailfish Drive should commence soon. Regarding the Creekside parking lot, notification of the City’s review should be received tomorrow.

i. Update: Road Resurfacing Plan

Mr. Sullivan gave a PowerPoint presentation of roadway resurfacing priority projects. He understood that funding for the resurfacing was nearly built up and the District planned to begin projects soon.

Mr. Sullivan discussed the following observations and recommendations, from the PowerPoint presentation, for the Priority 1 projects:

- Marlin Drive (Priority 1) Lakeside to Waterside
 - CONSTRUCTED 1996
 - 2010 Report – “Fair” condition
 - 2013 Report – 1st Priority project
 - 2015 Evaluation – Recent Maintenance
 - Year for repair – 2017
 - Estimated cost - \$22,000
 - Need - Mill 1” depth, Resurface, Re-stripe

Mr. Kloptosky pointed out that Marlin Drive resurfacing was included as an alternate extra for the Sailfish Drive project; therefore, Marlin Drive will be completed sooner than 2017.

- Lagare Street North (Priority 1) Chinier Street to Front Street (Include Roundabout)
 - CONSTRUCTED 1997
 - 2010 Report – “Fair/Poor” condition
 - 2013 Report – 6th Priority project
 - 2015 Evaluation – Significant Deterioration
 - Year for Repair – 2017
 - Estimated cost - \$12,000
 - Need - Mill 1” depth, Resurface

Mr. Sullivan noted that the rapid deterioration was partially due to the roundabout. If funds preclude the entire street, at a minimum, the roundabout should be completed. Mr. Kloptosky stated that this was one of the six areas that need curb and gutter repairs; lifting in the

gutter is preventing drainage. Mr. Kloptosky obtained estimates for the curb and gutter repairs but did not have them with him.

- Lagare Street South (Priority 1) Roundabout at Front Street
 - CONSTRUCTED 1997
 - 2010 Report – “Fair” condition
 - 2013 Report – 6th Priority project
 - 2015 Evaluation – Significant Deterioration
 - Year for repair – 2017
 - Estimated cost - \$7,500
 - Need - Mill 1” depth, Resurface

Mr. Sullivan noted advised that roundabouts have more wear and tear due to turning. Mr. Kloptosky confirmed that no curb or gutter repairs were necessary on this portion of Lagare.

- Chinier Street North (Priority 1) Cul-de-sac at Front Street
 - CONSTRUCTED 1998
 - 2010 Report – “Poor” condition
 - 2013 Report – 5th Priority project
 - 2015 Evaluation – Rutting and cracking at mailboxes
 - Year for repair – 2017
 - Estimated cost = \$6,000
 - Need : Mill 1” depth, Resurface

Mr. Sullivan stated that much of the issue in this location was due to traffic related to the mailboxes.

Mr. Sullivan identified the following Priority 2 projects:

- Flamingo Court Cul-de-sac (\$6,000)
- Sandpiper Court Cul-de-sac (\$5,000)
- Heron Court Cul-de-sac (\$5,000)
- Crossbar Way (\$6,000)
- Crosstie Court (\$15,000)
- West Waterside Parkway Entrance Gate (\$4,000)
- Estimated year for repair - 2018

S.E. Cline Construction (Cline) advised Mr. Kloptosky that it was in the District’s best interest to complete all of the priorities together, as mobilization costs would be less.

Supervisor Smith recalled that the Capital Improvement Projects (CIP) road program had \$700,000 to \$800,000 of planned road work, in Fiscal Year 2018, and asked if that amount changes with the new plan. Supervisor Lawrence replied apparently and noted that the District planned ahead, in anticipation of road repairs estimated at approximately \$1 million. Mr. Sullivan will provide the revised schedule and the CIP list will be updated.

In response to a question, Mr. Sullivan confirmed that the concrete roads were not evaluated. Supervisor Chiodo felt that the concrete roads should be evaluated, as issues already arose. Supervisor Lawrence voiced his opinion that the concrete roads should be a high priority.

Mr. Kloptosky suggested paving roads leading to cul-de-sacs, if necessary, when the cul-de-sacs are paved. Mr. Sullivan stated that those roads could be considered and would recommend proceeding with the roads, if funds are available. Mr. Sullivan pointed out that cul-de-sacs are deteriorating more rapidly; the roads could be delayed a few more years. Supervisor Gaeta questioned if, for aesthetics, roads and cul-de-sacs should be completed at the same time. Supervisor Lawrence cautioned against rushing to pave roads before necessary. Mr. Sullivan recalled prior estimates that the roads had a 20-year lifespan. Supervisor Lawrence stated that the quality of the road should be considered and, if repairs are necessary, the District built reserves to complete the work; Mr. Sullivan should not be “clouded” thinking about budget. Mr. Kloptosky pointed out that, in the past, a cul-de-sac was paved but not the road and there were no complaints about the appearance. Supervisor Chiodo felt that roads within one year of repair should be completed with the cul-de-sac but roads that would last two or three more years should not be repaired.

Mr. Sullivan will provide a revised road status report prior to the next meeting.

Regarding the concrete roads, Supervisor Gaeta asked if the concrete must be removed and taken down to the base. Mr. Sullivan understood that those roads had very little base under the concrete; sections for repair would be identified, rather than repaving the entire road.

A resident questioned if there would be any consideration to changing the concrete roads to asphalt. Mr. Kloptosky obtained proposals for concrete and asphalt. Supervisor Chiodo pointed out that the “concrete” roads were not constructed like a normal road would be constructed.

B. Amenity Manager

Mr. McGaffney indicated that Mr. Ross was working on the POS system upgrade and could not attend today.

C. Field/Operations Manager

Mr. Kloptosky noted a shortage of storage space at The Village Center; he suggested purchasing a shed and locating it next to the dumpster. Supervisor Chiodo asked if there would be climate issues with any of the items stored. Mr. Kloptosky stated that tables and chairs would be stored, which he felt should not be affected by the climate. The shed would cost approximately \$4,700. Supervisor Smith recommended air conditioning the storage shed, purchasing a shed twice as large and creating a facade so the shed resembles The Village Center.

Mr. Deary indicated that vendors and establishments throughout the country are struggling to comply with the Point-of Sale PCI-DSS compliance requirements.

Supervisor Gaeta pointed out that Mr. John Burt, of Enterprise Solutions Industries (ESI), did not coordinate with Mr. Mark Rohrbeck, of Celera IT Services, Inc. (Celera), as he was supposed to, during the installation process.

Mr. Rohrbeck advised that, typically, his presence would not be necessary during the current phase. Discussion at the workshop was that the POS system must be isolated from the LAM, which he did the same day. Mr. Rohrbeck will meet with Mr. Burt, after the meeting, to ensure that the POS system is on the correct network.

Supervisor Gaeta questioned if the POS software would be installed today, as she was lead to believe that software and processor were on back order.

Mr. Kloptosky reported that the Sailfish Drive project should commence on October 20 or 21, 2015. An e-blast will be sent to affected residents and letters will be hand-delivered to those residents. Resident driveways will be accessible each evening. The project is expected to last five or six weeks. Mr. Kloptosky stated that the street will be completed in sections but could not estimate how long each individual resident will be impacted.

A resident asked if a contractor scheduled to complete work at her home will be able to access her driveway. Mr. Kloptosky indicated that it depends on when the area in front of her home is under construction.

Supervisor Smith recommended that Mr. Kloptosky obtain Cline's work plan or time frame so that residents can be notified, as access questions will arise. Mr. Kloptosky stressed that providing that information could be difficult, as there will be many unknowns and variables once work commences. Supervisor Lawrence asked where residents should park their vehicles. Mr. Kloptosky indicated that vehicles can be parked on the street but not overnight; he will know better after the preconstruction meeting.

Mr. Bob Hopkins, a resident, suggested notifying the Sheriff's Office and seeking an overnight parking exemption for that area, while work is in progress.

Mr. Kloptosky stated that the Creekside parking lot expansion contract was sent to Cline, for review. Ponds 13 and 14 were stocked with 500 and 1,700 shellcracker fish, respectively, on October 13, 2015, for \$1,205. Discussion of landscape encroachment issues was postponed to the November meeting; the affected residents were notified and asked to attend that meeting.

Regarding the POS system installation, Supervisor Gaeta reminded Mr. Deary that the system must be certified and the certification should be sent to the District Manager.'

Mr. Kloptosky indicated that the contractor is repairing the monument sign at Egret and Osprey that was struck by lightning; insurance will reimburse the repairs, less the \$5,000 deductible.

Regarding the 2016-2018 Community Information Guide (COG), Ms. Higgins met with Class A Printing (Class A). The mockup was similar to the previous COG but with less color. It was requested that the directory portion of the COG contain less color and that the pages not be glossy, which significantly reduced the cost. Ms. Higgins felt that it was beneficial to use a local printing company and advised that Class A is the last option in Palm Coast. The cost for 1,500 COGs would be \$25,000. To date, ad sales total approximately \$6,500, reducing the overall cost to \$18,500. In 2014, the District paid \$22,000 for 3,000 COGs but did not need that many. It was noted that the cost to the District would decrease as more ads are sold.

Supervisor Gaeta pointed out that Class A is one of the most expensive printers and asked if Ms. Higgins contacted printing companies in Volusia or St. John's Counties. Ms. Higgins replied no; she felt that it was late to continue trying to find other printing companies. Supervisor Lawrence suggested focusing on selling more ads to absorb the cost. Discussion ensued regarding ad sales. Mr. McGaffney advised that the \$20,000 was budgeted for the COG. The Board directed Ms. Higgins to proceed with Class A and obtain a proposal.

Regarding the Grand Haven Room, Mr. Kloptosky indicated that new wall sconces were installed, 6 ceiling fans with lights were ordered and he was selecting wall art. The floor will be polished and the room will be painted at another time. A suggestion was made to remove the stage, in the future.

Mr. Kloptosky recalled prior discussions about holiday uplighting; Board Members viewed the sample one evening. Prior to his trip, Supervisor Davidson advised Mr. Kloptosky of his opinion that the uplighting was not bright enough, had a cheap appearance, compared to the

other lighting; Supervisor Davidson asked to hold off transitioning in time for this holiday season and whether there were other lighting options, such as projecting white twinkling lights into the trees. Mr. Kloptosky reported that the twinkle light LED machines are \$3,000 per unit; as two units would be necessary for each of the 30 trees, the cost would be \$180,000.

Mr. Kloptosky noted discussion about the uplighting having alternating colors, such as red and green, for the holidays; however, he was advised that the lights could not be synchronized to change colors but different colors could be used for different trees. Supervisor Gaeta was not fond of the uplights. Supervisor Lawrence agreed that the uplighting was dim. Uplighting will not be considered for the upcoming holiday season; conventional lighting will be used, as in prior years.

*****The meeting recessed at 11:19 a.m.*****

*****The meeting reconvened at 11:29 a.m.*****

D. District Counsel

Mr. Cole indicated that the draft rule related to stormwater obstructions remained pending. As additional situations and questions might arise, delaying adoption of the rule might be beneficial.

Supervisor Smith referred to the letter from the Riverview Condominium Association (RCA) and voiced his opinion that good questions were raised and recommended that Management draft a response to the questions for review at the next workshop or meeting. Supervisor Lawrence believed that this situation creates a serious issue for the CDD, as residents were always told that they were responsible for maintenance to the water's edge, which is what the RCA claimed to do but, then, the District changed it "because we didn't like the way they did it". According to what Supervisor Lawrence thought was correct, the RCA would have been correct in its approach; therefore, the District must rethink whether it has a say in how the residents maintain the areas. Mr. Kloptosky pointed out that the RCA work amounted to bank reconstruction and not just maintenance.

Mr. Clark will respond to the RCA, stating that the Board is considering them and the issue would be addressed.

District Management, Mr. Clark, Mr. Kloptosky and Ms. Louise Leister, the District Horticulturalist, will coordinate to address the issues and draft a response.

Mr. Clark sent a letter to 17 Blue Oak Lane property owners regarding their improper clearing behind their property and other properties and informing them that their actions

constituted trespassing. Mr. Kloptosky told the property owners to attend a meeting and address the Board at the November meeting; Ms. Leister is preparing information and will address three properties with issues. In response to Supervisor Lawrence's comment, Mr. Kloptosky confirmed that Ms. Leister will discuss the Washingtonian palms and other landscaping items at the November meeting. Supervisor Gaeta questioned if the RCA paid the bill for Ms. Leister's fee for her work on this matter. Mr. Clark did not have Ms. Leister's bill and did not ask the RCA to pay it. The Board agreed to not seek reimbursement of Ms. Leister's bill.

Mr. Clark sent a letter to the property owners of 52 River Trail Drive in response to their prior claims about erosion. No response was received.

Mr. Kloptosky received a resident request for security video of the Creekside pool area, due to an incident. Mr. Clark provided Mr. Kloptosky with information. In January, 2015, the 5th District Court of Appeals rendered an opinion that security video was exempt from public records requests and, in April, 2015, the Florida Attorney General issued a similar opinion. Going forward, the District's official response to a request for security video should be that it is confidential and protected and that the District is not allowed to disclose it; the District is not required to provide security video. Mr. Kloptosky confirmed that the person was advised that the video would not be released.

Supervisor Smith pointed out that Mr. Clark's statement was "not required", which is not the same as "prohibited". From a public relations standpoint, Supervisor Smith questioned what the downside was in providing it, if a resident requested the video. Mr. Clark indicated that it is confidential and exempt; therefore, the District's position should be that it will not provide, except to proper authorities, such as law enforcement, investigations or pursuant to a court subpoena. Supervisor Lawrence asked if the District could review security video for a specific time and location, if requested, and what the District should do if an incident could be confirmed. Mr. Clark felt that the District could advise "yes or no" whether the incident was on the security video. Supervisor Lawrence asked how someone could obtain the video, if the incident was confirmed. Regarding whether a person could subpoena the video, Mr. Clark indicated that a court order should be obtained, directing the District to turn over the video.

Mr. Kloptosky noted that the video is often used by staff to verify things such as gate damage or incidents between residents and CDD or Amenity Center staff. He asked if it is permissible to provide video tape as evidence, such as when someone refuses to pay for damage without "proof". Mr. Clark replied affirmatively. Mr. Kloptosky asked for guidance in using the

video in resident matters and interactions with staff, as well. Mr. Clark will draft guidelines to be reviewed at the next workshop.

E. District Manager

i. Upcoming Community Workshop/Regular Meeting Dates

o COMMUNITY WORKSHOP

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

The next workshop will be held on November 5, 2015 at 10:00 a.m. Discussion ensued regarding cancelling the November 5, 2015 workshop.

*****Mr. Wrathell arrived at the meeting.*****

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, cancellation of the November 5, 2015 workshop, was approved.

o BOARD OF SUPERVISORS MEETING

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

The next meeting will be held on November 19, 2015 at 10:00 a.m.

SEVENTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Update: Business Plan Objectives

i. Guidelines Regarding Updates [RS]

Supervisor Smith provided a written plan of his business plan objective “Maintain/Improve CDD Assets” and methods to achieve the objective.

Supervisor Gaeta acknowledged that Supervisor Smith’s goal is to maintain and improve CDD assets but it appeared that some of the items on his plan have been part of Mr. Kloptosky’s reports to the Board and the entire Board makes the assessments and decisions. She believed that these items were “Board initiatives”, rather than those of a single Supervisor. Supervisor Gaeta felt that some of the description appears to be micromanagement. Supervisor Smith stated that the first paragraph and everything up to “Methods to Achieve Objectives” was a restatement of the Board’s responsibilities; the Board addresses maintaining and improving CDD assets. Supervisor Smith believed that he was asked to “touch and feel” topics and provide his findings for the Board to discuss. Supervisor Gaeta pointed out the statement, under Methods to Achieve

Objective, “My assigned responsibility is to ensure the Grand Haven Board fulfills this Charter requirement”, and questioned if that is the responsibility of one Supervisor; she believed that the methods encroach on District Manager and Operations Manager issues.

Mr. Wrathell felt that designating Board Members, through the Business Plan, may be codifying something that the Board does not want.

Supervisor Chiodo believed that Supervisors each “adopted” a business plan item to be the lead on to remind or ensure that the Board deals with the item in an appropriate fashion; it does not mean that the individual Supervisor is responsible for doing “all that”; rather, it provides the impetus to the Board and making sure the item does not fall through the cracks. Supervisor Chiodo did not believe that this usurps any Board or Staff responsibilities.

Supervisor Gaeta voiced her opinion that no single Board Member should be so empowered and was concerned about micromanagement. Supervisor Chiodo disagreed that it constituted micromanaging.

Mr. McGaffney asked Supervisor Smith to clarify the intent of “Review of proposed assets, additions, improvements to ensure that they include plans for use, maintenance and replacement”.

Supervisor Lawrence felt that the Board achieves the objective to maintain and improve assets through the long-range CIP projects each year and maintenance of assets is covered in the yearly budget.

Supervisor Lawrence’s intent was to review the systems, procedures and activities to assure that they “are getting us to the objective”; he did not consider this micromanaging any more than what Supervisor Lawrence does with the CIP projects list and questioned if Supervisor Lawrence usurped the responsibility from Mr. Kloptosky. The intent was to review the people that the District pays to do things, ask questions and determine if the Board is satisfied with those questions and answers. Supervisor Smith recalled his investigative questions posed at the last workshop when the purchase of the 9th Green property was under consideration.

Supervisor Smith wanted each Supervisor to prepare similar information about their Business Plan topic.

Supervisor Lawrence voiced his opinion that Supervisor Smith’s questions about purchasing the 9th Green property verged on Board responsibility. He believed that the Five-Year Objective should be to identify the topics but Supervisor Smith’s opinion was that the topics must be monitored to determine if they are “working”, which would become convoluted,

over time, and almost amounted to an extra layer of management over an activity. Supervisor Lawrence concluded that the Board does what Supervisor Smith proposes; therefore, he was not comfortable with Supervisor Smith's suggestion to establish another level of management.

Supervisor Smith asked Supervisor Lawrence how he would approach his topic of "Strengthen Political Capital".

Supervisor Lawrence stated that the District must get elected officials more involved with the CDD through methods such as having the mayor speak to the community, holding candidate forums prior to elections, etc.

Supervisor Smith recalled the belief that, if the Business Plan topics were specifically assigned to a Board Member, the topic would not be addressed; he was not opposed to discussing whether the objectives must be assigned to Supervisors.

Mr. McGaffney asked if Supervisor Smith's intention was for each Business Plan topic to be more specific and noted that the Board was concerned about the level of detail becoming micromanagement.

Supervisor Lawrence indicated that the objectives were formulated and, perhaps, instead of assigning a Supervisor to each item, the Board could review and discuss the Five-Year Objectives during the annual budget discussions.

Supervisor Gaeta recommended deferring this item to the next meeting.

Mr. Wrathell encouraged Board Members to participate when they have an interest or expertise in a specific topic. He felt that the second method on Supervisor Lawrence's list was the only one that might impinge on the Board, as a collective group.

ii. Maintain/Improve Safety and Security (*perimeter, gates, walkways and other non-amenity sites*) [PC]

Supervisor Chiodo asked if the Board had the same viewpoints as the objectives he set forth to maintain and improve safety and security. The four major subsets were gate security, community camera performance, evaluation of additional security enhancements and community safety. Listed below each item were potential things for the Board to evaluate to accomplish the objective. The descriptions were to remind the Board what it should or could do relative to each item.

Supervisor Gaeta's opinion about micromanaging was the same regarding Supervisor Chiodo's write up. She felt that Mr. Kloptosky and/or the Board already does the things outlined by Supervisor Chiodo and that it would be micromanaging.

Mr. Kloptosky had no objection to providing answers to questions.

Supervisor Chiodo believed that the focus was not to raise questions, it was to determine better ways to look at the key responsibilities.

Supervisor Lawrence thought the exercise was to set strategic objectives; therefore, the objectives are what the Board wanted to achieve but not how to achieve it. He thought that the Board, as a whole, would be accountable for monitoring the objectives and not that he would be accountable for monitoring that the Board did, what it agreed to, or how to do it. The “how to do it” is something that the Board would agree to and staff would likely be the ones completing the work and the Board should not monitor whether staff does their job, it should be the District Manager’s responsibility, with the Board hearing issues. Supervisor Lawrence suggested that the goal should be to identify objectives and how to accomplish them but leave completing it to staff.

Supervisor Smith’s opinion was that the exercise was the first step in identifying “how” topics and defining “how”. He suggested that perimeter security, at non gate areas, should be added to Supervisor Chiodo’s list. Supervisors would facilitate the thinking process for their assigned topic.

Supervisor Gaeta indicated that she discusses things with Mr. Kloptosky and reiterated her opinion that the Board is already addressing many things. She questioned what will come from the process set forth by Supervisor Smith. Supervisor Gaeta recommended that each Board Member meet briefly with Mr. Kloptosky to find out what he does.

Discussion ensued regarding each Supervisor’s interpretation of the intent of the Business Plan objectives and methods to achieve them.

Mr. McGaffney recommended inclusion of this item on future agendas for further discussion and for Supervisors to provide more questions for each other.

Supervisor Smith directed Supervisor Lawrence to prepare his “Strengthen Political Capital” topic using his concept of what the process should be.

In response to Mr. McGaffney’s question, Supervisor Smith felt that it would be beneficial to include write ups from Supervisors Chiodo, Lawrence and Gaeta on the next agenda. Supervisor Gaeta stated that she might not be able to provide the write up, as in depth as she would like, as she will be away and possibly miss the next meeting. Supervisor Lawrence might attend the November meeting in person or via telephone. Mr. McGaffney asked if Supervisor

Davidson should provide a write up, as well. Supervisor Davidson’s information will be included, if available.

Supervisor Lawrence voiced his opinion that, in “Maintain/Improve Safety and Security”, security implies a level of security beyond what the CDD can do; “Access Control” might be a better term. Since the roads are public, the public must be allowed entry; therefore, the District wants to control gate access for residents, as well as access to facilities.

B. Discussion: Capital Plan

Supervisor Lawrence provided and presented an updated CIP projects list. The projects with an “x” were those that the Board agreed, at the last workshop, to authorize Mr. Kloptosky to proceed with.

On MOTION by Supervisor Lawrence and seconded by Supervisor Smith, with all in favor, authorization for the Field Operations Manager to proceed with the CIP projects designated with an “x”, was approved.

Supervisor Gaeta commented that “Resurface tennis courts 5-7”, for \$30,000, was on the list; however, Mr. Ross previously indicated that resurfacing was not necessary. Supervisor Lawrence stated that the line item will be “pushed down”. Mr. Kloptosky recalled that the “Install controllable uplighting at Main, North, South, Crossings & WO Gates”, for \$9,950, could be removed, as well, since the Board decided against it for this season. Mr. McGaffney advised that the motion gave Mr. Kloptosky permission to proceed but does not require him to complete those items. Supervisor Lawrence will remove the “x” from the tennis court resurfacing line item but leave the “x” for the uplighting line item but postpone the work.

C. Consideration of/Decision on: Resolution 2016-1, Initiating the Conflict Resolution Procedure Under the Florida Governmental Conflict Resolution Act, Concerning a Request for Flagler County, Florida to Release a Cash Contribution for Waterside Parkway and Colbert Lane Intersection Traffic Signalization to the Community Development District

Mr. McGaffney presented Resolution 2016-1 for the Board’s consideration.

Mr. Clark indicated that this represented his plan on how to proceed with Flagler County regarding the traffic signal bond issue. Flagler County staff recommended denying the District’s request for the funds. A provision in Chapter 164, Florida Statutes, outlines the procedure to follow when a dispute with another governmental agency could lead to litigation. The procedure

calls for the District to adopt this resolution and state that it wants to adopt the procedure in an attempt to resolve the conflict. Within five days of adopting the resolution, the District will send a copy of it, with a Certified Letter, to the County stating the District’s issue. The letter to the County triggers a 30-day period for the chief administrative officer or designee of the District and County to meet, along with District Counsel and counsel for the County, in an attempt to resolve the issue. A copy should also be sent to the City of Palm Coast to determine if they wish to weigh in on the matter. If not resolved, both parties can agree to mediation or require a joint public meeting where both Boards would convene to discuss the issue.

Mr. Clark’s legal position was that the County has held a 17-year old contract and bond to mitigate possible traffic impacts caused by Grand Haven; however, the community is built out, reached its full development potential, other than commercial property, and is rapidly getting to build out and a traffic signal is not warranted. The County wants to hold the money because it might be warranted, based on other development that might occur, in the future. Mr. Clark felt that the rules dealing with exactions of money, impact fees, etc., require that money taken be used to remedy the impact of the development and, since it has been 17 years and was determined that the development does not have the impact, the County cannot legally use the District’s money to remedy the impact of other developments. Case law supports this position.

Supervisor Smith asked about the cost to proceed with this process. Mr. Clark advised that the additional costs would be his attendance at the meeting and mitigation, if necessary.

The following change was made:

Last Whereas Clause: Insert “plus accrued interest” after “Payment”

On MOTION by Supervisor Smith and seconded by Supervisor Gaeta, Resolution 2016-1, Initiating the Conflict Resolution Procedure Under the Florida Governmental Conflict Resolution Act, Concerning a Request for Flagler County, Florida to Release a Cash Contribution for Waterside Parkway and Colbert Lane Intersection Traffic Signalization to the Community Development District, as amended, was adopted.

Discussion ensued regarding who would attend and scheduling the date of the meeting.

Supervisor Gaeta pointed out that the District is not in compliance with the POS chip system requirements. Mr. Wrathell noted that many major businesses have not implemented the chip system, yet. Supervisor Gaeta recalled a recent fraudulent card use alert she received and discovered that many businesses “threw out” their old swipe card systems without removing information from the hard drive; therefore, the credit card imbedded on those systems is being used fraudulently. Supervisor Gaeta wanted to know what AMG will do with the old credit card machines and if the information would be “scrubbed”. Mr. McGaffney will inquire and report his findings.

Mr. Jim Gallo, a resident, on behalf of the GHMA, asked if, per the Board’s request, Mr. Fred Herndon, a resident, provided the District with a one or two-page, condensed summary of information, with relevant references, for potential review by District Counsel. Mr. McGaffney will inquire about whether the summary was received. Supervisor Smith urged Management to not pursue it with Mr. Herndon; if it was not submitted, it should be left alone.

NINTH ORDER OF BUSINESS

SUPERVISORS’ REQUESTS

Supervisor Chiodo asked if the District Horticulturalist’s plan for what could be done with the 9th Green property would be presented at the November meeting. Mr. Kloptosky replied affirmatively. Supervisor Chiodo stressed that Mr. Jim Cullis, of Grand Haven Realty, expected a decision, on the purchase, at the November meeting.

Supervisor Smith asked that, prior to the next meeting, Mr. Kloptosky to check on the missing microphone stands. Mr. Kloptosky already ordered extra.

TENTH ORDER OF BUSINESS

ADJOURNMENT

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

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, the meeting adjourned at 1:06 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair