

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

A Regular Meeting of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, April 21, 2016** in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137** at **10:00 a.m.**

Present at the meeting were:

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

Also present were:

Craig Wrathell	District Manager
Howard McGaffney	Wrathell, Hunt and Associates, LLC
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Scott Clark	District Counsel
Jim Sullivan	District Engineer
Barry Kloptosky	Field Operations Manager
Robert Ross	Vesta/AMG
Roy Deary (<i>via telephone</i>)	Vesta/AMG
Victoria Ledwich	Grand Haven CDD Office
Rob Carlton	GHMA President
Chip Howden	Resident
Carol Penrose	Resident
Mike Ferencich	Resident
Toni Ferencich	Resident
Mike Wright	Resident
Alan Chirgwin	Resident
Jennifer Humphreys	Resident
Margaret Evans	Resident
Morgan Evans	Resident
Chris Dawson	Resident
Haresh Patel	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. McGaffney called the meeting to order at 10:02 a.m.

SECOND ORDER OF BUSINESS**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS**PUBLIC COMMENTS (3-Minute Rule;
Non-Agenda Items)**

Mr. Chip Howden, a resident, stated the only marked crossway on Colbert Lane is near North Village Parkway, which has curb cuts on both sides, for easy access for bicycles and pedestrians. Flagler County will repave Colbert Lane next year. Both ends of Waterside Parkway have a sidewalk that extends to Colbert Lane, with a curb cut but there is no curb cut on the other side of Waterside Parkway or sidewalk accessing the sidewalk along Colbert Lane, as well as no crosswalk markings. Mr. Howden asked the Board to appoint a liaison to contact the County to request installation of curb cuts, short sidewalks and crosswalk markings, on each side of Colbert Lane, during the repaving project.

Supervisor Davidson directed Mr. Kloptosky to take Mr. Howden's comments under advisement. Mr. Howden clarified that his request was for the Board have someone meet with the County and asked if it would be Mr. Kloptosky or a Board Member. Supervisor Davidson and Mr. Kloptosky will coordinate on this matter.

- **Roll Call**

******This item, previously part of the First Order of Business, was presented out of order.******

Mr. McGaffney noted, for the record, that all Supervisors were present, in person.

Ms. Carol Penrose, a resident, stated that 27 Osprey Circle has puddling in front of the home and in the street, which is worsening and extending to other homes. Regarding the pond banks, the water is low now and it appears that the erosion is worse and recommended checking the banks.

Mr. Mike Ferencich, a resident, attended a meeting, last year, to discuss issues with trespassers at Waterfront Park and fencing and security issues, which have worsened. He asked the District to consider increasing the height of the gate and adjoining fence and installing barbed wire on top, or, at least increase the gate height and allow residents to plant along the fence to stop people from entering. He had videos of numerous people entering. Last year, the Board indicated that the fence was owned by the City but that is wrong; the fence is owned by the CDD.

Supervisor Davidson stated that is a misunderstanding because the Board knows it is the District's fence. Mr. Ferencich stated last year we were told that is was not; it belonged to the City. We would like the Board's consideration to help us.

Supervisor Lawrence asked if residents were climbing over the fence, taking a shortcut. Mr. Ferencich stated it occurs at 1:00 a.m., or 2:00 a.m., and there are three to ten people, at one time, running back and forth.

Mr. Mike Wright, a resident, moved into the District in July, 2014 and started experiencing the trespassing issue, immediately. It was brought up one year ago. The videos are disturbing. Numerous emails were sent but he received zero response from the Board.

Supervisors Gaeta, Davidson and Chiodo did not receive emails. Mr. Wright stated the emails were sent to Mr. Kloptosky's office. Mr. Kloptosky stated he received emails a long time ago and brought the topic up in a Board meeting. At that time, it was concluded that the easement was a pedestrian access easement, it is not a maintenance easement and the Board discussed changing the easement because nothing can be done about trespassing.

Mr. Wright provided videos to CDD staff but did not receive a response regarding how the matter would be handled. Mr. Wright expressed frustration with the Board because he did not receive the common courtesy of a response.

Supervisor Lawrence asked what the people who enter are doing in the community. Mr. Wright did not know where people were coming from or going but believed people are either "buying or selling" drugs. In response to Supervisor Gaeta's question, Mr. Wright stated that the activity is usually between 11:00 p.m., and 4:00 a.m., although, the park closes at 10:00 p.m., and the Sheriff is supposed to patrol it.

Supervisor Lawrence asked if any damage to homes occurred. Mr. Wright responded, to his knowledge, no property damage or thefts occurred.

Mr. Alan Chirgwin, a resident, presented a petition regarding midge flies, signed by 49 residents, residing adjacent to the pond. The primary issue is that midge flies die on the house and the house must be cleaned. Several residents received notices from the GHMA that they would be fined if the midge flies were not cleaned. Even when residents clean their homes, the midge flies return the next day. Mr. Chirgwin stated the District should install aeration.

Ms. Jennifer Humphreys, a resident, presented photographs of the midge flies; the issue has occurred for two years and is "ridiculous". There were no midge fly issues until two years ago, as the area was previously sprayed. The District should consider other remedies, as the

current approach could take two years to be effective. The midge fly situation is an embarrassment and midge flies are creating “total destruction”.

Ms. Margaret Evans, a resident, presented photographs and stated her home was “invaded” with midge flies; the paint is ruined. The midge fly situation creates financial issues, as it would be difficult to sell homes along the pond. Quality of life is impacted because residents cannot enjoy the outdoors. She recommended consulting an entomologist to obtain “better input”. Installation of shades on the nearby streetlight and utilizing a bug zapper helped with the midge flies.

Ms. Humphreys pointed out that pest control professionals would not treat midge flies because “it will not work”.

Mr. Chris Dawson, a resident, stated two years ago the lake was in decent condition and there were no midge fly issues; however, during a two to three month period, the lake became more turgid. He questioned if the lake maintenance contractor is paid a flat fee or paid per treatment.

Mr. Kloptosky responded the contractor is under contract.

Mr. Dawson contended that the lake maintenance contractor “knows how much chemicals he would have to put in that lake and he would not be able to make a profit; he comes out and occasionally sprays a little bit on the edge, in one spot or another.” He alleged that, while the contractor sprayed a little last year, this year the contractor did not spray. Mr. Dawson voiced his opinion that the pond is small enough to be treated and reiterated the contractor “is not treating the lake properly because he would lose money on the amount of chemicals”.

Dr. Haresh Patel, a resident, noted it is difficult to know if vehicles in the community, with out-of-state license plates, are residents or guests of residents and asked about requiring a sticker on the car window. He asked if the District or GHMA are responsible for cleaning streets and walkways, as many drains are blocked and streets and walkways are slippery. Regarding mosquitoes and the Zika virus, Dr. Patel asked if the City was spraying now or in late spring and requested a schedule of when spraying would occur.

FOURTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. APPROVAL OF MINUTES

- i. March 3, 2016 Continued Meeting**
- ii. March 3, 2016 Community Workshop**

iii. March 17, 2016 Regular Meeting

Mr. McGaffney presented the March 3, 2016 Continued Meeting and Community Workshop Minutes and March 17, 2016 Regular Meeting Minutes for the Board's consideration. Revisions to the minutes were previously submitted to Management.

B. APPROVAL OF UNAUDITED FINANCIAL STATEMENTS**i. Unaudited Financial Statements as of March 31, 2016**

Mr. McGaffney presented the Unaudited Financial Statements as of March 31, 2016. Assessment revenue collections were at 91%.

Supervisor Gaeta referred to the "Insurance: property" line item, on Page 3, which was at 114%, as \$39,000 was budgeted but \$44,382 was expended. The "Insurance: auto general liability" line item, on Page 3, was at 99%, as \$600 was budgeted and \$591 was expended. On Page 3, the "Optional 3rd flower rotation" line item was over budget at 106% and the "Insurance: workers' compensation" line item was at 120%.

Mr. McGaffney stated a property damage claim was filed and the insurance carrier required the District to add and itemize property, such as monuments, resulting in a rate increase. Supervisor Chiodo pointed out that the insurance premiums are paid once, per year; therefore, the expense should not occur again during Fiscal Year 2016.

Regarding workers' compensation, Mr. Wrathell stated premiums are paid at the beginning of the year, when the workers' compensation audit is performed; the District's premium increase might be related to a true-up because the prior year projected payroll might have been higher than anticipated. Regarding property insurance, in response to Supervisor Lawrence's question, Mr. Wrathell confirmed that insurance is not bid; the District uses a carrier that 70% to 75% of all CDDs, Charter Schools, etc., which is the least expensive coverage that Management could find, as many carriers no longer insure CDDs and those that do cannot compete, price wise. Mr. Wrathell recalled that, for several years, premiums did not increase. Mr. Wrathell was confident of the District's level of coverage and premium.

<p>On MOTION by Supervisor Chiodo and seconded by Supervisor Lawrence, with all in favor, the Consent Agenda Items, as amended, were approved.</p>

FIFTH ORDER OF BUSINESS**STAFF REPORTS**

A. District Engineer

Mr. Sullivan stated the Creekside parking lot project was underway and nearing the clearing and grading phase.

▪ Invitation to Bid – Road Paving 2016 and 2017 and Evaluation Criteria

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

Mr. Sullivan, Mr. Kloptosky and Mr. Clark prepared the Invitation to Bid (ITB) for the road resurfacing project.

Mr. Clark stated in the ITB evaluation criteria and basis for awarding the project, Mr. Sullivan's initial draft pointed to the lowest responsible bidder, which is standard; however, because this is maintenance, rather than new construction, the District has liberty to evaluate based on other criteria, in addition to cost. The ITB should include the evaluation criteria.

Mr. Clark distributed sample evaluation criteria. Due to the scope of the project, Mr. Kloptosky favored a criteria based evaluation process rather than on cost, alone. If the project was only milling and paving, selection could be based on cost.

Mr. Wrathell stated in new construction, bids are evaluated on a variety of factors, not only cost, as developers want qualified contractors.

Mr. Kloptosky was concerned about a subcontracting provision that prohibited subcontracting more than 50% of the work, without Board approval. Mr. Clark stated the contractor would be required to disclose if the more than 50% of the work would be subcontracted, so the Board could exercise control by knowing what subcontractors would be used. Mr. Clark explained that the bids would be submitted to Mr. Kloptosky. Mr. Kloptosky will open the bids and a summary sheet comparing the bids will be prepared. At a public meeting, Board Members will complete a scoring sheet to rank the bids. While it does not generally occur for this type of project, at the Board's request, contractors could be invited to present but it should not be a requirement to bid. Staff's recommendation is to evaluate using a scoring and ranking mechanism based on various criteria. Mr. McGaffney asked for an explanation of the process to obtain written approval from the District, if a contractor subcontracts more than 50% of the work. Mr. Clark stated the District Engineer or Mr. Kloptosky would probably review it and the decision would come before the Board for consideration.

Regarding the scoring criteria, Supervisor Lawrence wanted price to be weighted at 50% of the decision. Supervisor Gaeta wanted price to remain at 40% and believed that the

percentages for the other categories were allocated appropriately; the District should not award a contract simply based on price. Supervisors Chiodo, Smith and Davidson supported increasing the cost component to 50% of the selection criteria.

Mr. McGaffney suggested combining “Scope” and “Schedule” into one category, combining the points and subtracting ten points. Supervisors Chiodo, Lawrence and Smith agreed. Mr. Kloptosky was concerned that increasing the cost category to 50% would put a lot of weight solely on the bid price, which might not allow sufficient leeway in the other categories for the contract to be awarded by anything other than price. Mr. Clark surmised that a contractor, with the intention of subcontracting the work, could hire any subcontractor and the District would lose control. Mr. Kloptosky cautioned against weighing the cost factor so high, if the project involves more than just milling and paving. Supervisor Davidson recalled the subcontractor provision and, if the District had an issue with a proposed subcontractor, the Board could deny usage of that subcontractor. Mr. Kloptosky reiterated his recommendation to leave the cost component at 40% of the total points.

Based on Mr. Kloptosky’s recommendation, Supervisor Davidson favored leaving the cost component at 40% or increasing it to 50% but increasing the total points possible to 110. Mr. Wrathell agreed with Mr. Kloptosky’s suggestion, which gives the Board more flexibility to award the contract to the desired contractor, while still complying with the statute requirements. Mr. Kloptosky and Mr. Sullivan should work together on a summary of the bids. Supervisor Lawrence recanted his recommendation to increase the cost component from 40% to 50%.

Mr. Kloptosky asked if the ITB or evaluation criteria addressed reference requirements. Mr. Sullivan felt that the ITB should be updated to include a list of items that contractors must submit with their bid, including references. Mr. Clark recommended requiring a statement from the contractor of whether they intend to perform the work themselves or subcontract it and, if it will be subcontracted, the contractor must identify what work will be subcontracted, along with the names of potential subcontractors.

Mr. Clark recalled that the ITB and authorization for Staff to advertise the ITB were approved, at the last meeting. The Board must approve the evaluation criteria.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the Bid Evaluation Criteria, for the road resurfacing project, as discussed, was approved.

Mr. Howden stated he left the February meeting with the impression that the Board would approve the ITB in March but it was discussed again, today. Whether it is the Board or hired Staff causing delays, residents are tired of having things “strung out”, repeatedly. He asked if the ITB will be advertised and when the project will commence.

Supervisor Davidson stated that many delays are not because of the Board; sometimes the City delays projects. Mr. Howden asked if the City delayed the resurfacing project. Supervisor Davidson stated the City did not delay this project. Mr. Kloptosky discussed the process prior to undertaking major projects.

B. Amenity Manager

Mr. Ross brought to the Board’s attention, several months ago, problems with former residents playing tennis but not paying the fee. A former resident who refused to pay was issued a Trespass Notice from the Sheriff, yesterday.

Supervisor Davidson summarized that this involves two nonresidents, one who received a Trespass Notice. He might have a sponsor residing in the community who is willing to pay the \$10 fee.

Mr. Kloptosky clarified he is a former resident who plays tennis with three other residents. One of the residents was concerned because he was not aware that the former resident was not paying and asked for the process to allow the former resident to play.

Supervisor Davidson asked when should the Trespass Notice be released, provided someone sponsors the former resident, as a guest, and the former resident pays \$10, per day, and registers, signs releases and does everything that a nonresident is supposed to do? Can he play tennis if he has a Trespass Notice? Mr. Kloptosky replied no. Mr. Ross replied no.

Mr. Clark stated the Rules say that when a Trespass Notice is issued, Staff reports it to the Board, the Board reviews it at the next meeting and makes a decision whether to ratify, extend or discontinue it. In past situations, if the person wants to, they ask the Board to remove the Trespass Notice. The Board must review why the person was here, are they a guest or someone who should purchase an annual membership.

Supervisor Gaeta asked did you mention to the guest, previously, that he was required to pay \$10 and did he refuse? Mr. Ross stated as far as I was concerned, he was not sponsored by any guest. I found this out from Mr. Kloptosky, today. Mr. Kloptosky stated this is what the resident told me. There is no paperwork to that effect. There was no guest sign in, no money exchanged, no waiver signed.

Supervisor Lawrence asked how long has this happened? Mr. Ross stated over one year. It was brought to the Board's attention many months ago. Supervisor Lawrence asked did this person know you wanted him to pay the \$10 fee? Mr. Ross replied of course. Often I interrupted their game to request the \$10. Mr. Kloptosky stated he paid on occasion. Mr. Ross stated he paid when he was put under pressure.

Supervisor Chiodo asked if the person who pays is the resident bringing the guest and not the guest. Mr. McGaffney stated I think you are right. Who collected the money and how it gets to the Amenity Manager are different matters. You are right in stipulating that it is a guest fee. It has always been our understanding the resident pays the guest fee. Whether it actually comes from the guest is irrelevant. Supervisor Chiodo thought it was the resident who was liable for paying for the guest and, officially, accepting that the person is their guest.

Supervisor Lawrence stated the guest received the Trespass Noticed so the guest cannot come back unless we take action.

Supervisor Davidson stated according to District Counsel that individual must appear before the Board and request that the Trespass Notice be rescinded. Supervisor Chiodo stated in the mean time, he is not allowed to play. Supervisor Davidson added not allowed to use any District amenities, not just the tennis courts.

Mr. Ross asked if a resident could sponsor the guest that was issued the Trespass Notice. Supervisor Davidson replied he could not until the Trespass Notice is rescinded. He has a legal document against him setting foot on District amenity property. A resident cannot sponsor someone in that situation and have them at any District amenities. Supervisor Lawrence asked does that mean the person cannot go to the café? Supervisor Davidson stated no, the café is different. The café is allowed, as it is open to the public but not the rest of the amenities.

Mr. Kloptosky stated the person is also a realtor so he shows houses in the community and the amenity centers. I do not think showing the amenity centers is the issue; it is using the amenity centers.

Mr. Clark stated the Trespass Notice specifies he is to stay off the 2001 Waterside Parkway tennis courts.

Supervisor Chiodo wanted the person and his sponsor to speak to the Board. Mr. Kloptosky stated the resident offered to speak but advised him that it probably would not happen today because it was just being presented to the Board. Mr. Clark recommended sending a letter

to the person advising that the Board discussed it and determined it would ratify and continue the Trespass Notice and invite them to attend, with notice, and it will be placed on the agenda.

On MOTION by Supervisor Lawrence and seconded by Supervisor Chiodo, with all in favor, authorization for Staff to prepare and send a letter inviting the guest and sponsor to attend a meeting to discuss the Trespass Notice, was approved.

Supervisor Davidson asked what happens if the other nonresident tennis player refuses to pay? Mr. Ross stated a Trespass Notice would be issued.

Supervisor Chiodo stated I prefer that the guest fee be paid by the resident, not the guest. Supervisor Davidson asked if the Rules specify who pays the fee. Mr. Clark replied no. Supervisor Chiodo stated but it is called a Resident Guest. Supervisor Davidson believed it is an Amenity Fee.

Mr. Ross stated the Point of Service (POS) chip card reader system is operational.

Mr. Ross stated yesterday was Residents Appreciation Day and all went well.

C. Field/Operations Manager

Mr. Kloptosky recalled Supervisor Chiodo's request for signs at the North and South Gates, which would direct traffic on Colbert Lane to the Main Gate. Currently, Palm Coast Plantation has a sign at their South Entrance that directs to their Main Gate. The request was to have a similar sign at the District's South Gate, visible heading south to north, so drivers would proceed to the Main Gate, and the same thing at the North Gate, as you head north to south. He inquired about placing a sign in the County's easement. Mr. Kloptosky reviewed slides of signage and a map and surmised that the signs must be placed on County property. There are line-of-site and size restrictions. According to the County, they would not stop or prohibit the District from installing signs; however, the District must follow all of the County criteria. The County was not aware of Palm Coast Plantation's sign so now they will inspect it. Mr. Kloptosky will wait for the outcome of the Palm Coast Plantation sign, which is why he did not complete the project, as previously authorized.

Regarding The Village Center moisture intrusion project, Mr. Kloptosky followed up with Terracon Consultants, Inc. (Terracon) regarding their \$38,000 fee. Mr. Kristopher Linster, of Terracon, is anxious to proceed but Mr. Kloptosky advised him that the proposal is higher than what he and the Board feel it should be. Mr. Kloptosky told Mr. Linster all of the points he

was concerned about and gave ideas of how to lower the price and, if Terracon's fee is based on 15% of total, how to lower the total, regardless of the bids. Mr. Linster will provide a lower proposal. Mr. Kloptosky told Mr. Linster not to jeopardize any part of the job or eliminate things that would cause Terracon to not certify the plans, etc. The District wants Terracon to do its job completely but at the price that the Board and Mr. Kloptosky feel it should be. Mr. Linster will respond before the next meeting and attend the next meeting. The first part of this project is to secure Mr. Linster's services, in the design phase; without that, the District cannot proceed.

Supervisor Davidson suggested continuing this meeting to the date of the next workshop so that decisions can be made.

Mr. Kloptosky was unsure if Mr. Linster could attend the workshop but will ask him.

Supervisor Davidson explained the moisture intrusion project to the audience, why it is necessary and the proposed cost.

Mr. Kloptosky voiced confidence that items in the ITB can be obtained for less than the estimated costs in the scope of work.

Mr. Kloptosky presented progress photos of the bocce ball courts at The Village Center. The courts sat for a few weeks because of backlogged material orders. The courts are essentially finished and bocce ball players played a few times. Punch list items will be completed by the contractor soon. The lighting was not ordered, pending the electrical engineer's specifications. Word was received that everything is "good" and, once the paperwork is received, the LED lights can be ordered. Once lighting is installed, the only thing remaining is the canopies, which the Board placed on hold. Specific numbers will be presented at a future meeting.

Supervisor Gaeta asked if it came within budget. Mr. Kloptosky stated yes.

Supervisor Davidson stated a resident observed that the courts were holding water and not draining correctly. Mr. Kloptosky had not found that to be true, rather, to the contrary. A dozen holes were drilled, on each court, with PVC pipe going through, at the level of the clay, so any water that builds up drains.

Supervisor Chiodo asked "have the courts been opened for play"? Mr. Kloptosky stated not officially opened for everyone. The bocce ball players played a few times because they were needed to try to level the court. They were told they could continue to play until it must be closed to complete the punch list items. The courts are temporarily open.

Supervisor Gaeta asked "what is the projected opening date"? Mr. Kloptosky stated it depends on the wait time to receive the lighting. The courts could be opened before the lights

are installed and closed on the day the lights are installed. The courts will not be officially opened until the punch list items are completed. An e-blast will be sent.

Regarding the Creekside parking lot expansion, it is being graded and staked out. The lights are on order. The electrician and camera installers are scheduled to run underground conduit for cameras and lighting. S.E. Cline Construction, Inc. (Cline) must perform underground storm sewer work.

Mr. Kloptosky stated the resolution for the bus stop issue is working very well, with no complaints. The bus stop was moved from the parking lot entrance to the North Gate exit gate. Parking complaints were minimal since some meetings were moved to The Village Center.

Supervisor Gaeta asked for the status of practice croquet court. Mr. Kloptosky stated that extra work was performed because of problems on the south end. Sod was installed several weeks ago and another location started to die. Grass plugs were installed and the area was fertilized, watered and aerated. The hope is to open the practice court by the beginning of May.

*****The meeting recessed at 11:31 a.m.*****

*****The meeting reconvened at 11:39 a.m.*****

Supervisor Smith asked did we send an e-blast about the name change of Austin Outdoors to Yellowstone Landscape? Mr. McGaffney will coordinate an e-blast.

D. District Counsel

Mr. Clark had nothing to add to his report in the agenda.

Supervisor Lawrence asked for an update about security system video. Mr. Clark stated that it related to fixed legislation that handles the problem addressed last year that the District could not show its videos to the police. The law was passed. A generic policy will be drafted. Supervisor Gaeta recalled that the District is not required to provide video to the public. Mr. Clark stated cannot and should not, absent a court order.

E. District Manager

i. Upcoming Community Workshop/Regular Meeting Dates

- o **COMMUNITY WORKSHOP**
 - **May 5, 2016 at 10:00 A.M.**

The next workshop will be held on May 6, 2016 at 10:00 a.m.

- o **BOARD OF SUPERVISORS MEETING**
 - **May 19, 2016 at 10:00 A.M.**

The next meeting will be held on May 19, 2016 at 10:00 a.m. The proposed Fiscal Year 2017 will be presented.

- **CrowderGulf Emergency Debris Removal Agreement**

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

Mr. Wrathell stated the District piggybacked with the City contract with Crowder Gulf for emergency debris removal. The agreement with the City was updated and a copy of the contract with the City was included.

Supervisor Davidson deferred discussion of this item to later in the meeting.

- **Midge Fly Presentation**

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

Regarding midge flies, Supervisor Davidson stated we understand that it is a horrible, annoying, difficult problem. He is trained as a pediatric dentist and has a Master's degree in Public Health, from Harvard, performed a lot of public health work and takes this as a public health issue. Supervisor Davidson stated he does a lot of scientific investigation when an issue such as this arises. The first resource is the University of Florida (UF) and all of their publications, available online, through IFAS Extension.

Supervisor Davidson referred to publication ENY-856, Managing Pestiferous Freshwater Aquatic Midge Emergences from Storm Water Retention Ponds, which is exactly what is occurring in the District. There are four steps to this integrated pest management control recommended by UF. The first strategy is algae control, which the District has done for years. The second strategy is insectivorous fish, which the District is doing; however, it takes a while for the fish to reach the bottom and eat the midge larvae.

Ms. Humphreys stated, since you are using UF as your guideline, ENY-231 contradicts what you are informing us. A few minutes ago when this could not be addressed, we had a man here from the East Flagler Mosquito Control Board. Supervisors Davidson and Gaeta replied "we did"? Supervisor Davidson stated we asked him to speak up. Ms. Humphreys stated he is a County employee and could not come back today. We have his documentation, recommendations and suggestions; the fish are not one of them.

Mr. Chirgwin stated fish would be fine if the algae had been dealt with properly but, for the last two years, there were no chemical applications to keep the sludge and algae down.

Supervisor Davidson understood that Mosquito Control has nothing to do with midges. We had them here before and they totally refused to get involved.

Ms. Humphreys stated I did not bring that man; I have never met him. Supervisor Davidson stated that the District asked him to come and to identify himself. Mr. Chirgwin stated he brought information about midges, not mosquitoes. Ms. Humphreys stated all of the documentation has to do with Mosquito Control's recommendation for us.

Supervisor Davidson stated the third strategy is light traps to control adult midges but that is somewhat impractical, unless everyone wants light pollution on the lake, at night. The fourth strategy is use of insect growth regulators (IGRs) to regulate midge larvae from pupating normally and developing into adult stage. There is a combination technique for use of IGRs called Methoprene and bacteria, which can be applied to the bottom of the pond with weighted hoses. This is new information to everyone, including the Board. If there is information from Mosquito Control, the Board wants to see it.

Supervisor Davidson reviewed an email from Mr. David Cottrell, the District's aquatic services contractor. Per Mr. Cottrell's email:

"Most of the strategies recommended for the control of midges are already being done in Lake 1. IFAS recommends a first strategy that algae and aquatic weeds be minimized. Algae and aquatic weed control have been performed for many years in the lake in question and there has been no significant issue with those. It is recommended all communities follow Florida Green Industry practices, which I believe Grand Haven and vendors do. The second strategy is the stocking of insect eating fish. The third strategy is use of bright lighting to draw away the midges. The fourth strategy is treatment of midges in the pond before they emerge. IFAS recommends Methoprene. This is the emergent growth inhibitor, which is an IGR. We have also used a bacterial larvicide, BTI, in the past. Treatments are typically recommended 21 days apart and usually requires at least three rounds to break the lifecycle. Treatment using granule Methoprene to all 8.7 acres, at ten pounds per acre would run \$1,572 per application, or \$4,715 for three. Dr. Ali recommended sawgrass, only treating 15' out, along the entire perimeter but we have not seen good results with perimeter applications. If we were to limit treatment to 25' out, it would only require treating 2.6 acres at a cost of..... We have been playing with a newer formula mixing liquid Methoprene and BTI but, so far, results are mixed and we are not ready to promote this strategy. Treating the entire pond with just BTI

would be \$1,175, per application. There are also personal mosquito systems that companies specialize in. They essentially put a misting system around the home and yard. I have heard good reports from most of the people who use them in Jacksonville.”

Supervisor Davidson stated we have never investigated the combination of BTI, which is a bacteria that is ingested into the gut of the midge and destroys it and it dies. Nor Methoprene, which is an IGR that interferes with the formation of the shell. The question is to figure out which, of all of these methods, would be the best and then try them. Supposedly, all methods are safe for fish in the pond and pets and people living around the pond, which, from a public health issue, that would be of most concern.

Supervisor Gaeta asked “would the combination of BTI and Methoprene be approved by the St. Johns River Water Management District (SJRWMD)?” Supervisor Davidson responded yes, supposedly all of these chemicals were approved by the Florida Department of Environmental Protection (FDEP).

Ms. Humphreys stated I want to refer you to a UF article that is very different; it distinctly contradicts what you were just talking about, about the lighting, because midges are attracted to lighting. Mr. Dawson stated but it killed them when they got to the light. That is what they were saying. The light was not going to stop them; it was going to attract them. Supervisor Lawrence stated it was to attract them to the lake and not the home. They are attracted to it. That is the purpose. Put the lights in the pond and midges go to the lights. Ms. Humphreys asked “have you been out on the lake at night when we have a full moon to see how lit up everything is”? Supervisor Smith asked if the scope of the article was about light or about chemicals. Ms. Humphreys stated this article specifically mentioned lighting. Supervisor Davidson asked does it mention anything about Methoprene or BTI. Ms. Humphreys stated it said that is theoretical, at best, at this point. The measures listed in this article seem much more cost effective and easily completed, quickly, and it deals with possibly removing some of the muck and you would not have these issues. It seems this is a much easier, cost-effective and quicker way and the man from East Flagler Mosquito Control wrote a synopsis of the article, with three simple fixes.

Ms. Humphreys stated one of the easiest things would be for a boat to take a fogger around and it would fog along the walls and take care of the problem. Supervisor Davidson stated my understanding was that it would last about 30 minutes and then they would come back.

▪ **TIME CERTAIN: 12:00 P.M., PUBLIC HEARING**

****This item, previously the Seventh Order of Business, was presented out of order.****

****Mr. McGaffney opened the Public Hearing.****

- A. **TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO THE RULES OF PROCEDURE TO INCLUDE CHAPTER VI, RELATING TO MANAGEMENT OF STORMWATER SYSTEMS, EASEMENT, PONDS AND POND BANKS, PURSUANT TO SECTIONS 190.012(3), 120.54 AND 120.81, FLORIDA STATUTES**
- B. **TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO RULES, POLICIES AND FEES FOR ALL AMENITY FACILITIES, PURSUANT TO SECTIONS 120.54 AND 120.81 FLORIDA STATUTES**
- i. **Proof of Publication**
- **Notice of Rule Development**
 - **Notice of Rule Making**

Mr. McGaffney presented the proof of publication for today's Public Hearings.

- ii. **Consideration of Resolution 2016-4, Adopting Amendments to Rules of Procedure to Include Chapter VI, Relating to Surface Water Management Systems, Easements, Ponds and Pond Banks**

Mr. Clark presented Resolution 2016-4 for the Board's consideration. The resolution adopts a proposed Rule. You will notice the term "Stormwater" was changed to "Surface Water". The Board discussed the Rule in some detail. The intent of the Rule is to put into Rule form, for the first time, some of the Policies that the Board developed, discussed and identified as problems, relating to the surface water management system. One of the Policies is the easement obstruction issue where we want to regulate and deal with the problem of existing plantings in drainage easement areas that tend to interfere with system and potentially cause damage to pipes. There are documents that were discussed, which are Policies and Obstruction Removal Agreements Options 1 and 2; those are not part of the Rule itself and I do not intend them to be because we may want to have more flexibility to modify those. The Rule puts that Policy in the form of a Rule. That enhances the District's ability to defend action that may be necessary to enforce these Policies. We addressed, for the first time, maintenance responsibilities to try to define what lakefront lot owners do, what the District does and what the District does not want anyone else to do that would remove aquatic vegetation or alter the slope or function of the stormwater pond area. The action today, we noted a rule adoption workshop

and a rule adoption hearing. We are required to take comments or input from the public on the proposed Rules, after which, the Board should consider and decide whether to adopt them.

Mr. Howden stated I stand in opposition to adoption of this Rule. I have lived at Lot 13, on Osprey Circle, which borders Pond 14, for 15 years, and diligently maintained the spartina grass when the pond was dug. One row of mine and more than one row of a neighbor's washed away during erosion, which has worsened, this year, despite the fact that many residents planted spartina since this discussion started, a couple of years ago. The erosion last year was viewed by the District's Field/Operations Manager, Horticulturalist and CDD Chair. During dry periods, some spartina died and I replanted. The Policy principle states a need to maintain ponds to comply with SJRWMD. Years ago, with the District Horticulturalist's assistance, the CDD first developed a policy that offered several different Florida-Friendly plantings for pond banks but, later, opted for only one type of planting and has indicated that only their property, including the banks behind property owned, should observe this decision. The District had its District Engineer survey the ponds and prepare a report on plantings to mitigate lake bank erosion. Unfortunately, there was no information offered by the District Engineer that reported on the past erosion with lake bank plantings, including spartina. The reason I object to this Rule is:

1. It fails to recognize the history of erosion, even with the presence of spartina on lake banks.
2. It fails to address the affect of the golf course property abutting the District lakes. It threatens maintenance of the water system, which is required by SJRWMD.
3. It seeks to impose watering restrictions that threaten the ability to maintain the viability of the spartina.

Mr. Clark stated the primary issue with the golf course is that they own most of the ponds, not all but overwhelming own most, so they are not the District's ponds or part of the District's surface water management system. Ponds that interconnect with the District's system would be subject to this Rule; although, they are not subject to DCR restrictions related to plantings. In those limited cases the golf course would be subject to the Rule because the District has jurisdiction but that involves a couple of ponds.

Supervisor Davidson stated in our investigation of interconnectivity of the other 50 ponds, in the District, most of the ponds are solitary; they are not connected to the entire stormwater management system so that the fertilizer and other things that promote algae growth

is at least confined to solitary ponds in most of the golf course. On the issue of erosion, the District must look at Osprey. The District has not received reports of erosion about any other pond. Mr. Howden reported it once, a while ago; if it worsened, the District must look again, which is part of the District's responsibility to maintain the pond banks and the slope, according to the requirements of the SJRWMD. The District is the owner of the master permit; the District will definitely reevaluate it. The wind direction may be a factor; the issue might be unique to that pond.

Ms. Penrose noted that spartina behind the townhouses look great. I do not see any on Osprey Circle like that. When I walk on the bank my feet sink, it is very soft. The soil might be the issue.

Mr. Howden voiced his opinion that the District's decision to "bail" on irrigation causes spartina to die. Regarding irrigation, Mr. Howden stated that the pond banks have irrigation; however, the District's Rules state that only hand watering is allowed. Supervisor Davidson stated the reason is due to washing fertilizer into the pond by irrigating; spartina survived on 49 ponds without using fixed irrigation.

Supervisor Smith surmised that Mr. Howden objected to some policies in the pond plan but this document creates a structure enabling the District to implement the plan; Mr. Howden wants the plan changed, which is a separate issue. This involves easements and the District's ability to maintain the ponds; parts of the plan can be modified, separately from the Rule.

Mr. Howden stated he would not have brought this matter up if he had not heard that the District was having the Public Hearing on a Rule and that the Rule included your Policy on pond bank maintenance. Mr. Howden objected to the entire Rule on the basis that the Rule includes something that he believes history indicates is incorrect. Supervisor Davidson stated that the history is correct for the 49 other ponds, within the District; Mr. Howden's issue is with something occurring in one pond but that should not interfere with the Rule for the benefit of the stormwater maintenance and management of the entire District and community.

Mr. Dawson recommended, if spartina dies, leaving the root system, as the root system prevents erosion, not the aboveground portion.

*****Mr. McGaffney closed the Public Hearing.*****

Supervisor Chiodo agreed that the District should address the Osprey issue separately but it should not stand in the way of the adopting the Rule. Supervisor Lawrence concurred; the District should address the Osprey situation post haste. Mr. Kloptosky stated that SJRWMD

inspected the pond; the District Horticulturalist could inspect the pond. Mr. Kloptosky received no complaints about erosion on other ponds but will inspect the pond. Supervisor Gaeta agreed.

Mr. McGaffney read Resolution 2016-4 into the record:

“A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE GRAND HAVEN COMMUNITY DEVELOPMENT DISTRICT ADOPTING AMENDMENTS RULES OF PROCEDURE TO INCLUDE CHAPTER VI, RELATING TO SURFACE WATER MANAGEMENT SYSTEMS, EASEMENTS, PONDS AND POND BANKS”

The Board directed Mr. Kloptosky to report his observations of the Osprey pond and provide recommendations, at the next meeting.

On MOTION by Supervisor Chiodo and seconded by Supervisor Gaeta, with all in favor, Resolution 2016-4, Adopting Amendments to Rules of Procedure to Include Chapter VI, Relating to Surface Water Management Systems, Easements, Ponds and Pond Banks, was adopted.

iii. Consideration of Resolution 2016-5, Adopting Amendments to the Policies and Fees for All Amenity Facilities Which Govern the Operation of Certain Facilities of the District

Mr. McGaffney presented Resolution 2016-5 for the Board's consideration.

*****Mr. McGaffney opened the Public Hearing.*****

No members of the public spoke.

*****Mr. McGaffney closed the Public Hearing.*****

Supervisor Davidson stated the additions to the Amenity Rules were due to events that occurred or situations that were not anticipated when the Rules were developed, and are in the best interests of the community. Supervisors Davidson and Gaeta highlighted a few of the changes.

Mr. McGaffney read Resolution 2016-5 into the record:

“A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE GRAND HAVEN COMMUNITY DEVELOPMENT DISTRICT ADOPTING AMENDMENTS TO THE RULES, POLICIES AND FEES FOR ALL AMENITY FACILITIES WHICH GOVERN THE OPERATION OF CERTAIN FACILITIES OF THE DISTRICT”

On MOTION by Supervisor Lawrence and seconded by Supervisor Davidson, with all in favor, Resolution 2016-5, Adopting Amendments to the Policies and Fees for All Amenity Facilities Which Govern the Operation of Certain Facilities of the District, was adopted.

▪ **Midge Fly Presentation – Continuation of Discussion**

Mr. Dawson stated there are many ways to address midges once they are on homes, such as spraying the yard with insect spray, painting the home a darker color and reducing light. Addressing the eggs on the bottom of the pond would be best. Regarding lizards, if the midge flies can be controlled, there would be fewer lizards.

Supervisor Davidson stated that, per Mr. Cottrell, this is the worst season for midge flies; a lot is temperature related and the air and water temperatures create the perfect breeding cycle for midges. Once the temperature rises, the midge fly issue should lessen. This issue is not unique to Grand Haven.

Supervisor Gaeta recalled that shellcracker fish were stocked in the pond in August but it takes about two years for the fish to mature to combat midge flies. Her lake was stocked two years ago; last year there was a midge fly issue but no issues this year.

Regarding the representative from East Flagler Mosquito Control, Supervisor Davidson stated today's meeting would be continued so the representative could attend and action could be taken.

Mr. Chirgwin stated Pelican Court has midge fly and algae issues. He presented a \$13,000 proposal to install 12 aerators in the pond, not including installation or electricity.

Supervisor Davidson discussed a past demonstration of methods for algae control, including aeration, bacteria, etc. The study found the best method was controlled amounts of copper sulfate and other chemicals to suppress growth of algae and other submersed vegetation, which the contractor currently does. The only reason to install aerators is if the pond has an oxygen inversion, with anaerobic bacteria causing an odor. The oxygen levels in Mr. Chirgwin's pond are not low; therefore, it appears that aeration would not benefit that pond.

Mr. Chirgwin stated that aeration would help keep the pond clear and remove algae. Supervisor Davidson stated, in the District's experience that is not true in the District's ponds.

Supervisor Gaeta stated the ENY-231 publication was dated April, 2003 and questioned if subsequent articles were available.

The District will invite Mr. Mark Positano, Assistant Director of the East Flagler Mosquito Control District, to attend the next Continued Regular Meeting.

Supervisor Chiodo stated in addition to pond control, the District tried to educate residents about reducing the amount of fertilizer flowing into lakes, from their property; treating the ponds, alone, will not resolve the issue. Some residents are complying but some are not.

Mr. Morgan Evans, a resident, asked what the District will do.

Supervisor Davidson stated the District would try killing the midge flies on the bottom of the pond and hope the situation improves; however, it is a three-week cycle so improvement will not occur overnight. Prior thought was that midge fly season was only two or three weeks but can last for months by going through three-week cycles, which is why the contractor recommended chemical and bacterial treatments, every three weeks.

Supervisor Chiodo stated the District had success with shellcracker fish in other ponds; Mr. Evans' pond was stocked one year ago. Mr. Evans stated that waiting two years is not acceptable. Supervisor Chiodo stated the District would try the chemical approach and anything else that makes sense.

In response to a comment about aeration, Supervisor Davidson stated the District evaluated aeration for two years and the result was that aerated lakes without chemical treatments had a lot of algae; the aerators did nothing to control algae. The resident asked why the District does not have a fountain. Supervisor Davidson stated the concept of aerators is subsurface bubbling to increase oxygen at the bottom of a pond. Ornamental fountains project oxygenated water into the air and does not solve the real problem.

Discussion ensued regarding midge fly treatment options.

Supervisor Smith noted the need for a long-term, sustainable plan that decreases the midge fly population. The Board recognizes the long-term and short-term; residents must be patient while the Board determines which short-term approach to implement. Regarding Ms. Humphreys comment about conflicting information about treating midge flies, Supervisor Lawrence stated the East Flagler Mosquito Control District was consulted last year and advised that they do not do anything about midge flies. Ms. Humphreys stated Mr. Positano was here today and commented that shellcracker fish would not resolve the midge fly issue. Supervisor Lawrence stated Mr. Positano's comment contradicted the effectiveness of shellcracker treatments in other ponds that resolved the issue; therefore, it appears that the shellcracker fish eliminated midge flies. Supervisor Lawrence wants Mr. Positano to explain the facts behind his

statement. A resident stated Mr. Positano was possibly talking about the mosquitoes on the surface of the pond, not the eggs on the bottom.

A resident stated this is the first season with a midge fly issue and wondered if something recently changed in the pond chemistry. Supervisor Chiodo stated the algae problem was very bad several years ago but the midge fly issue started about three years ago.

Supervisor Davidson stated today's meeting will be continued to May 5, 2016; Mr. Cottrell and Mr. Positano will be invited to attend the continued meeting.

A resident asked if there was a problem with the aquatic contractor. Presuming the ponds are the same depth, he would treat the entire pond.

In response to a question, Mr. Kloptosky stated the oxygen levels were tested in February and would be tested every two to three months; another testing would occur soon.

Mr. Evans asked if the District has a contract for testing every two months.

Mr. Kloptosky stated the District has a contract. Oxygen testing was requested, performed in February and will be performed again when it is warmer, possibly toward the end of May. In response to Mr. Evans' suggestion that the aquatics contractor might not be doing his job, Mr. Kloptosky stated the contractor is on site, weekly but does not visit every pond; ponds with issues are treated. Mr. Kloptosky receives weekly reports.

▪ **Security Issues at North Park Road – Continued Discussion from Public Comments**

Supervisor Davidson presented photos of North Park Road from 2010 and 2011 and discussed the history of North Park Road, security and access issues and previous measures taken. The City granted the District a right-of-way (ROW) utilization and the District installed a small fence to stop trucks from accessing CDD property.

In response to Supervisor Davidson's question, Mr. Wright stated that a fence from the gate to the monument sign would be beneficial. Mr. Ferencich discussed the thick vegetation behind his home and an area that is open, where he is not allowed to plant because it is a natural area. Mr. Wright stated that the length of the fence was not the issue, the issue is the height; the height should be 6' to the left of the gate and could remain 3' to the right of the gate because the area is filled with vegetation.

Supervisor Davidson asked for the process and whether the District should change the easement from a pedestrian easement to a utility maintenance easement.

Mr. Clark stated there is no need to change the plat. The plat discusses a pedestrian easement but the District did not install pedestrian access. The Board could determine that it

does not intend to allow pedestrian access. Mr. Clark will research a way to legally commemorate that determination.

Regarding fence height, Mr. Clark stated the County pushed back when the District tried to increase the height of a fence. Mr. Clark must review the agreement to determine if the District could increase the height of the fence, on its own, or if permission must be granted.

Supervisor Davidson advised the District's City Councilman, Mr. Jason DeLorenzo, of this matter. The City has the same issues at Holland Park. The City installed a fence around Ralph Carter Park and is considering a fence around Holland Park.

Supervisor Lawrence stated if the North Park Road fence height is increased, people will go to Waterside Park and cut into North Waterside Parkway. Supervisor Davidson stated the District already contributed \$50,000 to the building of Waterside Park. Supervisor Gaeta stated that the District previously discussed a fence for Waterside Park with the City but the City was not prepared to do anything in that area.

Supervisor Davidson stated now the District has examples of the City installing fences. The City's Landscape Architect, Mr. Bill Butler, was researching and considering installing boxthorn, which is thorny, at Holland Park, or wild blueberry shrubs, which are difficult to pass through, and the District might ask the City to plant something on the outer side.

Supervisor Smith stated that the District developed Objectives, of which, Security is one, including perimeter security.

Videos of people jumping the fence were shown.

Mr. McGaffney recalled using a task force, in the woods, several years ago, which was effective and recommended contacting the Sheriff about using the same approach in this area.

Mr. Wright contacted the Sheriff and provided the videos to the Sheriff. A deputy refused to visit Mr. Wright's home so he could file a report. Mr. Wright and Mr. Ferencich visited the Sheriff's Office and met with Deputy Chris Taylor but he was not familiar with Waterside Park or Grand Haven. Citizens on Patrol (COP) patrol Waterside Park.

Mr. Ferencich approached the City Manger's Clerk, and, subsequently, received a call from the Palm Coast Commander who stated this was his department's area. Mr. Ferencich advised the Commander that the City should shut the park down at night with a chain or gate, which would stop vehicle traffic in the park but not pedestrians.

Supervisor Davidson will send the videos to the Sheriff and communicate with him, directly.

Supervisor Davidson voiced his opinion that, since the District already contributed \$50,000 to the City to build the park, which created the security risk, the City should pay to raise the fence.

Supervisor Chiodo stated Mr. Kloptosky should research the cost to increase the fence height to 6'. Supervisor Gaeta stated that, since the City installed a higher fence at Ralph Carter Park and are addressing an issue at Holland Park, the District might have more leverage.

Supervisor Smith stated that Mr. Kloptosky should research vegetation.

Discussion ensued regarding the current gate and fence.

Supervisor Davidson stated that affected homeowners and Board Members should email Commissioner DeLorenzo with their concerns.

▪ **CrowderGulf Emergency Debris Removal Agreement – Continued Discussion**

Discussion of this item resumed.

Supervisor Davidson stated there is an estimate for the services for the City or County but an estimate of the District’s potential costs was not provided.

Mr. Wrathell wanted to review the agreement to ensure that it is comprehensive. Mr. Clark stated the agreement and a fee schedule were reviewed but he would review it again. Mr. Wrathell stated the intent of the update was because prices changed; Management will review the updated agreement to verify that the prices are consistent with the amounts charged to the City. Supervisor Davidson stated costs are only incurred when CrowderGulf performs work. Mr. Wrathell stated, unless something changed, CrowderGulf should document all work, properly, for reimbursement from the Federal Emergency Management Agency (FEMA). Regarding why the District entered into the agreement with CrowderGulf, Mr. Clark stated the issue was, if the District did not piggyback with the City, it would be difficult to find a contractor to work in the District, following an emergency.

On MOTION by Supervisor Lawrence and seconded by Supervisor Chiodo, with all in favor, the CrowderGulf Emergency Debris Removal proposal, subject to review by District Counsel and District Management, was approved.

SIXTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Discussion: 2016-2017 Roadway Resurfacing

This item was discussed during Item 5.A.

B. Discussion: CIP

Supervisor Lawrence distributed the Capital Improvement Plan (CIP) projects list and stated a 6' x 8' hole would be cut in the building wall when storage is added; therefore, that area should not be stuccoed, during the water intrusion project. The District's CIP budget is \$590,969. The identified projects total \$566,000 and approved projects amount to 457,000.

C. Discussion: Employee Health Insurance Benefits

Ms. Cerbone stated that the number of plan options was previously narrowed to two and provided comparison spreadsheets. The plans were analyzed, from a cost perspective, based on Mr. Kloptosky participating in the group plan and with him not participating but with the District compensating Mr. Kloptosky for his private coverage.

Supervisor Smith asked why Mr. Kloptosky might opt out of the employee group coverage. Mr. Wrathell stated the question is whether the District wants to continue compensating Mr. Kloptosky to obtain private coverage if he opts out of what the District offers. Supervisor Gaeta asked what happens if Mr. Kloptosky opts out of the District's plan. Mr. Wrathell replied Mr. Kloptosky would sign a form declining coverage in the group plan but he could purchase private coverage. Ms. Cerbone stated that the minimum number of participants is four; however, at least 50% of the total eligible employees must participate. The District has six eligible employees; therefore, at least three must participate but a minimum of four must participate to obtain the rates presented.

Supervisor Smith noted that certain plans would cost more, if Mr. Kloptosky opts out and the District still compensates him separately for him to obtain personal coverage.

Supervisor Smith speculated that, once the insurance carrier has one year of experience with the District's plan members, the current rates could change, drastically. Mr. Wrathell stated that Florida Blue would definitely increase its rates next, probably double digits, especially after employees use the insurance.

Discussion ensued regarding whether plans would cost more or less with Mr. Kloptosky included or more or less with Mr. Kloptosky opting out and the District compensating him to obtain private insurance.

Supervisor Gaeta stated that the District's savings in electric costs might offset the cost of providing health insurance coverage to employees.

Supervisor Kloptosky could comment on whether he would take the group plan coverage or opt out and obtain private insurance. Supervisor Davidson stated that Mr. Kloptosky must advise, at the continued meeting, whether he wants in or out of the group plan.

It was noted that Mr. Kloptosky currently receives taxed income to compensate him for his private health coverage, whereas, the group plan would be a nontaxable benefit to employees. Mr. Kloptosky asked if his compensation for private coverage could be increased from the current 50% of the cost to 80% of the cost, if he opted out and obtained private coverage, since, under the group plan, the District would pay 100% for employees and 30% for dependants.

Supervisors Smith, Chiodo and Gaeta agreed compensation would be what Mr. Kloptosky currently has. Mr. Kloptosky asked so I do not receive the benefit of 30% for the dependant coverage. Supervisor Smith stated no because you are opting out of the plan. Ms. Cerbone stated currently, Mr. Kloptosky is compensated 50% of the cost for his and his wife's private insurance costs.

This item was deferred to the continued meeting on May 5, 2016.

D. Discussion: Suggested Uses for Former 9th Green Site

This item was deferred to the workshop.

E. Update: Business Plan Objectives

This item was deferred to the workshop.

F. Continued Discussion/Consideration of/Decision on: Policies Relating to Management of Stormwater Systems, Easements, Ponds and Pond Banks

i. Policy for Stormwater Right-of-Way Utility Easements

o Obstructions Removal Agreements

▪ Option 1

This item was previously discussed.

SEVENTH ORDER OF BUSINESS

TIME CERTAIN: 12:00 P.M., PUBLIC HEARING

C. TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO THE RULES OF PROCEDURE TO INCLUDE CHAPTER VI, RELATING TO MANAGEMENT OF STORMWATER SYSTEMS, EASEMENT, PONDS AND POND BANKS, PURSUANT TO SECTIONS 190.012(3), 120.54 AND 120.81, FLORIDA STATUTES

D. TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO RULES, POLICIES AND FEES FOR ALL AMENITY

FACILITIES, PURSUANT TO SECTIONS 120.54 AND 120.81 FLORIDA STATUTES

- i. Proof of Publication**
- ii. Consideration of Resolution 2016-4, Adopting Amendments to Rules of Procedure to Include Chapter VI, Relating to Surface Water Management Systems, Easements, Ponds and Pond Banks**
- iii. Consideration of Resolution 2016-5, Adopting Amendments to the Policies and Fees for All Amenity Facilities Which Govern the Operation of Certain Facilities of the District**

These items were discussed following Item 5.E.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

NINTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

Supervisor Smith stated he wrote an article for The Oak Tree regarding the cell tower. It will be included in the mid-month publication. Once published, the article should be e-blasted. Supervisor Davidson stated that including telephone numbers for the carriers would be helpful. Supervisor Davidson recommended stating "Every time you have difficulty trying to make a call..." instead of using the term "annoyed". Supervisor Smith preferred using the term "annoyed".

Supervisor Lawrence asked should we advertise the upcoming CDD Board election by e-blast. Mr. Wrathell stated anyone who wants to discuss that topic should call him.

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being no further business to discuss, the meeting recessed at 2:18 p.m., and was continued to Thursday, May 5, 2016 at 10:00 a.m., at this location.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair