

**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, December 7, 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
David Sowell	District Engineer
Barry Kloptosky	Operations Manager
Ashley Higgins	Grand Haven CDD Office
Louise Leister	Horticultural Consultant
Rob Carlton	Resident and GHMA President
Jim Gallo	Resident
Kathleen Fuss	Resident
Chip Howden	Resident
Vic Natiello	Resident
John Polizzi	Resident
Richard O'Mara	Resident
Lee Lussier	Resident
Eric Levendusky	Resident
Doray Levendusky	Resident
Roberto Romo	Resident
Luc Lausier	Resident
Kevin Foley	Resident
Morgan Evans	Resident
Mike Frichol	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. Supervisor Davidson called for a moment of silence in honor of National Pearl Harbor Remembrance Day.

**THIRD ORDER OF BUSINESS**

**MODIFICATIONS TO AGENDA**

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

**FOURTH ORDER OF BUSINESS**

**CONSULTANTS, GUEST REPORTS & PRESENTATIONS**

- **Horticultural Consultant [Louise Leister]**
  - i. **Update/Written Report: 15 Chinier**

Ms. Leister presented a report regarding the areas of Chinier governed by the St. Johns River Water Management District (SJRWMD) and natural areas within the community and discussed the following:

- Storm or catastrophic events that damage natural areas, including behind homes: District policy has been to allow it to remain a natural area
- Natural areas are often landlocked with no way to access them to remove trees, etc.
- Residents must understand that the District is not allowed to enter natural areas or areas governed by the SJRWMD, such as wetlands, to change the conditions, including vegetation removal, spraying, etc., regardless of appearance

Ms. Leister discussed the ecology of wetlands.

The Board agreed with Ms. Leister's statements regarding the District's policy for natural areas. Supervisor Davidson suggested that Ms. Leister and Mr. Kloptosky draft a handout explaining the District's position. Ms. Leister wanted to draft the Spartina Policy for lake banks and the Natural Area Trees and Wetlands Policy.

Mr. John Polizzi, a resident, suggested that the policy statements include a color-coded map identifying the various areas. Supervisor Davidson stated that SJRWMD has administrative control over some District-owned areas.

Mr. Vic Natiello, a resident, stated that the wetland areas were designated on the plats.

▪ **Discussion of/Consideration on: Disaster Tree Removal Stand-by Agreement with Jason Shaw**

***\*\*\*This item, previously Item 8A, was presented out of order.\*\*\****

Ms. Leister stated that Mr. Shaw was agreeable to executing an Agreement for emergency tree removal and was preparing the Rate Schedule.

Consideration of the Agreement was tabled to the January meeting.

Mr. Chip Howden, a resident, asked if this type of contract met the threshold to which it should go out to bid. Supervisor Davidson stated that tree removal was bid as part of the natural disaster response bid process, as required by the Federal Emergency Management Agency (FEMA). Bids were received from S.E. Cline Construction, Inc. (Cline) and Jason Shaw Tree Service (Shaw); the Cline bid was significantly higher than Shaw's bid.

Ms. Leister reported the following regarding the condition of trees following the storm:

- Severely stressed trees, due to drought conditions prior to the storm, resulted in the loss of many trees during the storm
- The District is in good condition now
- Dangerous conditions were addressed in most of the Common Areas
- Trees were being replaced in certain areas
- Wild Oaks pathways/walking trails must be completed
- Restoring areas to pre-storm conditions would be difficult within the \$50,000 budget

**ii. Discussion: 9<sup>th</sup> Green Site Rendering**

Ms. Leister discussed the following:

- The area was mowed and vines were removed
- Prior to hiring a Landscape Architect, an Engineer should evaluate the property to determine usage options and limitations to development of the site

Discussion ensued regarding possible uses and the next steps in the process.

Recalling Supervisor Smith's opinion that the property was unsightly and should be cleaned up, Supervisor Davidson stated that the question was whether the District should proceed to the phase of developing the site. Ms. Leister stated that the area contained natural sod and was mowed but the appearance could not be improved further without spending a lot.

Supervisor Davidson questioned if a Landscape Architect could address the sub-surface engineering, in lieu of hiring an Engineer. Mr. Sowell stated that a Landscape Architect is a

hybrid of an Engineer and an Architect. A Landscape Architect would seek input from a sub-consultant or Engineer regarding engineering matters. Mr. Kloptosky felt that a Landscape Architect should take the lead in this project.

Ms. Leister voiced her opinion that the area should be developed to be used for events that could potentially generate income. Ideas for usage and development of the area would be discussed at the next workshop.

Ms. Leister discussed renderings and ideas for bird watching stations; estimates would be obtained to install a small trail, a bench and garbage can.

Dr. Rob Carlton, a resident and GHMA President, asked if a park would be an amenity. Supervisor Davidson stated that it was undetermined since a park does not exist; however, if it was developed into an area that could be rented, it would become an amenity.

**FIFTH ORDER OF BUSINESS**

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

Mr. Mike Frichol, a resident, asked for an explanation of the capital expenditure justification process. Supervisor Lawrence relayed the following process:

- Facilities are evaluated and necessary capital improvements are identified
- Capital projects are identified each fiscal year, prioritized, budgeted and the Board approves commencement of each individual project
- Unspent capital project funds drop to the District’s unassigned fund balance for use in the next fiscal year

Supervisor Gaeta added that the Operations Manager presents his report and the Board considers items based on that report.

Mr. Kloptosky stated that he provides his and resident input to the Board, gathers information, reviews the concept and presents the project to the Board for consideration; virtually all capital projects are approved by the Board prior to commencement. Mr. McGaffney stated that the Capital Improvement Plan (CIP) constantly evolves. The projects are categorized as “wants”, “requests” and “needs” and prioritized.

Ms. Kathleen Fuss, a resident, requested bag hangers at the pickleball courts. Mr. Kloptosky stated that bag hangers could be installed when the awnings are installed but, in the meantime, a temporary solution could be implemented. Ms. Fuss thanked the Board for installing lights at the pickleball courts.

Mr. Natiello stated that it was difficult to find a link to the Grand Haven Amenity website on the CDD's website and suggested that a link be added.

Regarding the holiday lighting, Mr. Howden stated that he did not like the new red and green palm tree uplights as much as the old holiday lights. Supervisor Davidson concurred.

Mr. Kevin Foley, a resident, asked if the District had a three to five-year CIP for amenities and infrastructure. Mr. McGaffney would provide Mr. Foley with the latest CIP.

**SIXTH ORDER OF BUSINESS**

**STAFF REPORTS**

**A. District Engineer**

**i. Wild Oaks Drainage Issues**

Mr. Sowell reported the following:

- Paving project was substantially completed.

In response to Supervisor Davidson's question about a delay between paving and striping, Mr. Sowell stated that the wait is typically 14 to 30 days for the asphalt to cure before striping. Supervisor Chiodo felt that residents should be told why the roads were paved, as some felt that paving was not necessary. Mr. Sowell would prepare an explanation.

Supervisor Smith asked if the next paving phase was defined. Mr. Sowell replied affirmatively; however, phases could be pushed back or moved up, subject to the annual road evaluation. Mr. McGaffney stated that the District was currently in Fiscal Year 2018; therefore, the next phase would be in Fiscal Year 2019.

- Replacement of Lakeview Lane concrete driveway with asphalt was completed.
- Creekside Drive culvert installation was underway.

Mr. Kloptosky discussed the stormwater drain pipe damaged by Bright House several years ago. The current provider, Spectrum, agreed to reimburse the District for repairs, which increased the project cost by \$5,000; Spectrum would be billed.

Mr. Sowell discussed the issues with the Wild Oaks control structure, near Pond 40, which overflowed into Tract H during the hurricane, along with the conditions that caused it to overflow and potential solutions. The quickest and easiest solution to restore it to the original design would be installation of pipes below the discharge elevation and raising the trail slightly, which might also require raising the wooden bridge over Tract H. Mr. Pollizi questioned if the proposed solution would allow drainage from Pond 39 so that storm sewer levels are acceptable. Mr. Sowell stated that it would help; however, the District would still be at the mercy of high

water. With the elevation, water could easily back up, as the outlet is also an inlet; therefore, if the water level is higher than 6', it would enter Pond 40 and the equalizer pipe would cause the subsequent ponds to stage up to 6'.

Mr. Sowell discussed drainage and blockage issues resulting in more frequent ponding.

Mr. Polizzi stated that the concern was about making sure a system was in place to bring water levels back to normal. Mr. Sowell reiterated his opinion that the proposed solution for Pond 40 would help conditions in subsequent ponds, such as Pond 39, Pond 38, etc.

Mr. Sowell responded to questions regarding the proposed drainage solution, the original design, etc. Supervisor Smith asked whether the District or SJRWMD controls the path. Supervisor Davidson felt that if SJRWMD knew about the path, they would require the District to remove it, as it was never permitted.

Mr. Clark stated that SJRWMD was concerned about the area, including the turnover. SJRWMD advised him that the system was functioning as designed and the issue was too much water. The District probably has an opportunity to come to an agreement with the SJRWMD for a "fix" and SJRWMD would likely issue a permit for it. Supervisor Davidson questioned if the SJRWMD objected to the walking path that was not permitted. Mr. Clark stated that the walking path was not specifically mentioned but they had concerns about the area; he suspected that it would be part of their discussion. Discussion ensued regarding ditch maintenance, blockages and the City's priority to address stormwater issues this year.

Mr. Richard O'Mara, a resident, stated that he was adjacent to the Pond 39 drainage and questioned the elevation, as FEMA stated his elevation was 9', as opposed to 10'. Mr. Sowell discussed the slightly different survey datums used to determine elevations, which might explain the difference in elevation; knowing which datum was used by FEMA would be useful.

Mr. Natiello believed that the issue was north of the weir that exits Ditch 10, under Colbert Lane; therefore, it was on the City's side of Colbert Lane and not on the District's side.

Mr. Sowell presented a potential solution to deter gate runners at the Wild Oaks Gate, along with a video and proposal for a flashing beacon as a possible solution to the line-of-sight issue at the golf cart crossing on Egret. This item would be discussed at the next workshop.

**\*\*\*The meeting recessed at 11:57 a.m.\*\*\***

**\*\*\*The meeting reconvened at 12:07 p.m.\*\*\***

**B. Amenity Manager**

Mr. Ross had nothing to report.

Supervisor Davidson commended Mr. Ross and his staff on the tree lighting event.

Supervisor Smith recalled that new pool furniture was budgeted in the Fiscal Year 2018 CIP and asked for a timeline. Mr. Ross stated that pricing was being obtained; the furniture would be the same as Creekside.

**\*\*\*Mr. Sowell left the meeting.\*\*\***

In response to Supervisor Gaeta's question, Mr. Ross stated that the furniture could not be redone with the same material as the furniture at Creekside. Supervisor Davidson asked if the old furniture would be sold. Mr. McGaffney stated that a Disposition of Surplus Property Resolution would be drafted, which would enable the property to be donated, discarded or sold.

▪ **District Counsel**

**\*\*\*This item, previously Item 6D, was presented out of order.\*\*\***

Mr. Clark stated that he and Mr. McGaffney met with SJRWMD and the meeting went well. SJRWMD wanted to complete the transfer of the Wild Oaks permit to the District. Permits related to The Crossings and for everything on the east side have not been transferred. There were no compliance issues, it was a matter of completing paperwork. The District received an enforcement letter from the SJRWMD related to Firewise tree removal in The Crossings, which informed the District that Firewise work must be approved annually. Mr. Clark asked SJRWMD to inform the Florida Forest Service (FFS) and SJRWMD asked the District to adhere to the annual approval requirement when Firewise work was imminent. Regarding Wild Oaks, Mr. Clark conveyed to SJRWMD that the District did not want to "pay for the sins of the Developer" and SJRWMD advised that the issues that were previously raised with the Developer were resolved but they had concerns about the operation of the system at the weir. Mr. Clark asked SJRWMD to provide specific information about the issue. SJRWMD had an issue because they did not receive the Conservation Easements that were supposed to be received for Wild Oaks. Mr. Clark previously explained to the SJRWMD that the District has dedications for those areas but does not own them; therefore, the District would have difficulty executing documents that claim ownership and that the District warrants that it has "good title", which is the usual Conservation Easement language. SJRWMD expressed a willingness to relieve the technical requirement and wants to outline areas and reach an agreement with the District that those are Conservation Areas and that the District demonstrates it met the permit requirements. Mr. Clark advised SJRWMD that, if they were flexible, he felt that it could be done and asked SJRWMD to provide a delineation of the Conservation Areas so that a map depicting the areas that the District

should not change could be prepared. In response to Supervisor Smith’s question, Mr. Clark confirmed that the SJRWMD wanted more Conservation Areas but did not specify where it wanted them; the SJRWMD would prefer that the District hire a surveyor, etc., and informed the SJRWMD that, while the District wanted to help, it did not want to spend thousands to solve a problem inherited from the Developer. The SJRWMD seemed to finally be agreeable to determining what it wants. A response and further specifications were pending from SJRWMD. In the end, Mr. Clark wanted a written record, agreement or acknowledgement from the SJRWMD, acknowledging that the system was built according to the specifications, has been well-maintained and there are no issues that might arise.

Mr. Clark stated that the Hurricane Matthew FEMA claim was ongoing and a FEMA Hurricane Irma site meeting was scheduled for December 11.

**C. Operations Manager**

Mr. Kloptosky discussed the following:

- Holiday Lighting at Entrances and Amenity Centers – Installation of red and green LED palm tree lighting was completed and CDD staff purchased and installed the remainder of the holiday lighting in the community.
  - ✓ Reactions to the new red and green palm tree lights were mixed but there were more compliments than complaints.
- The Village Center Storage Addition – Met with the Architect on site to review the sight conditions and take final measurements. The Architect would revise the drawings to submit for permitting.
- The Village Center Auxiliary Generator Installation – All equipment was ordered and expected to arrive December 19; permitting would proceed upon receipt of the equipment.
- Road Resurfacing Project – P & S Paving, Inc. (P&S) would perform a final sweep of all roads that were paved. Mr. Kloptosky would request a date from the contractor and send an e-blast to affected residents, if possible. Punch list items would be addressed.
- Golf Cart Crossing Safety Issue – Information was distributed and Mr. Kloptosky presented a proposal for a BlinkerBeacon™ Solar Flashing LED Beacon system.



**On MOTION by Supervisor Smith and seconded by Supervisor Gaeta, with all in favor, the TAPCO proposal for installation of a BlinkerBeacon™ Solar Flashing LED Beacon system at the golf cart crossing, in a not-to-exceed amount of \$5,000, subject to review by the Operations Manager and District Engineer and input from the Golf Course, was approved.**

Discussion ensued regarding whether the District could bill the Golf Course in full or for a percentage of the cost. Mr. Kloptosky would ask if the Golf Course would be willing to cost-share this expense.

Ms. Higgins reported the following:

- LED Streetlight Light Conversion Cost Savings – The average monthly cost savings was \$1,700, or 44%. Since installation, the total savings was \$42,785.

Mr. Kloptosky reported the following:

- Overall LED Light Conversion – Savings from conversion to LED lights should increase as lighting at the monuments, Amenity Centers and throughout the community is completed.
- Front Street Esplanade Renovation – Estimates from Yellowstone Landscape (Yellowstone) and Cline were pending. Yellowstone cleaned much of the area, removed trip hazards, raked, etc., and thought that a full renovation might not be necessary. Mr. Kloptosky would inspect the area to determine if renovation was necessary.

Supervisor Lawrence was tired of Yellowstone “telling us how to spend our money”. The Front Street Esplanade was last renovated 20 years ago and Supervisor Lawrence questioned why Yellowstone was reluctant to complete the renovation. Mr. Kloptosky stated that Yellowstone was trying to save the District \$30,000 to \$40,000 by sprucing up the Front Street Esplanade, in lieu of a full renovation. Discussion ensued regarding sunken curbs, residents installing fill, checking elevations in the area, raising the curbs, etc.

Mr. Kloptosky responded to Supervisor questions related to the following:

- Circle Island – The Golf Course was supposed to contact Yellowstone, as the circle island was a shared cost with the District but the Golf Course wanted to enhance the Golf Clubhouse beds. Mr. Kloptosky would follow up with the Golf Course.
- Bathroom Project – There was nothing new to report. Mr. Kloptosky cancelled his meeting with the designer but he would reschedule it.

- Croquet Court Maintenance and Wickets – New wickets were received and would be distributed when the croquet courts are rotated. Recent surface issues with the croquet courts would be corrected in the spring.

Discussion ensued regarding croquet players who do not want the courts rotated.

- Residents Decorating Gates – Three wreaths for The Crossings entrance and exit gates were purchased by Mr. Kloptosky. Residents in The Crossings wanted their own wreaths up so CDD staff removed the CDD’s wreaths and The Crossings’ residents hung their wreaths. It was falsely posted on Nextdoor that the CDD’s wreaths were stolen.

Discussion ensued regarding the appearance of the residents’ wreaths compared to the CDD’s wreaths, possibly not allowing neighborhoods to use their own decorations at the gates, safety concerns if residents install decorations, etc.

**On MOTION by Supervisor Gaeta and seconded by Supervisor Davidson, with all in favor, the CDD installing decorations for CDD property, subject to the Operations Manager’s approval, was approved.**

**D. District Counsel**

This item was presented following Item 6B.

**E. District Manager**

**Upcoming Meeting/Workshop Dates**

- **COMMUNITY WORKSHOP**
  - **December 21, 2017 at 10:00 A.M.**

Mr. McGaffney stated that the next workshop was scheduled for December 21, 2017.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, canceling the December 21, 2017 Community Workshop, was approved.**

- **January 4, 2018 at 10:00 A.M.**

The next workshop will be held on January 4, 2018 at 10:00 a.m.

- **BOARD OF SUPERVISORS MEETING**
  - **January 18, 2018 at 10:00 A.M.**

The next meeting will be held on January 18, 2018 at 10:00 a.m.

➤ **Residents Decorating Gates**

Discussion resumed. Mr. Kloptosky asked if he should remove the wreaths that residents hung on The Crossings Gate and hang the CDD’s wreaths. The Board replied affirmatively.

**SEVENTH ORDER OF BUSINESS**

**CONSENT AGENDA ITEMS**

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

**A. APPROVAL OF UNAUDITED FINANCIAL STATEMENTS**

**i. Unaudited Financial Statements as of October 31, 2017**

Mr. McGaffney presented the Unaudited Financial Statements as of October 31, 2017.

**B. APPROVAL OF MINUTES**

**i. October 19, 2017 Regular Meeting**

**ii. November 2, 2017 Regular Meeting**

Revisions to the minutes were previously submitted to Management.

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

**EIGHTH ORDER OF BUSINESS**

**BUSINESS ITEMS**

**A. Discussion of/Consideration on: Disaster Tree Removal Stand-by Agreement with Jason Shaw**

This item was tabled to the January meeting.

**B. Update: GH/GRMS Radio Network**

Supervisor Davidson stated that the radios were programmed and would be distributed, the car chargers were on hand and the antennas were ordered. The repeater arrived and would be installed with the existing antenna. An e-blast containing links to obtaining the radio license was sent to those users who must be licensed. Mr. Foley would be the Radio Net Control Operator. Practices should commence within the next month or two.

**C. Discussion: Maintenance and Repair Responsibilities for Detention Pond Bank Bulkhead Walls**

Supervisor Davidson recalled an existing chart for maintenance and repair responsibilities for detention pond banks and bulkhead walls. He felt that, since the District owns the stormwater permit and is the operator of the stormwater system, it was not wise for a resident to hire a contractor to repair anything related to the District's detention pond walls. The difference between cosmetic issues and structural issues should be determined and structural issues should be evaluated by the District Engineer and the District should perform the repairs; however, residents could address cosmetic maintenance issues.

Mr. Clark researched the Rule related to stormwater and pond banks and concluded that the way pond banks were defined made it different from bulkheads; therefore, bulkheads have not been addressed so it defaults back to the Covenants, Conditions and Restrictions (CC&Rs). Discussion ensued regarding delineating maintenance items from repairs and creating a policy that enables the CDD to assume responsibility for structural maintenance and repair of the walls. Mr. Clark would draft a policy for presentation at the January meeting.

**D. Continued Discussion: CCEMP**

Supervisor Davidson stated that creation of the Comprehensive Community Emergency Management Plan (CCEMP) for emergency situations was underway.

**E. Update: 2018 Capital Improvement Plan**

An updated CIP was distributed.

**F. Update: Hurricane Matthew Claim**

Mr. McGaffney had questions and concerns following an email from the insurance adjuster, as many expenses that were not in coordination with the insurance policy were being denied; the policy contained a lot of exclusions. He felt that staff's efforts compiling the claim information was not yielding the expected result; therefore, the payroll amounts invested in compiling the claim were determined and submitted to the insurance company.

Supervisor Davidson asked if the entire \$429,000 Hurricane Matthew expense amount was submitted to the insurance company and FEMA. Mr. McGaffney replied affirmatively but certain things would not be covered by insurance. An on-site audit with the insurance company would be conducted to refine how items are bundled. In response to Supervisor Davidson's question, Mr. McGaffney stated that the majority of the claim was denied.

**G. Update: LMS Grant Program, Participation and Initial Application**

Supervisor Davidson stated that this was related to pursuing alternative funding resources. He distributed and reviewed the initial version of the District's Flagler County LMS

Project Information Sheet that he would present at the Flagler County Local Mitigation Strategy (LMS) working group meeting tomorrow. The District would apply for grant funds for wind mitigation at The Village Center north building. The grant would be through the FEMA Pre-Disaster Mitigation Grant Program. In response to a question, Supervisor Davidson stated that he did not know what obligations might come with receiving federal grant funds. If the District received a grant, it would be a 75%/25% split, for example, if the grant was for \$400,000, FEMA would contribute \$300,000 and the District must then contribute \$100,000.

**H. Update: Employee Annual Health Insurance Renewal**

Mr. McGaffney recalled that Mr. Kloptosky obtained private health insurance and his renewal rates would initially increase significantly for 2018 but should then decrease mid-year.

**On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, continuing the compensation increase to Mr. Kloptosky, in an amount based on the new insurance rates, as reimbursement compensation for the purchase of private health insurance, was approved.**

**NINTH ORDER OF BUSINESS**

**OPEN ITEMS**

Following the last meeting, a Pre-Hurricane Season Preparation May Workshop was added to the Open Items List.

**TENTH ORDER OF BUSINESS**

**SUPERVISORS' REQUESTS**

Supervisor Smith requested that the next workshop agenda include a discussion item related to conducting a community survey.

**ELEVENTH ORDER OF BUSINESS**

**ADJOURNMENT**

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

**On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 1:50 p.m.**



Secretary/Assistant Secretary



Chair/Vice Chair