

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

A Continued Public Hearing and Meeting of the Grand Haven Community Development District's Board of Supervisors was held on Thursday, October 5, 2017 at 10:00 a.m., in the Grand Haven Room, at the Grand Haven Village Center, located at 2001 Waterside Parkway, Palm Coast, Florida 32137.

**Present at the meeting were:**

Dr. Stephen Davidson	Chair
Peter Chiodo	Vice Chair
Marie Gaeta	Assistant Secretary
Tom Lawrence ( <i>via telephone</i> )	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
Kathleen Fuss	Resident
Ron Merlo	Resident
Jim Gallo	Resident
Chip Howden	Resident
Morgan Evans	Resident
Rob Carlton	Resident
Charlie Greer	Resident
Frank Benham	Resident
Bob Hopkins	Resident
Stephanie Johnson	Resident
Tom Scott	Resident
Lisa Mrakovic	Resident
Frank Toscano	Resident

**FIRST ORDER OF BUSINESS**

**CALL TO ORDER/ROLL CALL**

Mr. McGaffney called the meeting to order at 10:07 a.m. Supervisors Davidson, Chiodo, Gaeta and Smith were present, in person. Supervisor Lawrence was attending via telephone.

**SECOND ORDER OF BUSINESS**

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**MODIFICATIONS TO AGENDA**

There were no modifications to the agenda.

**FOURTH ORDER OF BUSINESS**

**PUBLIC HEARING TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO THE RULES OF PROCEDURE TO INCLUDE CHAPTER VII, RELATING TO SIGN REGULATIONS POLICIES AND PROCEDURES, PURSUANT TO SECTIONS 190.012(3), 120.54 AND 120.81, FLORIDA STATUTES AND TO RULES, POLICIES AND FEES FOR ALL AMENITY FACILITIES, PURSUANT TO SECTIONS 120.54 AND 120.81 FLORIDA STATUTES**

Mr. McGaffney stated that the Public Hearing was opened at the last meeting and the public would be given the opportunity to speak today on this matter.

**A. Affidavits of Publication**

**i. Notice of Rule Development**

**ii. Notice of Rulemaking**

The affidavits of publication were provided for informational purposes.

**B. Consideration of/Decision on: Resolution 2018-01, Adopting Amendments to Rules of Procedure to Include Chapter VII, Relating to Sign Regulations Policies and Procedures**

Mr. McGaffney presented Resolution 2018-01.

No members of the public spoke.

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

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, Resolution 2018-01, Adopting Amendments to Rules of Procedure to Include Chapter VII, Relating to Sign Regulations Policies and Procedures, was adopted.**

**C. Consideration of/Decision on: Resolution 2018-02, 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 2018-02. The following changes were made:

Page 12, Item (19): Change sentence to “Radio controlled vehicles, air and/or water craft and drones are not allowed in the pool area.”

Page 13, Line below Spa Rules heading: Change “NO LIFEGUARD ON DUTY – BATHE AT YOUR OWN RISK” to “NO LIFEGUARD ON DUTY – USE AT YOUR OWN RISK”

Supervisor Gaeta stated that there were no “Pickleball Policies”.

Throughout the Document: Change “”Daily Guests” to “Daily Guests/House Guests”.

Mr. McGaffney stated that “Pickleball Policies” could be added the next time there is a Public Hearing to amend the Rules of Procedure.

Mr. McGaffney stated that the Public Hearing was opened at the last meeting.

Mr. Jim Gallo, a resident, asked if radio controlled devices are now allowed in the pool area. Mr. McGaffney stated that drones would be addressed in the next amendments to the Rules of Procedure.

Supervisor Gaeta amended the previous, as follows:

Page 12, Item (19): Change sentence to “Radio controlled vehicles, air and/or water craft, and drones are not allowed in the pool area.”

Mr. Bob Hopkins felt that the policy should be more comprehensive, as it now reads that those items were only prohibited in the pool area but would be allowed in other areas, such as the spa area. He recommended prohibiting them “in the CDD property, in whole”.

**On MOTION by Supervisor Gaeta and seconded by Supervisor Davidson, with all in favor, Resolution 2018-02, Adopting Amendments to the Policies and Fees for All Amenity Facilities Which Govern the Operation of Certain Facilities of the District, amended as discussed, was adopted.**

**FIFTH ORDER OF BUSINESS**

**CONSULTANTS, GUEST REPORTS & PRESENTATIONS**

There being no consultants, guest reports and presentations, the next item followed.

**SIXTH ORDER OF BUSINESS**

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

Mr. Chip Howden, a resident, recalled lengthy discussions about purchasing a radio system for the CDD, distributed a “Radio Proposal” and requested that the Board make a decision, as this item had been budgeted and marked as a “Must do” item for nearly one year. Supervisor Davidson stated that this was underway and would be discussed during the workshop. Mr. Howden reviewed and read the “Radio Proposal”. Mr. Howden was aware that an antenna was being tested and there were new radios, purchased by the Community Emergency Response Team (CERT) program. He asked the District to obtain proposals and make a decision.

Mr. Jim Gallo, a resident, spoke of the need for a reliable emergency communications system; it would be a great benefit for the entire CDD to have reliable communication within and outside of the community.

Mr. Tom Scott, a resident, discussed the rain events over the past 12 months and the Wild Oaks drainage system. Recently, St. Johns River Water Management District (SJRWMD) Engineer evaluated the ponds and found that a particular Wild Oaks pond is backed up with debris and not functioning properly. Wild Oaks residents wanted assurance that the ponds would not overflow and affect the residences.

**SEVENTH ORDER OF BUSINESS**

**STAFF REPORTS**

**A. District Engineer**

There being no report, the next item followed.

**B. Amenity Manager**

Mr. Ross asked the Board to consider purchasing a generator for the Café. With a generator, the Café could have opened and served meals to residents who were without power following Hurricane Irma. Food loss due to Hurricane Irma was \$2,100; an insurance claim would be filed. Mr. Kloptosky believed that, if the Café operated, there might be a requirement to have operating restrooms, which would cost extra to power.

Mr. Kloptosky presented a proposal from NexStar Electrical Contractors, LLC and recommended Option 2, for a 36K KW generator (3 Phase), with a total cost of \$20,420, plus approximately \$10,000 more for the propane tank and other items.

Discussion ensued regarding the number of days without power following Hurricane's Matthew and Irma and the number of people who came to the Village Center following the hurricanes. Supervisor Smith questioned spending this amount of money to enable the Café to provide meals to residents for a limited time. Supervisor Lawrence asked Mr. Ross to provide an update at the next meeting of how much of the food loss was covered by insurance.

Mr. Bob Hopkins, a resident, suggested that the District request to be higher on the Florida Power and Light (FPL) priority list since the CDD has elderly residents and could provide meals and assistance. Supervisor Gaeta stated that she contacted FPL.

### **C. Operations Manager**

Mr. Kloptosky recalled that the District budgeted \$30,000 for an auxiliary power system and reviewed a previous proposal for a power source, radios, antenna and repeaters.

Mr. Kloptosky spoke to S.E. Cline Construction, Inc. (Cline) regarding being a secondary emergency debris removal services contractor and the possibility of providing a generator during a disaster. Cline was amenable to working as a secondary contractor. Cline does not own generators; therefore, they could not provide one to the District. Discussion ensued regarding the breakdown of debris removal services between 4C's Trucking & Excavation, Inc. (4C's) and Cline.

Mr. Kloptosky discussed the following:

➤ Issues with the Marlin Drive Pump House pumps and motors that caused the system to go down leaving everyone without irrigation – the newest motor was being repaired and an older motor must be replaced. Overall, the costs were estimated at \$15,000; however, the CDD would only pay 25% of the total costs. Three pumps were currently operational.

Discussion ensued regarding the previous thought of keeping a backup variable speed drive unit; however, the warranty would begin to run and the unit could be received the next day so it would not be necessary to hold one in reserve. Supervisor Chiodo questioned why the Pump House had so many issues, considering the significant amount spent on it recently. Mr. Kloptosky stated that the work was to rejuvenate everything in the Pump House, except for the motors and pumps. The contractor performs inspections and preventative maintenance on the Pump House pipes, valves, etc., twice each year; however, they do not service the pumps, motors or electronics, which are maintained by M&M Pump and Supply, Inc. (M&M). Discussion ensued regarding the life expectancy for pumps and motors, involving the golf course in this and keeping a backup motor and a backup pump. Mr. Kloptosky discussed the following:

- Streetlight wiring issues that caused outages; three occurred within the last six months and the number of issues would likely increase as the community ages.
- Lakeview Lane Project concrete road repair project was underway and should be completed within the next two to three weeks.

Mr. Kloptosky stated that the permit from the City remained pending. It was imperative to complete the Lakeview Lane project, prior to commencing the resurfacing project. Discussion ensued regarding meeting with the City to determine why the permit was not issued yet.

- The Deerfield Court, Shinnecock Drive, Doral Court and Glen Eagle Place curb and gutter repairs were underway and should be completed within the next couple of weeks.
- The contract for the road resurfacing project was received from the contractor but was delayed about one month; work should commence within approximately ten days following the pre-construction meeting.

Mr. Kloptosky must draft e-blasts notifying the community of the project but he wanted to delay notice until the commencement date was known. Discussion ensued regarding items to include in the notification.

- The Creekside Drive storm drain repair work should commence once Cline completes the Lakeview Lane project. The proposed cost was \$20,499 for the drain.

Regarding Mr. Hopkins' previous suggestion that the District contact FPL to be placed higher on the priority list, Ms. Gaeta stated that she was told by FPL that some areas remained without power because FPL was preserving its power distribution for essential facilities such as

hospitals, nursing homes, septic systems, etc. FPL did not consider the CDD as high of a priority as the other essential locations that required power and were without power for longer.

**D. District Counsel**

Mr. Clark stated that the Federal Emergency Management Agency (FEMA) might be starting to process a portion of the District's FEMA claim related to things other than debris removal. Regarding Wild Oaks and the SJRWMD issue, Mr. Clark stated that the District received a letter related to The Crossings, which was prompted by SJRWMD conducting an inspection because of a call. The letter stated that vegetation in the Conservation Area was disturbed. Mr. Clark advised SJRWMD that Firewise work was performed in that area and SJRWMD stated that they would discuss it with the Florida Forest Service (FFS). Since 2008, the Developer tried to get SJRWMD to sign off on the Wild Oaks section and transfer operation and maintenance (O&M) to the District but the District could not because of deficiencies. The issues persisted and SJRWMD approached the District about items but the District's position is that it is the operational entity and would not pay to correct deficiencies left by the Developer. SJRWMD conducted a site visit this time because there was stormwater overflow, which could happen because the system was not designed for 12" rainfall events. There was discussion at the inspection about vegetation, clogging and weirs that did not function properly; the District should expect a letter regarding those issues. The District has an agreement related to a weir that failed and the City reconstructed the weir. Mr. Clark and Mr. McGaffney would speak to the SJRWMD regarding a solution that would not involve the District paying to correct Developer deficiencies. Supervisor Davidson spoke about a water flow map that he and a few others worked on about ten years ago and again recently, in conjunction with Aquatic Systems, Inc. (ASI) who is familiar with the District's entire system. The Wild Oaks items were updated and would be reviewed during the workshop.

Mr. McGaffney cautioned residents about contacting various agencies, as they may not know all of the details on a matter such as this. A call from a resident that prompts an agency to conduct a site inspection could affect the community negatively. The District has qualified, experienced Staff and Board Members that have been involved in similar matters.

Supervisor Gaeta explained that, if an agency is called by a resident and it results in the District being fined, the resident is literally fining themselves and the other residents because the funds to pay fines must come from the budget, which could result in increased assessments. The

most prudent action would be for concerned residents to speak to Mr. Kloptosky. Supervisor Davidson stated that at least two of the complaints to SJRWMD were initiated by residents who were unhappy about the way a tree fell. A resident call to SJRWMD regarding a tree that the resident wanted removed, resulted in the District receiving a violation letter from SJRWMD claiming that the District violated the SJRWMD’s territory by completing the Firewise work and the SJRWMD requesting that the District replant dangerous vegetation. The SJRWMD has new staff members that are not familiar with the District’s operations and history.

**E. District Manager**

**i. Upcoming Meeting/Workshop Dates**

**o BOARD OF SUPERVISORS MEETING**

- **October 19, 2017 at 10:00 A.M.**
- **November 2, 2017 at 10:00 A.M.**

The next meetings will be held on October 19 and November 2, 2017 at 10:00 a.m.

**o COMMUNITY WORKSHOP**

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

The next workshop will be held on November 30, 2017 at 10:00 a.m., rather than on November 16.

**EIGHTH ORDER OF BUSINESS**

**BUSINESS ITEMS**

**A. Consideration of/Decision on: Resolution 2018-03, Adopting the Annual Meeting and Community Workshop Schedules for Fiscal Year 2017/2018**

Mr. McGaffney presented Resolution 2018-03. The following changes were made:

Workshop Schedule: Change “November 16” to “November 30”

<p><b>On MOTION by Supervisor Gaeta and seconded by Supervisor Chiodo, with all in favor, Resolution 2018-03, Adopting the Annual Meeting and Community Workshop Schedules for Fiscal Year 2017/2018, as amended to change the November workshop date to November 30, 2017, was adopted.</b></p>
--

**B. Update: Employee Healthcare Renewal**



Mr. McGaffney stated that the employee healthcare plan would be renewed. Despite an increase in premiums, the cost remained within the budgeted amount.

**C. Update: Security Transition**

Mr. Kloptosky stated that U.S. Security Associates (USSA) took over on September 1; the transition went well. USSA hired four security guards from the former security provider. Mr. Kloptosky stated that, since the transition, there was noted improvement in the security services. The guards have reported instances of abuse by a small percentage of residents. Mr. Kloptosky discussed the plans for the guardhouse, including nametags, a placard with the guards information on the outside of the guardhouse, etc. Supervisor Davidson asked how USSA handled the storm protocol, under the Post Orders. Mr. Kloptosky stated that everything went well; there were no issues.

**D. Ratification of Agreement with City of Palm Coast for Emergency Yard Debris Removal from Private Roadways (*in substantially final form*)**

Mr. Clark stated that this Agreement was being finalized when Hurricane Irma arose, therefore, the process proceeded more rapidly and Mr. McGaffney was advised to execute the Agreement under his emergency powers, so that the District could be placed on the City's schedule. The Agreement was similar to the District's previous Agreement with the City. Supervisor Davidson questioned usage of the term "Private Roadways" in the title of the Agreement, as they were not really "roadways" and he did not want it to interfere with FEMA related matters. Mr. Clark explained that the City used the term "private" for the roadways because they are not City or County roads.

Discussion ensued regarding the progress of debris pickup, what the Agreement accomplishes in terms of residential areas, whether the City would pick up debris in the CDD absent this Agreement, the types of debris that the City picked up, etc.

Mr. Howden voiced his concern about the District entering into this Agreement with the City for a service that he felt the City should already provide. There was also the potential to set precedent for the City to require future agreements to perform work that they are already legally required to provide and then billing the District for those services. Supervisor Davidson stated that this was a Memorandum of Understanding (MOU) stating that the CDD is not a private, gated community and that the CDD's roads are public roads that the City is obligated to clear; it

also includes a hold-harmless clause that the District would not hold the City responsible for any damage WastePro might cause during the debris removal process.

Supervisor Gaeta was concerned about the term “Private Roadways”, since the City mistakenly thought that the CDD was a private community, and asked if the title of the Agreement could be changed. Mr. Clark stated that it was not relevant to this Agreement. The District was faced with the City being willing to begin removal, if they had the executed Agreement, or the District might not be on the City’s debris removal schedule.

**On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, the Agreement with the City of Palm Coast for Emergency Yard Debris Removal from Private Roadways and the actions taken by Staff, were ratified.**

**NINTH ORDER OF BUSINESS**

**OPEN ITEMS**

In response to Supervisor Gaeta’s question regarding Item F, Alternative Access Control Software Options, Ms. Higgins stated that USSA’s system would be used, once modified to fit the District’s needs.

There were no changes to the Open Items.

**TENTH ORDER OF BUSINESS**

**SUPERVISORS’ REQUESTS**

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

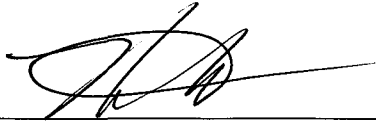
**ELEVENTH ORDER OF BUSINESS**

**ADJOURNMENT**

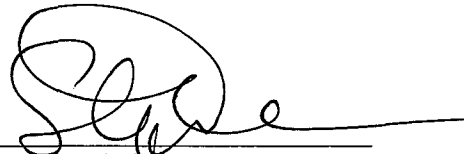
There being no further business to discuss, the meeting adjourned.

**On MOTION by Supervisor Gaeta and seconded by Supervisor Davidson, with all in favor, the meeting adjourned at 12:07 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair