

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

A Regular Meeting of the Grand Haven Community Development District's Board of Supervisors was held on **Thursday, February 16, 2017** in the **Grand Haven Room, Grand Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137** at **10:00 a.m.**

Present at the meeting were:

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

Also present were:

Howard McGaffney	District Manager
Scott Clark	District Counsel
Barry Kloptosky	Operations Manager
Robert Ross	Vesta/AMG
Ashley Higgins	Grand Haven CDD Office
Jim Gallo	Resident
Fred Herndon	Resident
Bill Macri	Resident
David Reisman	Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. McGaffney called the meeting to order at 10:05 a.m., and noted, for the record, that Supervisors Chiodo, Gaeta, Lawrence and Smith were present, in person. Supervisor Davidson was not present.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

MODIFICATIONS TO AGENDA

There being no modifications to the agenda, the next item followed.

FOURTH ORDER OF BUSINESS

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

Mr. Bill Macri, a resident, recommended activating the aeration system in Pond 19 to combat the midge fly issue. Mr. Kloptosky stated that a system was installed in Pond 19 but aeration was discontinued, several years ago. Line maintenance and pump updates would be necessary to reactivate the system. In response to Supervisor Lawrence’s question, Mr. Kloptosky stated that shellcracker fish were not stocked in Pond 19. Supervisor Gaeta stated that it could take shellcracker fish two years to mature and become effective. Mr. Kloptosky would obtain proposals for shellcracker fish and oxygen level testing and provide recommendations for Pond 19, at the next meeting.

Mr. Fred Herndon, a resident, listened to the February 2 meeting audio and was concerned that he was “cut off” when he tried to ask a question. From the closing statement from his home purchase, Mr. Herndon read: *“I have a contract liability to pay assessments to the CDD and a HOA, same thing. That is the extent to my liability to either group. I look at my deed and it reads identical to the package that I left with you.”* Mr. Herndon voiced his opinion that the CDD is the dominant state on the deed and the CDD owns the deed to the sidewalks. He stated *“I think we need to keep this dog fight inside of the gate because, if we don’t solve it, when it gets around to being solved, the members are all going to have to pay, dearly, because this is a big legal problem.”* In response to Mr. Macri’s question, Supervisor Lawrence stated that Mr. Herndon implied that the CDD was responsible for maintaining the sidewalks. District Counsel reviewed all documents supplied by Mr. Hendon and opined that the CDD was not.

FIFTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

A. APPROVAL OF UNAUDITED FINANCIAL STATEMENTS

i. Unaudited Financial Statements as of January 31, 2017

B. APPROVAL OF MEETING MINUTES

i. January 5, 2017 Community Workshop

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

Discussion ensued regarding holiday lights, increasing the Fiscal Year 2018 budget, purchasing commercial LED lights or installing commercial landscape lights that could change colors.

Supervisor Chiodo requested an analysis of the bond amortization schedules to determine when payment on the bonds would be completed so that those assessment amounts could be diverted to replenish the disaster recovery funds. Mr. Lawrence stated that diverting those funds to the road repair project was previously discussed. Mr. McGaffney stated that the District could likely begin using those funds to replenish the disaster fund in Fiscal Year 2020. Mr. Clark stated that reserves might accelerate the final pay offs. Mr. McGaffney would present an analysis at the next workshop.

Mr. McGaffney explained how the Hurricane Matthew expenses and fund balance were reflected, in the Unaudited Financial Statements as of January 31, 2017.

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

C. RATIFICATION OF APPROVAL OF HURRICANE RECOVERY INVOICES

Updated “Invoices” and “Proposals” spreadsheets were distributed. Ms. Higgins presented the \$2,000 Jason Shaw Tree Service Invoice #021317, for ratification.

On MOTION by Supervisor Smith and seconded by Supervisor Gaeta, with all in favor, payment of the Jason Shaw Tree Services Invoice #021317, in the amount of \$2,000, for Hurricane Matthew recovery work, was ratified.

In response to Supervisor Lawrence’s question, Mr. Kloptosky stated that a few large expenses would be forthcoming for Hurricane Matthew-related projects that were underway. The insurance adjuster was preparing a spreadsheet of costs; the claim amount was pending. Mr. Clark stated that the District had a 3%, or \$2,500, windstorm deductible, whichever was greater, per insured structure. The executed agreement with the Federal Emergency Management

Agency (FEMA) was received and all but the expenses approved today, were submitted to FEMA.

SIXTH ORDER OF BUSINESS**BUSINESS ITEMS****A. Continued Discussion: Village Center Complex Renovation Project**

- i. Coordination**
- ii. Timing of Project**
- iii. Stucco Repair**
- iv. Pool Repair**
- v. Bathroom Renovation**
- vi. Café Operations**

These items were discussed during Item 7C.

B. Discussion/Consideration of/Decision on: Renaming the Grand Haven Room

Mr. McGaffney recalled a previous suggestion to rename the Grand Haven Room in honor of Ms. Diane Layng, a former CDD Board Member, who recently passed away. Suggestions, other than renaming the Grand Haven Room, were discussed, including:

- A plaque in the Grand Haven Room
 - Plaques on benches along Waterside Parkway
 - A large perpetual plaque that could have brass plates added, as people are commemorated
- This item was tabled to the next workshop; options and costs would be presented.

C. Continued Discussion: Future Replenishment of Disaster Fund

This item was discussed during Item 5Ai., and tabled to the next workshop.

D. Discussion: Fiscal Year 2017 Capital Plan

An updated Fiscal Year 2017 Capital Improvement Plan (CIP) budget was distributed. Supervisor Lawrence stated that the road repair project would likely cost less than the anticipated \$912,000 and requested the total costs, upon completion, to update the CIP budget, based on the actual expenses. Mr. Kloptosky advised the District Engineer not to attend today's meeting to discuss the road repair project but the District Engineer would be invited to the next workshop or meeting. Mr. McGaffney compared the CIP budget with the expenditures in the Unaudited Financial Statements as of January 31, 2017. Based on the approved projects, coupled with incurred expenses, only \$70,000 of the CIP budget remained.

Discussion ensued regarding dissemination of Board Member communications. Mr. McGaffney stated that Management could email documents to the Board that would be presented at a meeting but emails or documents that included a Board Member’s opinion, on a topic that the Board might take action on, could not be emailed to the entire Board. Mr. Clark further discussed scenarios that could potentially violate the Sunshine Law.

SEVENTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer

There being no report, the next item followed.

B. Amenity Manager

There being no report, the next item followed.

C. Operations Manager

Mr. Kloptosky stated that he previously suggested putting The Village Center stucco project on hold. He met with United Engineering Consultants, (UEC), a water intrusion repair contractor, for an opinion on the plans from Terracon Consultants, Inc. (Terracon). Per Mr. Kloptosky, UEC agreed with his opinions and recommended an architectural firm to review the plans and incorporate UEC’s water intrusion repair recommendations. UEC agreed with Mr. Kloptosky’s suggestion to repair the A-frame portion first and wait to determine if it resolves the water intrusion issues, prior to repairing the items around it. Mr. Kloptosky questioned whether Terracon was the “right” company for this project. Supervisor Smith asked if Terracon was an architectural firm. Mr. Kloptosky replied affirmatively. Supervisor Smith asked if Mr. Kloptosky was not satisfied with Terracon’s architectural work and was trying to supplement the plans. Mr. Kloptosky replied affirmatively. Although he would not use the term “unsatisfied”, Mr. Kloptosky felt that he should not have to raise questions to Terracon. Mr. Smith asked if one possibility was to abandon Terracon and hire the other firm. Mr. Kloptosky replied affirmatively but wanted District Counsel’s opinion. The proposal with Terracon was for the design plans, which were completed. Since the District reserved the right not to proceed with the second phase, Mr. Kloptosky felt that the new firm could adjust and enhance Terracon’s plans and complete the second phase.

Mr. Kloptosky discussed the following:

- A bus caused damage to the front fountain at The Village Center; a police report was filed. The bus company was notified and the insurance company would be contacted. The bus company preferred to pay for the repairs without going through insurance; however, Mr. Kloptosky wanted to notify the District's insurance carrier.
- An incident on Montague was reported to the Sheriff. Discussion ensued regarding recent observations and an increased number of issues occurring within the community.

Mr. Jim Gallo, resident, asked if Mr. Kloptosky would circulate an informational flyer to residents. Mr. Kloptosky stated that, in the past, he reviewed information prior to circulation by the Amenity Manager; the CDD did not disseminate the information. Neighborhood Watch generally takes the lead. Mr. Gallo discussed Neighborhood Watch's incident report process, involving the Sheriff and a resident who felt that the incident was not investigated, sufficiently.

- Contractors for The Village Center bathroom renovations were being sought.
- The Village Center pool repairs would proceed; proposals were pending.
- The café probably did not need to be closed for dinner, during the stucco project, and, if it must close during lunch, lunch service would be available at the Creekside tiki bar.
- There were no plans to renovate or expand the café or build a storage room until after the stucco project was completed.
- Discussions were underway with Florida Power & Light (FPL) about spikes in power, which caused an issue at the Marlin Drive pump house. The new part would not be covered under the warranty.
- The new District Engineer was advised of the status of various projects, provided with the plans and was providing input.
- The tennis court LED lighting project was completed. The Village Center tennis court fence replacement project should be completed by the end of next week.
- Replacement of The Village Center and bocce ball court awnings, damaged during Hurricane Matthew, was underway.

D. District Counsel

Supervisor Smith heard of a feral cat issue and asked what responsibility or authority the District had for feral cats on common property. Mr. Clark stated that the CDD had no animal control, power or jurisdiction but could authorize entry to a City or County agency. Mr. McGaffney asked if the District could hire a trapper to trap or remove the feral cats. Mr. Clark

stated if there was a public purpose for removing them, such as to protect property; however, it would be beyond the District’s scope to perform Humane Society types of activities.

Supervisor Smith asked if Mr. Herndon raised any issues, today, which required further investigation. Mr. Clark replied no.

Mr. David Reisman, a resident, stated the City might have animal control authority.

E. District Manager

i. Upcoming Meeting/Workshop Dates

○ **COMMUNITY WORKSHOP**

- **March 2, 2017 at 10:00 A.M.**

The next workshop will be held on March 2, 2017 at 10:00 a.m.

○ **BOARD OF SUPERVISORS MEETING**

- **March 16, 2017 at 10:00 A.M.**

The next meeting will be held on March 16, 2017 at 10:00 a.m.

○ **COMMUNITY WORKSHOP**

- **April 6, 2017 at 10:00 A.M.**

The next workshop will be held on April 6, 2017 at 10:00 a.m.

EIGHTH ORDER OF BUSINESS

OPEN ITEMS

Mr. McGaffney identified items to be included on future meeting and workshop agendas.

Supervisor Smith stated that, since the topic was opened and to remain consistent, there should be further discussion of the scope and criteria for recognizing and/or commemorating Board Members and/or people in the community.

Supervisor Gaeta asked if bullet point, “Maintain/Improve CDD Assets”, under Item A, “Business Plan Five-Year Objectives (Long-Term Strategic Goals)”, assigned to Supervisor Smith, was actually the responsibility of all Board Members. Mr. Clark replied affirmatively. A function and duty of all Board Members is maintenance of the assets; however, in this situation, the objective was for one Board Member to specifically focus on maintaining and improving CDD assets and provide ideas and recommendations to the entire Board.

Supervisor Smith asked about the status with the City for additional landscaping along the CDD’s northern borders. Supervisor Chiodo would contact the City and inquire.

Regarding Item J, “Alternative Access Control Software Options”, Ms. Higgins stated that an onsite dealer visit and subsequent quote were pending. Supervisor Gaeta asked about Allied. Ms. Higgins did not know the capabilities of Allied’s system because she was not given a demonstration; other dealers provided demonstrations. Discussion ensued regarding the options, capabilities, maintenance plans, etc.

Discussion ensued regarding office equipment, technology, computer programs, etc.

NINTH ORDER OF BUSINESS

SUPERVISORS’ REQUESTS

Supervisor Gaeta asked about the “Proposals” spreadsheet related to Hurricane Matthew recovery. Mr. McGaffney stated that the proposals were presented for informational purposes; the District was still functioning with Mr. Kloptosky having authority to proceed with necessary recovery work. The only items that must be presented were invoices, for ratification.

Supervisor Gaeta asked if the Post Office should be notified of graffiti on the mailboxes. Mr. Kloptosky stated that the CDD owns the mailbox surrounds; there was no graffiti on the actual mailboxes.

TENTH ORDER OF BUSINESS

ADJOURNMENT

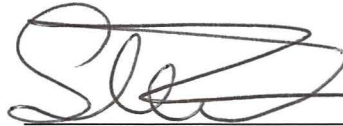
There being no further business to discuss, the meeting adjourned.

On MOTION by Supervisor Smith and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 11:45 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair