

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

A Community Workshop of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, January 7, 2016, at 10:00 a.m.**, at the **Grand Haven Village Center, Grand Haven Room, 2001 Waterside Parkway, Palm Coast, Florida 32137.**

Present at the meeting were:

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

Also present were:

Craig Wrathell	Wrathell, Hunt and Associates, LLC
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Barry Kloptosky	Field Operations Manager
Robert Ross	Vesta/AMG
Ashley Higgins	Grand Haven CDD Office
David Cottrell	Aquatic Systems, Inc.
Rob Carlton	Resident
Morgan Evans	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. Wrathell called the workshop to order at 10:00 a.m., and noted, for the record, that all Supervisors were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

UPDATES: Amenity Manager

Mr. Ross reported that a resident requested permission to rent the Creekside site for a wedding. Normally, there is no problem but the facility can only be rented for five hours and Creekside closes at 8:30 p.m., and the resident would like to rent it until 10:30 or 11:00 p.m.

According to the City of Palm Coast noise regulations, music must stop at 10:00 p.m. The resident agreed to stop the DJ at 10:00 p.m. It is up to the Board whether to allow the use of the facility until 11:00 p.m.

Mr. Ross confirmed that the resident would pay extra to keep the facility open until 11:00 p.m. Supervisor Davidson inquired about sufficient parking spaces. Mr. Ross indicated that there are enough parking spaces to accommodate the 50 people attending the wedding. In response to Supervisor Gaeta's question, Mr. Ross confirmed that the café will cater the wedding. Supervisor Lawrence stated that the facilities are for the pleasurable use of the residents and had no issues. Supervisor Gaeta asked what day of the week the wedding would be held. Mr. Ross replied that it will be on a Saturday. In response to Supervisor Davidson's question, Mr. Ross reiterated that Creekside normally closes at 8:30 p.m. Supervisor Gaeta inquired if there would be staff over site. Mr. Ross replied affirmatively; he would be present.

Mr. Ross stated that the point-of-sale (POS) system vendor would visit next Thursday but did not know if he would bring the card readers. He had numerous issues with daily reports and the whole system and previously requested that the vendor visit many times.

Supervisor Davidson asked if this was the vendor that Mr. Deary engaged. Mr. Ross replied affirmatively. Supervisor Davidson asked if there was an alternative. Mr. Ross stated that an alternative maybe necessary; if the vendor does not show up, something must be done.

Discussion ensued regarding POS the vendor.

Supervisor Lawrence asked if Mr. Ross had alternative vendors in mind. Mr. Ross indicated that he would have to "start from scratch" but believed Supervisor Gaeta had more information.

Supervisor Gaeta knew of another company and was willing to provide Mr. Deary with that information. The problem was that the current vendor was not licensed to sell the Mercury POS product; the vendor claimed there would be no issues but it was a problem getting licensing.

Mr. Ross noted that the card readers were paid for in advance.

Supervisor Smith distributed an email from Mr. Will Hesser and noted that a number of people in the community spend a lot of time making facilities and activities available to residents. He felt that it would be nice to recognize the volunteers that lead the water aerobics and all the other classes in an e-blast.

▪ **Presentation: Village Center Amenity Building Infrastructure Issues/Problems**

i. Water Intrusion

*****This item, previously Item 5.A., was presented out of order.*****

Mr. Kloptosky distributed photos of The Village Center amenity building, which illustrated water intrusion. Four or five years ago there were issues with the building and, at his recommendation, a “Band-Aid” repair was completed. The “Band-Aid” repairs reached their limit and the building continues to deteriorate.

Mr. Kloptosky presented photos of the building damage caused by water intrusion. Every corner of the building has a metal corner bead, which should not have been used in a salt air environment. Unfortunately, this that cannot be fixed unless it is removed and replaced with vinyl or plastic bead.

Supervisor Gaeta asked if there was efflorescence on the side. Mr. Kloptosky confirmed that it was efflorescence and indicated that there was more on the columns. Efflorescence comes from water entering the walls and columns, at the top, running down the inside and bleeding out through the stucco. Holes were drilled at the bottom of the walls and columns to allow the water to escape. The same thing happened five years ago; the water was drained, the stucco was patched, the expansion joints and corners were sealed and everything was repainted. The repair lasted five years but the water intrusion problem reached the point where it must be addressed.

Supervisor Gaeta asked if metal corner beads were used everywhere. Mr. Kloptosky replied affirmatively. The area was cleaned periodically but the issues keep coming back due to the moisture. There is cracking in the stucco at the front of the building near the hose bib. The wooden windowsills are rotting and falling apart and must be replaced. The metal corner beads rust and stucco peels off of them.

Supervisor Smith asked where the photos were taken. Mr. Kloptosky answered that the photos were of the south side of The Village Center amenity building. Mr. Kloptosky indicated that an entire corner by the pool was rusting and the stucco was cracking. The corners rust and water intrudes and spreads, causing the stucco and loosens it so it eventually falls off.

In response to Supervisor Gaeta’s questions, Mr. Kloptosky believed that the roof was replaced in 2009; and the flashing is fine. There is no water intrusion coming from the roof sheath. Water is coming from the parapet walls. The arch at the front of the building was repaired five years ago and the issues started again because water continues to come down from

the top and, as it settles in the wall, the stucco begins to buckle. If the problem is not addressed, the stucco will eventually loosen to the point that it starts falling off and becomes a hazard.

In response to a question, Mr. Kloptosky confirmed that water intrusion was the cause of the problems. The arches by the pool were patched five years ago; the beads were resealed and all of the expansion joints were metal and rusting the same way and bubbling out. Efflorescence is beginning on the arches, again. The issue was never fixed at the source. The patch job was the right decision, at the time, but now the problem must be fixed.

Mr. Kloptosky indicated that the cap on the roof was sealed and water is not coming in from the top. Water is getting in from the side walls causing the stucco and the beads to fail. No issues were seen in the flashing or the roof tile. Mr. Kloptosky believed that water is entering through the side walls, running behind the flashing and down the block to ground level, affecting everything in its path.

Supervisor Lawrence wondered how water could get in since the areas were patched and sealed. Mr. Kloptosky explained that patching and sealing “bought some time”; however; the original construction was done incorrectly and poorly; the metal bead is deteriorating. Even though the area was patched, over time, the area begins to crack, allowing water in.

Mr. Kloptosky consulted with the District Engineer regarding the issue. In Mr. Kloptosky’s opinion, the stucco should be removed and the beads must be replaced with vinyl bead. Mr. Kloptosky was not comfortable hiring a stucco contractor. The proper approach, based on the magnitude of the job, would be hiring an engineering consultant to examine the issues, confirm the cause and prepare a recommendation. Because permitting is involved, a general contractor and consulting firm who can take responsibility for the job, are needed.

Mr. Kloptosky stated that the \$5,500 proposal from Terracon Consultants, INC. (Terracon) was for a complete assessment and recommendation. Terracon was recommended by Mr. Sullivan, who worked with them on other projects.

Supervisor Lawrence questioned why Terracon was necessary if Mr. Kloptosky identified the problem and the solution involves removing the stucco from the building. Once the stucco is removed, other issues would be visible; therefore; Supervisor Lawrence doubted the Terracon could provide more information. Mr. Kloptosky understood Supervisor Lawrence’s point but, due to the magnitude of the project, felt it was wiser to involve a professional structural engineer. In response to Supervisor Lawrence’s question, Mr. Kloptosky stated that Genesis does not have a qualified structural engineer on staff which is why Terracon was recommended.

Supervisor Smith asked for the estimated cost of the project. Mr. Kloptosky was hesitant to guess. The previous “Band-Aid” fix cost approximately \$10,000; this project could cost over \$100,000, as the extent of the damage is unknown until the stucco is removed and the sheathing is exposed.

Mr. Wrathell noted that the building was 16 or 17 years old and corners were cut during the original construction. Projects of this type are expected for a building of this age.

Mr. Kloptosky recalled that, when the roof was replaced, truss damage was suspected but the extent of the damage was unknown until the old roof was removed. He suspected that will be the same case with this project.

Mr. Wrathell stated that this situation is further evidence of why it was smart of the Board to create the “Infrastructure Reinvestment Fund”.

Supervisor Chiodo remarked that, given the magnitude of the issue, spending \$5,000 to determine if the structure is adequate, is reasonable. The District does not want to finish a complete stuccoing job only to find that there was an imminent problem underneath.

Mr. Kloptosky indicated that the window and windowsill, stucco, bead and sheathing issues were already known and if only a stucco contractor is hired, they would be unable to address other issues.

Supervisor Chiodo remarked that some of the wooden structures looked like they needed to be replaced.

Mr. Kloptosky believed that the windows were not hurricane rated glass and must be replaced, which would be very expensive. There are a lot of aspects to the project other than stucco.

Supervisor Davidson noted that the building’s roof needed cleaning and paint needed refreshing. Also, an expansion of the café was being considered. He would like the structural engineer to weigh in on the café, as well, and suggested undertaking a comprehensive refresh of the building all at once.

Mr. Kloptosky indicated that the roof was cleaned a few times, each year and was cleaned about four months ago.

Supervisor Gaeta asked if mold was a possibility, due to water intrusion around the windows. Mr. Kloptosky replied that there were no indications of mold on the surface but could not know, for certain, until the walls were opened up. If mold is found, it will be remediated.

Supervisor Gaeta agreed with Supervisor Davidson's comments about having the structural engineer evaluate the potential café expansion.

Supervisor Lawrence indicated that the Terracon proposal included all the items mentioned, except for the café expansion, and asked if Supervisor Davidson wanted Terracon to recommend a general approach to the expansion.

Supervisor Davidson wanted an assurance of the structural integrity of the building, if walls were removed and expanded.

Supervisor Lawrence suggested obtaining an expansion recommendation from the structural engineer.

Mr. Kloptosky received a quote for building an expansion on the west side of the café but did not present it because he was waiting for a rendering. The expansion would be under the existing overhang and would not involve any structural work; it would be a glass enclosure constructed with an aluminum frame with glass or plexiglass. It is a reasonable approach, cost-wise, to accomplish the desired expansion.

Supervisor Davidson did not want to piecemeal a "shoddy" expansion of the café. Mr. Kloptosky stated that it would not be piecemeal or "shoddy"; he could provide photos of these types of additions on houses. It is just one style of expansion to consider.

Supervisor Davidson reasoned that, if structural engineers were accessing the building, it made sense to obtain input on the café expansion, as well.

Mr. Kloptosky recalled that the café expansion was previously discussed and agreed that the work should be completed, all at once, as The Village Center would have to be closed for a while. He mentioned retiling the café and renovating the bar top and he would like to expand the tile outside, if the café is expanded.

Supervisor Gaeta was concerned that, with the type of expansion Mr. Kloptosky suggested, the addition would be hot and the sunlight would be blinding due to the western exposure. Mr. Kloptosky explained that there are options for integral blinds and systems to address that type of area.

Responding to a question from Supervisor Davidson, Mr. Kloptosky confirmed that Terracon was a structural engineering firm from Jacksonville. Supervisor Davidson was uncomfortable with parts of the Terracon contract. While it may be standard procedure, he did not like that Terracon retained ownership of all documents and plans. Supervisor Davidson believed that the District needed a copy of the results. Mr. Kloptosky suggested speaking to Mr.

Sullivan regarding the contract. Supervisor Davidson requested that a representative from Terracon give a presentation at the next meeting. Supervisor Chiodo pointed out that, in order for Terracon to properly prepare its presentation, they must be informed about the Board's request regarding the possible expansion.

Supervisor Davidson indicated that this will likely be the main project for Fiscal Year 2016 or Fiscal Year 2017. Supervisor Lawrence stated that, along with the scope of the work, Terracon should provide an estimate of how long it will take to complete the work. Having previously completed jobs of this magnitude, Mr. Kloptosky felt confident that, if managed correctly, the work would not be as obtrusive as feared.

Supervisor Smith noted that any consultant would at least want conceptual diagrams of the café concept; asking if the café could be expanded would be too general. Mr. Kloptosky explained that the delay in receiving diagrams was because the contractor was preparing them at no cost to the District.

Mr. Kloptosky indicated that the Sailfish Drive project area was completely paved just prior to Christmas. The project went very well. He has a meeting this afternoon with the engineer and the striping contractor regarding issues that need to be addressed. The last pay request was submitted but was not paid; there is retainage of about \$22,000, which is more than sufficient to address the issues. The contractor will stripe the stop bars and add yellow striping by the islands, on Marlin Drive, which is required by the Florida Department of Transportation (FDOT). The additional striping was not in the original contract but there was money left over and the District was due a credit; the additional striping will be subtracted from the credit. There was money in the contract to cover driveway and sidewalk repairs, in case of damage, and only a small section of sidewalk damaged.

Supervisor Lawrence asked if the drainage on Sailfish Drive was inspected following the last rain. Mr. Kloptosky noted two areas with water retainage at the driveway, where the gutter meets the curb. These were areas that were not retaining water before. Water is running well, starting at the corner of Waterside Parkway and Sailfish Drive, where the contractor solved the problem. In the new water retainage areas, water disappears within 24 to 48 hours. The contractor can fill these areas and, hopefully, it will be a simple fix.

Mr. Kloptosky received calls from residents to clean driveways, sidewalks and fences; S.E. Cline Construction, Inc. (Cline) will powerwash any driveways that have a lot of silt or soot.

Supervisor Chiodo noted that the new curbing around the tree that had the root problems looks much better. Mr. Kloptosky stated that the contractor did a good job cleaning where the roots were causing breakage of the curb, on Waterside Parkway. There are a number of similar areas and the best way to address them is the same process used on Sailfish Drive. Certain roads will be repaved and areas with the same problem will be completed at the same time, which is the most cost-efficient approach.

In response to Supervisor Gaeta's question, Mr. Kloptosky stated that there were no resident parking issues. The contractor kept in contact with residents and notified them when their driveway would be blocked. Supervisor Chiodo asked if the contractor filled in areas every night. Mr. Kloptosky replied affirmatively and recalled that the District paid extra for the contractor to do that.

Mr. Kloptosky stated that the unavoidable tar track marks on the existing paving must be addressed during the walk through. The same thing happened in 2010 when part of Waterside Parkway was repaved, the side streets were covered with tar track marks but, with the heat and sun, the marks dissipated, over time. Mr. Kloptosky wanted to see if anything could be done to lessen the time it takes for the track marks to lighten. In response to Supervisor Lawrence's question, Mr. Kloptosky indicated that it took about a year for the marks to disappear. In response to Supervisor Chiodo's suggesting, Mr. Kloptosky indicated that Cline's street cleaning equipment was on site cleaning after the asphalt was laid. Cline used the street cleaner three times all the way to the North Gate and the tar tracks lightened, a little bit.

Supervisor Smith noticed two areas on Sailfish Drive with ponding but, a day later, the water was gone; there were similar areas all over the community. Mr. Kloptosky felt that it was not a big issue but wanted the engineer and contractor to be aware of it; neither resident complained.

Supervisor Davidson asked for the current total of the project. Mr. Kloptosky indicated that the cost was just over \$180,000.

Mr. Kloptosky recalled that, at the last meeting, Ms. Louise Leister, District Horticultural Consultant, made a presentation about landscape encroachments on various properties. District Counsel sent a letter to two residents which demanded removal of certain plant material that was on CDD property. The residents were given 30 days to comply or the CDD would remove the plant material and bill the resident.

Mr. Kloptosky stated that District Counsel prepared a draft letter, regarding a third property; however, Mr. Kloptosky was concerned that the third letter was inconsistent with the first two letters, and could appear to favor one resident over others. Mr. Kloptosky indicated that the letter was consistent with the Board's directive but was inconsistent with the previous decisions. The letter directed the resident not to maintain the plant material and did not ask for anything to be removed; however, the first two letters required removal of obstructions.

Mr. Kloptosky researched the third resident's encroachment on CDD property and found that it only has a 5' sideline. The resident claimed that the sod and trees, in the 16' between his property and the woods, were installed by the developer. The boundary survey clearly shows the resident's property only extends 5' from the house. Mr. Kloptosky reviewed the approved landscape plan from the City of Palm Coast records and it did not show palm or fruit trees, on the left side of the house, it only showed shrubs, within the 5' area, to conceal the air conditioner. The resident is the original owner and Ms. Leister confirmed that the trees do not grow naturally. Several years ago the resident requested that the CDD maintain that property but the CDD declined. The resident then had his private landscaper cut the vegetation back and continues maintaining it. Mr. Kloptosky wanted the Board to be aware of the inconsistency in the decisions between the third property and the first two.

Mr. Wrathell asked if the first two property encroachments were on easements. Mr. Kloptosky advised that the property is CDD-owned; all three encroachments involve CDD property.

Supervisor Lawrence asked if the first two properties were instructed to remove material. Mr. Kloptosky replied affirmatively. One property abuts Waterside Parkway. The resident made improvements but crossed the line onto CDD property. The Board asked Ms. Leister to try to incorporate some of the existing plant materials into the planned vegetative buffer for the home. The homeowner understands that they must remove the hardscape items.

Supervisor Lawrence asked if there was any need for the plantings on the third property or if it should be removed. Mr. Kloptosky explained that the third property abuts a wooded area and there is no need for a buffer screening.

Supervisor Davidson asked if the slope from the 5' line, to the natural area, was sodded. Mr. Kloptosky confirmed that there was 14' to 16' of sod. Supervisor Davidson asked if there was any plan to maintain the sod. Mr. Kloptosky stated that there was not. Supervisor Davidson asked if the District could allow the trees to remain on CDD property as long as the resident did

not maintain them. Mr. Kloptosky pointed out that Supervisor Davidson's suggestion would be inconsistent with requiring the other two property owners to remove encroachments. Supervisor Davidson concurred that the decision would be inconsistent.

Supervisor Lawrence noted that, apparently, the resident was maintaining the plantings and, if anything happened the CDD could be liable; therefore, the District must tell the property owner to cease and desist maintenance of the area.

Supervisor Davidson agreed the letter to the resident states that the property owner must cease any maintenance on CDD property but questioned if the trees needed to be removed. Mr. Kloptosky suggested giving the resident the option to relocate the trees from CDD property onto his property.

Mr. Wrathell suggested offering the resident the opportunity to move the trees onto his property, at his own expense, within a specified time, and, if he does not, the CDD will remove the plantings and reserve the right to bill the expense.

Mr. Kloptosky noted an issue with the sod. Originally, the resident wanted the sod maintained. If they stop maintaining the grass, it will continue to grow. Supervisor Davidson asked if the District would maintain the area. Mr. Kloptosky indicated that the CDD does not typically maintain natural areas.

Mr. Wrathell wondered if there was any benefit to the CDD to enter into an agreement with the property owner allowing him the use of the property, with the understanding that the homeowner must maintain the property and, if the CDD ever needed to access the encroachments must be removed. Mr. Kloptosky recalled that the Board previously discussed that possibility but there were liability concerns.

Mr. Wrathell noted that there could be an advantage to the District having a property owner maintaining an easement, if the District does not anticipate utilizing; the District and the property owner could enter into an agreement, with the property owner accepting all liability.

Mr. Kloptosky conceded that there are other options. His goal was for the Board to consider the lack of consistency, which is why he put the third letter on hold.

Supervisor Davidson noted that the letter basically stated that "this shouldn't be done" but did not indicate the next step; it left everything in limbo. He felt that the resident should be given the option of relocating the trees onto his property, at his own expense. Mr. Wrathell pointed out that the trees may not survive. Supervisor Davidson indicated that, if the resident chooses not to move the trees, he cannot enter CDD property or maintain the trees; the trees

would remain until they become a threat to public safety, at which time, the CDD would remove them.

Mr. Kloptosky asked if it would be worthwhile to reconsider the other two properties and offer the same option. Supervisor Davidson pointed out that the circumstances were different; the property with the garden and chicken wire were in the way of the Firewise mowing. Mr. Kloptosky agreed about that property but voiced his opinion that it was different for the second property. Supervisor Davidson noted that the second property involved a vegetative screen for a visual and auditory buffer from traffic.

Mr. Kloptosky reiterated that his intent was to make the Board aware of the inconsistency and recommended that the Board have a “good explanation” if it makes an exception.

Supervisor Davidson stated that there were three entirely different circumstances, two which require obstructions to be removed.

Supervisor Lawrence asked what happens to Saint Augustine grass if it is not maintained. Supervisor Davidson replied that the grass grows tall and turns into a reed. Supervisor Lawrence asked what was on the property before the grass was planted. Supervisor Davidson stated that the property was overgrown with vines and was cleared for the Firewise program. Mr. Kloptosky indicated that the homeowner’s original complaint was that the overgrowth was intruding on the sodded area.

Supervisor Gaeta stated that the resident must be advised that he cannot plant anything else on CDD property. She was concerned that, if this resident is given a “pass”, other residents will question why they were not given a “pass”, as well.

Supervisor Lawrence felt that the Board should be consistent; therefore, the fruit tree should be removed. He was not concerned about the palm tree but surmised that someone must enter CDD property to harvest the fruit and leaving the fruit tree would set a precedent the Board would regret.

Supervisor Chiodo agreed with Supervisor Lawrence; however, there would still be the issue of maintaining the grass.

Supervisor Smith was concerned about being “too consistent” and noted that all three encroachment situations were different. He was unsure that a “one size fits all” approach would serve the District well, in the long term. Supervisor Davidson agreed. Supervisor Smith wanted to visit the property.

Supervisor Davidson asked if the CDD maintained the Saint Augustine grass adjacent to the Smiths' home on Jasmine Drive. Mr. Kloptosky replied no. Supervisor Davidson surmised that the District was consistently not maintaining sod.

Dr. Rob Carlton, President of the GHMA, stated that the GHMA was maintaining that area but, if there is litigation, it would involve the CDD and GHMA. The PLM contractors are mowing that property because it contains grass. The sod and tree issues must be addressed. Discussion ensued regarding which areas are maintained by the PLM contractor. Supervisor Davidson believed that requiring the PLM contractor to cease maintenance on CDD property would cause neighborhood distress; therefore, it might not be wise to ask the PLM to stop maintaining those areas.

Supervisor Lawrence concluded that the dilemma involves resident improvements on common property because the resident did not like the appearance of the common property. He questioned if those improvements should be allowed and suggested speaking to District Counsel about the potential consequences.

Supervisor Davidson was unsure about approaching the matter as a legal issue.

Mr. Wrathell advised that the CDD could allow residents to make improvements on District property. If the GHMA was already maintaining the areas, there was no benefit to the District in making the issue more complicated or becoming more involved; there was no real advantage to allowing the adjacent property owner to maintain the area. The question was whether to allow the improvements to remain. Mr. Wrathell indicated that the options were to ignore the encroachment or give the homeowner the option to move the trees off District property and allow the PLM contractor to continue mowing the area.

Mr. Kloptosky stated that allowing the PLM to mow the areas would leave the PLM in a liability situation and suggested that Austin Outdoor, LLC (Austin) mow the areas.

Discussion ensued regarding resident improvements on CDD property.

Supervisor Davidson suggested sending Ms. Smith a letter notifying her that the CDD is assuming maintenance of the area and any sprinklers, on District property, may be broken, so she may want to move them.

Supervisor Davidson concluded that the District will maintain the two sodded areas, will send a letter to Ms. Smith regarding the sprinklers and will request removal of the fruit tree.

Mr. Kloptosky asked, regarding the third property, if Austin would continue to cut back the natural area. Supervisor Davidson stated that the natural area will only be cut back during Firewise mowing.

Mr. Wrathell recommended consistency and requiring the palm tree to be removed, as well.

▪ **Discussion: Necessity of Aeration of Ponds for Midge Fly Suppression (2, 5 & 13)**

******This item, previously Item 5.E., was presented out of order.******

Mr. David Cottrell, of Aquatic Systems, Inc. (ASI), stated that Ponds 2, 5 and 13 were tested to determine if aeration was necessary.

Supervisor Lawrence remarked that aeration does not kill midge flies but allows fish to survive and eat the midge flies.

Mr. Cottrell recalled that, in the fall, ASI inspected Ponds 13 and 14 and stocked shellcracker fish, which eat midge flies.

Mr. Kloptosky indicated that the District was considering the aeration in Ponds 13, 14, 1 and 5, which were previously stocked with shellcracker fish.

Mr. Cottrell advised that the fish prey on midge fly larvae. Adult midge flies last for three to five days but emerge from the lake nonstop. As a strategy to counteract midge flies, lakes are stocked with shellcracker fish. Midge fly larvae live in the sediment layer at the bottom of the lake, and if, there is no oxygen at the bottom, the fish do not swim that deep. Stocking fish will do no good if there is no oxygen at the bottom of the lake.

Mr. Cottrell explained how a lake could be “poorly mixed”, which affects oxygen levels and temperature.

Supervisor Gaeta asked about the average depth of the District’s ponds. Mr. Cottrell stated that most ponds are 7’ to 8’, which is typical, for these types of stormwater ponds.

Mr. Cottrell presented the finding of a study completed on Pond 13 in November, 2015, which had a good profile; therefore, there would be no benefit to aeration. The findings were a “snapshot” of the particular day that the study was completed. Ponds naturally mix when the top layer of water cools in the fall and the “snapshot” may have been taken a month after the lake mixed. At the time of the study, the evidence did not show that aeration would be a benefit. Summer would be a better time to take that test.

Mr. Cottrell did not recommend aeration for Ponds 13 and 14, at this time, and recommended reevaluating the ponds next summer. Ultimately, the goal is to have the ponds

turnover at least one or two times the volume of the lake per day. Even though Mr. Cottrell did not recommend aeration, he provided proposals, which did not include electric. The estimated cost to add aerators to the larger of the two ponds was \$7,900, not including electricity.

Supervisor Davidson recalled that the cost to hardwire to the electric was approximately \$10,000. Mr. Cottrell remarked that electric could cost more than the aeration units.

Supervisor Gaeta asked about using solar power. Mr. Cottrell responded that solar power could not be scaled up to this size of a pond.

Mr. Cottrell recalled that Pond 5 was inspected in September, 2014, and it was clearly stratified, at the time. Aeration in Pond 4 helped with the midge fly problem. The District installed the recommend aeration, followed by stocking shellcracker fish, several years ago, and midge fly complaints subsided.

Supervisor Lawrence thought there were shellcracker fish in Pond 5. Mr. Kloptosky clarified that shellcracker fish were stocked in both Ponds 4 and 5 but only Pond 4 had aeration. Supervisor Lawrence recalled that the midge fly problem was resolved in Pond 5, as well. Mr. Kloptosky confirmed that there were no Pond 5 midge fly complaints, this year; the worst pond was Pond 1. Supervisor Davidson surmised that Pond 5 may be deriving some benefit from the aerators in Pond 4. ASI will perform aeration tests in Ponds 1 and 5, in the upcoming weeks.

Mr. Cottrell noted that the phosphorus levels in Pond 5 were very high when inspected. The phosphorus readings in Ponds 13 and 14 were good.

In response to Supervisor Lawrence's question, Supervisor Davidson indicated that Ponds 13 and 14 would be stocked with shellcracker fish but aeration will not be added. Mr. Cottrell clarified that the ponds were already stocked.

Supervisor Davidson asked how long it took shellcracker fish to mature enough to eat midge fly larvae. Mr. Cottrell stated that, during the right time of year, the fish can spawn in 90 days and most likely be mature enough by spring.

Mr. Morgan Evans, a resident, remarked that he previously complained about midge flies from Pond 1. Supervisor Davidson stated that ASI would check the oxygen levels in Ponds 1 and 5 and will provide proposals for aeration in both ponds. Supervisor Gaeta noted, and Mr. Cottrell confirmed, that the time of year could significantly affect the ponds' oxygen levels. Mr. Cottrell indicated that the best time to test oxygen levels is in July or August, when the ponds are the most stressed.

Supervisor Davidson stated that the District is abreast of methods to control midge flies, scientifically and methodically, while acting financially responsible. Supervisor Gaeta observed a definite improvement in the midge fly conditions.

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

****The workshop reconvened at 11:46 a.m.****

FIFTH ORDER OF BUSINESS

DISCUSSION ITEMS

A. Presentation: Village Center Amenity Building Infrastructure Issues/Problems

i. Water Intrusion

This item was discussed during the Fourth Order of Business.

B. Update: Business Plan Objectives

i. Improve Communications [MG]

Supervisor Gaeta’s objective was to determine if the CDD is effectively communicating its business to residents. Current methods of communication include e-blasts and Oak Tree articles. The proposed actions to be taken to achieve this objective include:

- Provide periodic updates for larger projects, relative to potential timetables, utilizing the current method of e-blasts
- Investigate whether current equipment, i.e., TVs in the café and gyms could support additional delivery methods. If not, what would be the financial impact to the budget to replace them?
- Investigate the possibility of crawler or slide running on lower one-third of TV by contacting the current provider.
- Cost versus benefit.

Supervisor Gaeta previously suggested electronic bulletin boards but they are very expensive.

Supervisor Davidson asked if the current provider is Bright House. Supervisor Gaeta replied affirmatively; she suspected that no other company could provide that service.

Supervisor Lawrence felt that the CDD communicated effectively with residents and was not aware of any complaints. Mr. Kloptosky does not receive calls regarding a lack of communication, rather, residents call with questions.

Regarding communication, Supervisor Gaeta was responding to conversations around the community about the CDD wasting funds; residents do not always understand that the Supervisors take an oath to maintain the community.

Supervisor Davidson asked if other district's post the audio from their meetings online. Mr. Wrathell advised the audio could be posted; however, the audio files can be very large.

Supervisor Davidson asked if just the Field Operations Manager's section of audio could be posted.

Mr. Wrathell indicated that it was possible but questioned its effectiveness. He stated that the District reached out to its residents more than any other district. Mr. Wrathell suggested playing a recorded video notification, on a loop at The Village Center, when impactful projects are undertaken.

Supervisor Gaeta was unsure, due to their age, if the televisions could support the necessary technology and thought residents would get tired of the repeating message.

Mr. Wrathell suggested using video notification for very specific notifications. Mr. Wrathell voiced his opinion that, at the annual budget meeting, the Board and Mr. Kloptosky do a great job reviewing the projects from the past year, and, in a community with 1,900 homes, a small meeting audience indicates that residents are relatively happy. He suggested a separate, dedicated television, at the entrance to The Village Center, for the video notifications. In Mr. Wrathell's experience, if it takes too long to download audio minutes from the CDD website, residents will not do it; a more passive approach, such as an informational video, which catches their eye as they enter, may be more effective.

Supervisor Gaeta asked about having a television for video notifications at Creekside.

Mr. Wrathell noted that, while he was not aware of CDDs using video notification systems, City Halls and County Commission offices utilize them. He believed that project or message-specific video notifications would be much more effective than other methods of expanding upon the District's mass communication program, which is very good.

Supervisor Chiodo pointed out that, when the Board plans to discuss an important issue, residents should be advised of the discussion, prior to the meeting, so that they can attend. It should not be done for all meetings but, for key meetings where significant decisions will be made, it would give residents a better understanding of the process.

Supervisor Gaeta asked if Mr. Kloptosky would be responsible for maintaining a video notification system, as the same message cannot run, all the time; someone must update the information.

Supervisor Chiodo believed that e-blasts were the CDD's most effective tool for communicating, on a broad range, to the community.

Supervisor Gaeta will verify the compatibility of the televisions in the café and gyms. She thought a dedicated television, at the entrance, was a great idea.

Mr. Wrathell indicated that a television with a blue-ray player could be used.

C. Discussion: Seasonal Backup Traffic Issues and Proposed Extra Guard at Main Gate

Mr. Wrathell recalled that Mr. Kloptosky was given latitude to approve a extra guard at the Main Gate, as necessary. Mr. Kloptosky indicated that an additional guard was employed over the holidays.

In response to Supervisor Davidson's question, Mr. Kloptosky reported that the additional guard worked out well and, eventually, the amount of additional staffing was cut back.

Supervisor Davidson stated that the extra guard will be as necessary. Supervisor Lawrence advised Mr. Kloptosky that employing additional guards, as necessary, was an ongoing Board directive.

D. Update: Washingtonian Palm Tree Removal

Mr. Kloptosky stated that Ms. Leister was working on the Washingtonian palm tree removal. Ms. Leister should have a rendering for the next meeting.

E. Discussion: Necessity of Aeration of Ponds for Midge Fly Suppression (2, 5 & 13)

This item was discussed during the Fourth Order of Business.

F. Continued Discussion: Traffic Light Bond

Mr. Wrathell stated that Mr. Clark was attempting to obtain written confirmation from the Flagler County Attorney that, since the District already paid its contribution, the County could not, in the future, ask for more money for the traffic signal. This would be a good "win" for the District, since traffic signals are more expensive now than when the District paid its traffic light bond contribution.

G. Discussion: Updated Rules for Amenities and Stormwater Ponds

i. Maintenance Repair

• Responsibilities

Supervisor Davidson recalled that District Counsel wanted to create additional rules to strengthen some of the policies that were previously approved. The framework would include an introduction, stating that the District approved new rules, followed by copies of the approved policies. Supervisor Davidson asked what other policies, not currently in the Rules, other than the Pond Bank and Utility Obstruction policies, should be included. He recalled that the Board

wanted to clarify the responsibilities for pond bank maintenance, as that current wording did not specifically say that residents should not deal with the flow of the water, the slope of the bank and regrading and reconstruction, which are functions of the District, as the stormwater permit holder.

Supervisor Smith could not recall all of the Rules. Supervisor Davidson stated that there were Amenity Rules but did not know whether there were other rules. Supervisor Smith stated he could use some index guidance. Supervisor Chiodo stated that it was clear that the question of encroachment must be dealt with.

Supervisor Gaeta asked if the Rules would be included in the Community Information Guide (CIG). Supervisor Davidson was not sure whether rules, other than the Amenity Rules, existed.

Mr. Wrathell advised that, if not already adopted, District Counsel may want the Board to adopt general Rules of Procedure. All adjustments, etc., to date, were to the Amenity Rules. He will research the matter.

Supervisor Smith recalled District Counsel referencing guidance rules, on occasion. Mr. Wrathell thought that everything dealing with day-to-day concerns could be found in the Amenity Rules. If the District has Rules of Procedure, those are probably outdated.

Supervisor Davidson asked if there were any other policies besides Encroachment, Pond Bank Maintenance and Utility Obstruction.

Supervisor Gaeta pointed out a grammatical error in Paragraph 13, of the Policy for Storm Water Right-Of-Way Utility Easements. The word “reason” should be “reasons”. She asked how the information would be disseminated to residents.

Mr. Wrathell pointed out that the majority of property owners will not be in a position to encroach on the District’s property, easements or ROWs; therefore, when an issue arises, the Field Operations Manager could inform the resident of the encroachment and provide a copy of the policy. He thought that, if the information was broadly disseminated, residents could be confused.

Supervisor Davidson indicated that the first page of the policy simply states the Rule and the following pages are agreements and procedures following the rule. The Board must adopt the policy as a rule.

Supervisor Lawrence inquired if the rule must be adopted at a public meeting. Supervisor Davidson answered affirmatively; the rule making procedure requires that a rule must be published, reviewed and adopted at a public hearing.

Mr. Wrathell indicated that, along with the Pond Bank and Utility Obstruction policies, the other Rules of Procedure, which have not be addressed in a long time must be reviewed and updated, if needed.

Supervisor Lawrence questioned if the “GHCDD Policy for Clearing, Development and Planting of District-owned Detention Pond Banks”, maintained by the adjacent property owners, was documented, as a rule. Supervisor Davidson agreed that it was not, which was why the policy was included as part of the Rules discussion; however, who is responsible for the drainage and flow must be determined, first.

SIXTH ORDER OF BUSINESS

UPDATES: District Manager

- **UPCOMING MEETING/WORKSHOP DATES**

- **BOARD OF SUPERVISORS REGULAR MEETING**

- **January 21, 2016 at 10:00 A.M.**

The next meeting will be held on January 21, 2016 at 10:00 a.m., at this location.

- **COMMUNITY WORKSHOP**

- **February 4, 2016 at 10:00 A.M.**

The next workshop will be held on February 4, 2016 at 10:00 a.m., at this location.

SEVENTH ORDER OF BUSINESS

OPEN ITEMS

Supervisor Chiodo recalled that Ms. Leister previously provided a preliminary pictorial design for the property associated with a park on the 9th Green property. Mr. Wrathell will add the 9th Green park concept to the list of open items.

Regarding Item B., Supervisor Gaeta suggested that “Traffic Light Refund” be changed to “Traffic Light Bond Cap”, since it was determined that no refund will be received.

Supervisor Davidson stated that, on December 31, 2015, he received the purchase agreement for the 9th Green site, via email, along with a resolution, which he signed, scanned and emailed to District Counsel. He thought that the transaction closed.

Mr. Wrathell advised that the check for the closing was sent to District Counsel. Mr. Clark wanted the funds wired but, for security reasons, Management does not wire funds out of District accounts. This may have delayed the closing.

Supervisor Davidson believed that the District acquired the 9th Green site.

Regarding Item C., Supervisor Smith asked if the road resurfacing plan was being revised. Supervisor Lawrence must revisit the road resurfacing plan but thought there was a possibility to save money.

Supervisor Davidson asked about the “Information Technology Update”. Supervisor Gaeta spoke to Mr. Deary, who was concerned and upset. Apparently Mr. John Burt, of Enterprise Solutions Industries (ESI) purported to be much more knowledgeable than he was and Mr. Deary is giving ESI a specified time frame to correct the issues. Supervisor Gaeta’s impression, after conversation with Mr. Deary, was that Mr. Burt did not know what Point-to-Point Encryption (P2PE) was.

Supervisor Gaeta spoke with Mr. Ross about the issues. The firewall was restored and there was a firewall between the public wireless network and the point-of-sale (POS) system: Item D. should be removed from the Open Items List. She knew of a another POS vendor and questioned who would bear the cost if the original processors do not operate correctly, as the District already paid for a new POS system.

Supervisor Lawrence believed that Mr. Deary was accountable. Supervisor Gaeta agreed.

Supervisor Davidson pointed out that certain major vendors are not yet in compliance. Discussion ensued regarding businesses that are and are not POS compliant.

Mr. Wrathell noted that the Board astutely picked up on the vendors’ lack of knowledge and Mr. Deary stepped up and took responsibility for the situation.

EIGHTH ORDER OF BUSINESS

SUPERVISORS’ REQUESTS

There being no Supervisors’ requests, the next item followed.

NINTH ORDER OF BUSINESS

ADJOURNMENT


There being nothing further to discuss, the workshop adjourned.

On MOTION by Supervisor Lawrence and seconded by Supervisor Chiodo, with all in favor, the workshop adjourned at 12:23 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair