

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

The Grand Haven Community Development District's Board of Supervisors held a Regular Meeting and a Public Hearing on Thursday, October 18, 2018, 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	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
Stacie Acrin	Grand Haven CDD Office
Robert Ross	Vesta/AMG
Mick Richmond	Brame Heck Architects, Inc.
Rob Carlton	Resident and GHMA President
Denise Gallo	Resident
Anthony Guiglotto	Resident
Margie Check	Resident
Ron Merlo	Resident
Vic Natiello	Resident
Kevin Foley	Resident
John Polizzi	Resident
Mike Frichol	Resident
Don Plunkett	Resident
Kathleen Fuss	Resident
George Behler	Resident
Lee Ross	Resident
Tony Ross	Resident
Suzette Sweeny	Resident
Barbra Dragstrem	Resident
Bill Lynch	Resident
John Yozzo	Resident
Stephanie Johnson	Resident
Marti Garziglia	Resident

Doray Levendusky
Robert Schwarzlow
David Reisman
Meredith Johnson

Resident
Resident
Resident
Resident

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

Mr. McGaffney called the meeting to order at 10:08 a.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

MODIFICATIONS TO AGENDA

The Board agreed to the following modifications to the agenda:

- **Mailboxes**
- **Update: Meeting with Mayor and Interim City Manager**
- **Update: Mitigation Grant**

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, the modifications to the agenda, were approved.

FOURTH ORDER OF BUSINESS

CONSULTANTS, GUEST REPORTS & PRESENTATIONS

A. Brame Heck Architects, Inc.: Village Center Stucco Design

Mr. Mick Richmond, of Brame Heck Architects, Inc. (BHA), gave a presentation of the project and noted the following:

- Scope was to evaluate the roof issues, stucco, water staining, rust and detail the issues and provide recommendations.
- Plan is to remove all roof tiles and underlayment, identify any damaged sheathing areas and replace anything that is rotting, install new fully-adhered underlayment and replace roof tiles with the existing tiles; broken tiles will be replaced.
- Flat roofs are fine.

Mr. Richmond reviewed photographs of the Village Center areas to be addressed, noted the issues discovered and explained and/or responded to questions regarding the recommended repairs or replacements for the various areas, as noted in the plans and the Demolition and Construction Notes on each page, hurricane impact glass windows, hurricane shutters, changes to the exterior lighting, incorporating stone into the exterior design, and providing a few color palettes for the Board to review.

Supervisor Lawrence asked how long the stucco removal project would take, would it be messy and would it be necessary to close the facility. Mr. Richmond stated that it is a messy and noisy process but those are questions for the contractor; he estimated it could take four months, not including the permitting process.

Discussion ensued regarding the Request for Proposals (RFP) and what to include in it.

Supervisor Davidson asked Mr. Richardson if he was aware of contractors qualified to complete the project. Mr. Richardson replied affirmatively. Supervisor Smith asked if the RFP process could be completed before the end of the year. Mr. McGaffney stated that, if the RFP can be presented at the November meeting, it would take two weeks to finalize and advertise it and 30 days to receive responses, hold pre-bid meetings, etc. Mr. Clark was comfortable with the Board authorizing Staff to prepare and advertise the RFP.

On MOTION by Supervisor Davidson and seconded by Supervisor Smith, with all in favor, directing Staff to prepare a Request for Proposals for the Village Center Stucco Renovation Project and advertise the RFP, was approved.

Mr. John Polizzi, a resident, felt that this is a critical project; therefore, it is important to communicate to residents why it is necessary, how it will help position the District for ongoing use of the facilities and the services provided to the community, etc. Given the large scope of the project, he believed it is important to have the correct construction oversight management and resources to support Mr. Kloptosky if the plan is for him to oversee the entire project, which would likely be a full-time job.

Supervisor Davidson stated that this might be addressed in an upcoming article in The Oak Tree or otherwise displaying information in the community.

B. MillerDodson Associates, Inc., Reserve Study: *Pete Miller, RS, EBP*

Mr. Kevin Foley, a resident and incoming Board Member, stated that, at the last meeting, he discussed the importance of long-term Capital Asset Planning (CAP), evaluating all the District's assets, roads, buildings, amenities, etc., and developing a CAP for the next five to ten years of what needs to be done, when it needs to be done and the estimated cost. He researched companies that conduct reserve studies.

Mr. Miller noted the experience of MillerDodson Associates, Inc. (MDA) and stated that he would explain why reserve studies are important, how they are conducted, how the Board stays involved and present a sample reserve study. If time permits, he would present modules on the cashflow versus component method of calculating reserves and the Consumer Price Index (CPI) versus the Producer Price Index (PPI), which represents the impact of inflation.

Mr. Miller discussed the following:

- Stability of property values is one reason people choose this type of community.
- Planning for reserves is important to avoid periodic special assessments in addition to the regular assessments or imposing a large increase on the regular assessments.
- Basic principles of a reserve study: must be readable and understandable to be usable, must reflect the hopes and aspirations of the community and funding recommendation must be practical and implementable.

Mr. Miller presented a sample reserve study and noted the following about what a reserve study contains, who is involved and the process and how the reserve study is compiled:

- Shows the normal expected life of the assets, remaining useful life and cost to replace.
- Board's involvement: The Board would be part of the entire process, including:
 - ✓ Establishing the inventory and the threshold for defining capital expenditures
 - ✓ Providing the data, guidance and input, in terms of priorities, and the historical context.
 - ✓ Setting the minimum balance for the reserve funds.
- Draft reserve study is reviewed by the Board, Staff and/or Committees, who provide feedback, comments, questions, etc.
- Alternative funding scenarios are researched.
- Strategic funding plan is developed to reach the goals and needs and what the community is trying to accomplish.

Mr. Miller responded to questions, as follows:

- Approximate cost for a reserve study would be \$10,000 to \$12,000.

- Process would take approximately 45 to 60 days to complete a reserve study.
- Data needed from the CDD would help determine what will be included in an inventory list and then determine remaining useful life, cost projections, etc.

Supervisor Davidson discussed the history of the District's current CIP and Business Plan and stated that the first priority of the Board is to not impose special assessments, except in extreme circumstances. The Board has been doing this for ten years and has been fiscally responsible such that a special assessment has not been necessary in that time. He felt that the question now was whether Supervisor Lawrence believes a reserve study is necessary, as it is a \$10,000 to \$12,000 expense for work that, in Supervisor Davidson's opinion, Supervisor Lawrence was largely already doing.

Supervisor Lawrence voiced his opinion that it is time to update the original CIP. The District could hire a professional to do it or have an internal ad-hoc committee do it. For the low expenditure of \$10,000 to \$12,000, he felt it would be prudent to hire a professional to prepare a reserve study.

Supervisor Smith asked how many line items are on the master list of assets. Supervisor Lawrence replied hundreds. Supervisor Smith asked if that was a high or small number of line items, in Mr. Miller's experience. Mr. Miller stated that it was not unusual to have 600+ line items in a reserve study; working from the current list could save time and costs for the District. At Supervisor Smith's request, Mr. Miller detailed MDA, noting the number and types of employees, subcontracted professionals and experience of MDA staff and subcontractors. Discussion ensued regarding the CDD's available information, such as the prior CIP, asset information gathered for insurance policy, the District Engineer's recent audit of the roads, etc.

Supervisor Gaeta questioned whether Mr. Miller's services were needed, as she felt that the Board was already fiscally responsible and has a lot of information about the assets. Mr. Miller stated that benefits of a reserve study are that it could help prevent future special assessments and provides a third-party independent evaluation of the District's assets.

Supervisor Smith agreed with Supervisor Lawrence that it is time for another evaluation of all District assets and he preferred it be by an outside professional; it would be money well spent to have outside expertise.

Mr. McGaffney discussed the benefit of having a reserve study and that it is beneficial to have the information in a computer format that can be easily utilized, as opposed to a less-sophisticated spreadsheet format. Proposals for a reserve study would be obtained.

FIFTH ORDER OF BUSINESS

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

Mr. George Behler, a resident, observed, over a week ago, that the aerators in Pond #1 are not operating and contacted the CDD office three times and was told that a repair person would be sent. Mr. Kloptosky stated that the repair person came and told him that there was an issue with the equipment; he believed either two motors or pumps require replacement.

Ms. Kathleen Fuss, a resident, noted the poor condition of the Petanque court; however, while it is never used, she was against expending funds to replace it with anything else, such as shuffleboard, as no one plays shuffleboard anymore because the District removed the shuffleboard courts. Mr. Kloptosky stated that it is supposed to be maintained and sprayed.

The meeting recessed at 12:00 p.m.

The meeting reconvened at 12:15 p.m.

SIXTH ORDER OF BUSINESS

STAFF REPORTS

A. District Engineer: DRMP, Inc.

Mr. Sowell reported the following:

- Wild Oaks Gate Improvements: Proposed construction plans for the improvement should be provided to Mr. Kloptosky tomorrow. The median would be extended and be more traditional, with the intention of preventing drivers from running the gate.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, authorizing Staff to proceed with improvements at the Wild Oaks Gate, was approved.

- Pond 14: Met with St. Johns River Water Management District (SJRWMD) but SJRWMD subsequently requested additional information.

▪ District Counsel: Clark & Albaugh, LLC

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

Mr. Clark provided the following update regarding permits transferred:

- Board previously approved the transfer documents and they were executed.
- Subsequently, there was mention of an outstanding compliance item.

- SJRWMD Legal Department person who approved the letter confirming no outstanding issues did not know of any outstanding compliance issues, nor did anyone else.
- Subsequently, SJRWMD emailed explaining that the rumored outstanding compliance issue was really related to a Wild Oaks compliance letter or visit, after Hurricane Irma, which was already closed. The rumor was prompted as a result of a new employee speaking about an old and already resolved matter; it was not related to the current permit transfer.

Mr. Polizzi asked if the District must wait for the SJRWMD to go through another process for the permit transfer. Mr. Clark stated that the Board formally approved the transfer in July and the documents were executed but he subsequently heard that someone at SJRWMD mentioned an outstanding compliance issue, which prompted him to hold the documents, prior to completing the transfer. The desired verification that there were no compliance issues was received so he is now comfortable with completing the transfer. Mr. Polizzi asked when this would all be resolved. Mr. Clark stated that he could not estimate the SJRWMD's time frame but hoped it would be changed and recorded promptly.

The Board's consensus was to proceed with the SJRWMD permit transfer.

B. Amenity Manager: *Amenity Management Group, Inc.*

Mr. Ross had nothing to report.

Mr. Polizzi asked if a new Tennis Advisory Group (TAG) was formed and requested an email update to the community. Mr. Ross stated TAG met and he would prepare an update.

C. Operations Manager: *Barry Kloptosky*

Mr. Kloptosky discussed the following:

- Village Center HVAC Units: Two five-ton A/C units were installed, to replace the old ten-ton unit. Approximate Cost: \$18,500
- Village Center Bathrooms HVAC Unit and Duct Replacement: Contractor has the contract for execution and work should commence next week. Approximate Cost: \$8,800
- HVAC Unit and Ducts – Mr. Ross' Office and Fitness Center: A/C unit is fine but the ducts must be replaced. The A/C unit would be cleaned and the ducts would be replaced. A proposal would be obtained. Approximate Cost: \$11,250
- HVAC Units at Creekside: Replacement of the two old units and all ducts in the building. Approximate Cost: \$34,925
- HVAC and Ducts Costs for All Phases: Approximate Total Cost: \$74,000. \$63,000 was budgeted for Fiscal Year 2019.

- Village Center Playground: Project is underway; a few parts were reordered because the wrong ones were received, along with a few minor items to be completed and the fence. Supervisor Davidson suggested a ribbon-cutting opening for the new playground.
- Village Center Storage Addition: The City released the permit so work could commence.
- Tennis Court Fence Permit: Application was submitted to the City.
- Ponds 5 and 14 Aeration Installation: Conduit and electrical lines were installed and the equipment was received. Installation should occur within one or two weeks.
- Guardhouse Guard Issues: Issues continue; two guards would be dismissed. A guard was able to obtain the tag number of a contractor vehicle that previously damaged the Wild Oaks Gate and the person received a summons from the Sheriff and the District will hopefully be reimbursed by the contractor's insurance company.
- Guardhouse Staffing: To save the District money, the guard company previously stated that two guards were not needed during the busy times; however, this would be considered again, as an extra guard during prime traffic times would likely help alleviate backups.
- Center Park Gazebo and Main Gate Guardhouse Roof Replacement: Contract was executed and deposit was paid. The Notice of Commencement was executed and the permit and the start date were pending. Temporary accommodations will be made during replacement of the Main Gate guardhouse.

Ms. Gallo asked about rerouting traffic to another gate. Mr. Kloptosky stated that it was a good suggestion but people would likely complain, as they do not want to go to another gate.

- Croquet and Pickleball Court Awnings: Contract was executed, the deposit was paid and the Notice of Commencement executed for the permit; the permit is pending.
- Surge Protection for the HVAC Units: Surge protectors can be added to the units. The electrician is completing an analysis and will provide an estimate.
- Mailbox Maintenance: Resident complaints about rusting and inoperable mailboxes continue; however, while the CDD does its best to maintain the surrounds and sidewalks near the mailboxes, the CDD does not own the actual mailboxes so it cannot maintain them. The U.S. Postal Service (USPS) refuses to maintain them and wants the CDD to do it. The concern is that, if the CDD maintains the mailboxes, the USPS could blame the CDD for any issues.

Supervisor Gaeta discussed her conversation with the new Post Master regarding the mailbox issue, who confirmed that it was unlikely the USPS would maintain or replace the mailboxes. Mr. Clark felt that the District should push back a bit and, if the USPS wants the

District to take over maintenance of the mailboxes, an agreement was necessary, along with the USPS restoring the mailboxes prior to the District assuming responsibility.

➤ Gate Access Via Cell Phone: Contractor confirmed that long distance charges are incurred for calls to long distance cell phone numbers. Technology is available to allow cell phone use for entry but it could increase the costs to the District, due to long distance calls, along with some technology issues between the cell phones and the access equipment.

Ms. Acrin stated the following regarding access via cell phone:

➤ The gate contractor stated that the current Door King units will connect with cell devices, as long as there are at least three bars of LTE signal, with AT&T, at the units.

➤ Cell device is \$650 per gate, not including monthly fees. Total approximate cost: \$6,000.

Supervisor Gaeta discussed drawbacks of enabling residents to grant gate access via cell phone and potential workarounds.

This topic would be included on the workshop agenda.

D. District Counsel: *Clark & Albaugh, LLC*

This report was during Item 6A and following Item 6E.

E. District Manager: *Wrathell, Hunt and Associates, LLC*

Mr. McGaffney stated that, with the new Americans with Disabilities Act (ADA) requirements and advance posting requirements for agendas, Management is establishing a process with a time period deadline within which documents and information for the agenda must be received by Management; last minute additions to the agenda contents will not be possible.

▪ **District Counsel: *Clark & Albaugh, LLC***

This item, previously Item 6D, resumed.

Mr. Clark reported the following:

➤ Hurricane Matthew FEMA Claim: FEMA already signed off on the District's claim; however, the State is asking many of the same questions that were answered for FEMA, as the State part of the reimbursement process comes from different funds. The process is ongoing. For this claim, there is a Federal component of 75% of approved amount and a State component of 12.5%; therefore, both agencies must sign off on the claim.

➤ Hurricane Matthew FEMA Claim: FEMA indicated that the check was on the way for the three small claims. Another form must be completed to receive the debris claim funds.

- Hurricane Irma FEMA Claim: Claim is in the approval process; it is not at the funding stage.
- Additions to the Agenda Requirements: The agenda must be posted on the CDD website seven days in advance of the meeting and law is clear that things that are not posted that the Board might do are not illegal. If things come up they may be discussed and take action; however, abusing the process was strongly discouraged. Additions to the agenda should truly be unanticipated things that came up; furthermore, the Board was discouraged from taking action on something major that is not on the agenda.

Regarding additions to the agenda, Mr. McGaffney stated that items such as “mailboxes” addition under Modifications to Agenda would typically be addressed during a report or Supervisors’ Requests; it would not necessarily be a “Modification”. Items such as the update on the meeting with the Interim City Manager and Mayor or the mitigation grant update could be addressed during Supervisors’ Requests or possibly as a Modification to Agenda. It has become a tendency for the Board Members to add things that they just want to speak about. If a Board Member has something on a particular topic, it should be sent to Management for inclusion in the agenda; otherwise, it can be discussed during Supervisors’ Requests and/or the appropriate topic in the agenda or Mr. Kloptosky’s report.

- **Discussion on/Consideration of: Alternative Proposal for One-Time Annual Trimming of Common Area Spartina on Ponds 8 and 10**

This item, previously Item 8E, was presented out of order.

Supervisor Davidson recalled the spartina issue and discussed the primary purpose of the stormwater system and detention ponds, the CDDs efforts to maintain the pristine aesthetic of the ponds, the reason for the decision to not trim spartina on Common Area pond and how it benefits the ponds, the level of service provided by the District and goal to maintain the aesthetics, etc. The request for the District to trim the spartina on a Common Area pond, when the District typically does not do so and it is not consistent with maintenance of such in other areas, it becomes a request for a special level of service, as the residents are asking for those ponds to be treated differently. Ms. Leister previously advised against trimming spartina.

Supervisor Davidson recalled a \$19,956 proposal to prune or trim spartina on the Common Area banks of Ponds 8 and 20, not including the ongoing trimming and weed removal, weed spraying, ongoing installation of mulch and future maintenance. A resident obtained a

quote for \$8,850 but it does not include the six to nine months of maintenance after the initial trimming or cutting or the future ongoing maintenance.

Supervisor Davidson asked if the Board was willing to allow a section of the Common Area spartina to be treated differently and, if so, hire a different contractor, if less expensive. Mr. Clark confirmed that the District could hire a different contractor for this, as it is outside the scope of the contract with Yellowstone. Supervisor Davidson recalled that the Board's prior decision was not to provide that level of service to all of the ponds in the community; therefore, the people requesting this increased level of service must pay for it through a special, targeted assessment; it would not be considered a general expense of the District, as it is not provided to other ponds. A resident questioned why the owners on the side of the building not facing the pond would want to pay a special assessment for this. Supervisor Davidson pointed out that, if they are not assessed, the special assessment imposed on those units facing the pond would be much higher.

Discussion ensued regarding whether property owner approval would be necessary and, if so, what percentage must agree.

Mr. Anthony Guiglotto questioned why the Board was not willing to spend \$8,800 and contended that the cost was high because the Common Area side has not been "maintained" for eight or nine years. He added that the area on the resident side is maintained by their landscaper and they do not spray between the spartina and he has not observed any weeds.

Ms. Suzette Sweeny, a resident, asked if all the ponds look as bad as this. Supervisor Davidson stated that the District's operating parameter is to not trim spartina and a great majority of residents residing along ponds where the Common Area spartina is not trimmed have not expressed the same aesthetic sensitivity.

Mr. Guiglotto noted that single-family owners were fined if they did not trim the spartina on their property and questioned why the CDD does not have to maintain the Common Area spartina. Supervisor Davidson stated that this speaks to the double-standard and the District's official policy codified the difference.

Supervisor Lawrence felt that the District should not do anything to the Common Area spartina and that it would set a very dangerous precedent for the Board to kowtow to a group of residents just because they do not like a certain policy decision. Allowing it, even if those residents pay for it, would destroy the community because the Board would find itself having to allow all exceptions. The District must have common policies uniformly applied to everyone.

Supervisor Gaeta recalled many discussions about this, the Board inspecting the ponds and the consensus against trimming Common Area spartina; therefore, she was puzzled as to why this was being discussed again. She concurred with Supervisor Lawrence's position.

Supervisor Davidson stated the purpose was to try to work out a way to allow the work to be done. Mr. Guiglotto recalled that the Board previously stated the District would take care of the ponds and would wait for an estimate. Supervisor Davidson stated that the estimate was high and revealed the potential for hundreds of thousands of dollars of unnecessary expenses.

Supervisor Lawrence felt that, regardless of whether the cost was a high or low or the residents were allowed to pay for it, it sets precedence for any segment of the community to demand and pay for a change and the Board will have lost all control over the community.

Supervisor Gaeta was not in favor of spending money on this or doing it at all; allowing it would set precedence, making it difficult for the Board to deny similar requests.

Supervisor Chiodo concurred with Supervisors Lawrence and Gaeta. He preferred not to allow for individual treatment.

Supervisor Smith agreed with Supervisors Lawrence, Gaeta and Chiodo.

Supervisor Davidson motioned to reopen and revisit the Spartina Policy. The motion died due to lack of a second.

▪ **PUBLIC HEARING TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO THE RULES OF PROCEDURE TO INCLUDE PROPOSED AMENDMENTS TO RULE VI RELATED TO STORMWATER AND DRAINAGE EASEMENTS**

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

The following changes were made to the Rules of Procedure:

PART 2, SECTION 1. LANDSCAPE MAINTENANCE, Line 6: Insert "be" after "may"

PART 2, SECTION 1. LANDSCAPE MAINTENANCE, Line 7: Insert "have" after "shall"

PART 2, SECTION 2. LANDSCAPE MAINTENANCE, Line 16: Change "HOA" to "GHMA"

Supervisor Davidson stated that the purpose of this amendment is to make this portion of the Rules consistent with the Best Management Practices (BMPs). He recalled that there was supposed to be a part about functional versus aesthetic maintenance of the bulkhead ponds, which would specify that the CDD performs maintenance on anything related to maintenance of the pond wall and homeowners could only perform aesthetic maintenance. Mr. Clark stated that the section is not in this document and suggested opening the public hearing, hearing comments and continuing the public hearing.

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, the Public Hearing opened.

No members of the public spoke.

On MOTION by Supervisor Lawrence and seconded by Supervisor Gaeta, with all in favor, continuing the Public Hearing to Hear Public Comment and Objections to the Adoption of Amendments to the Rules of Procedure to Include Proposed Amendments to Rule VI, Related to Stormwater and Drainage Easements, to November 15, 2018 at 10:00 a.m., was approved.

- **Discussion on/Consideration of: Resolution 2019-01 Initiating Conflict Resolution Procedure Under the Florida Governmental Conflict Resolution Act, Concerning Actions by the City of Palm Coast Compelling Removal of Trees Within the District *(Item tabled at September 20, 2018 Continued Meeting)***

This item, previously Item 8B, was presented out of order.

Supervisor Davidson read the following email sent by Supervisor Davidson to Mayor Holland and Mr. Falgout and copying Mr. Kloptosky, Mr. McGaffney and Ms. Gillyard:

“Subject: Interlocal Agreement with the CDD - District Common Area Trees
Good Morning Melissa and Beau,

The currently-tabled proposed Conflict Resolution action against the City recommended by our District Counsel will be up for reconsideration at tomorrow’s regular public meeting. I would like to recommend continuing to table the action, based on a positive progress report I can deliver to the Board tomorrow. Please let me know what progress has been made on the following items:

1. Development of an Interlocal Agreement recognizing the Grand Haven CDD jurisdictional authority regarding the disposition of trees on District Common Property.
2. Development of a City standing tree removal permit based on decisions based on the District’s Horticulturalist, Arborist and Operations Manager.
3. Development of a system or mechanism of notification to the CDD operations office whenever calls or complaints regarding District trees are received by the City.

- 4. Cancellation of previous, pending and future City Urban Forestry orders and Code Enforcement violation notices, pending development of all of the above.

We also have a meeting scheduled with Steve Flanagan this Friday to discuss the turtle and ham radio antenna mast items.

Sorry to send on such short notice and hoping for a positive progress report.

Thanks very much for your assistance.”

Supervisor Davidson read the response from Mr. Falgout:

“By copy of this email, I am asking Steve Flanagan to comment on the progress made on many of these items. The City Attorney is currently investigating the option of an Interlocal Agreement and will get back to me in the coming days.”

Supervisor Davidson read his response to Mr. Flanagan’s response:

“Good morning Beau,

Thanks for the prompt reply. Knowledge that progress is being made on these issues should be sufficient reason for my request to the Board to continue to table the Conflict Resolution Action.

We remain very optimistic that common sense will prevail as we continue to resolve all these issues.

Thanks for all your positive spirit and cooperation.”

On MOTION by Supervisor Davidson and seconded by Supervisor Lawrence, with all in favor, continuing to table consideration of Resolution 2019-01 Initiating Conflict Resolution Procedure Under the Florida Governmental Conflict Resolution Act, Concerning Actions by the City of Palm Coast Compelling Removal of Trees Within the District, pending further positive progress over the issues with the City, was approved.

- **Update: Mitigation Grant**

This item was an addition to the agenda.

Supervisor Davidson stated that the District’s grant application was submitted to another grant program, which pays up to 100% reimbursement.

A. APPROVAL OF UNAUDITED FINANCIAL STATEMENTS**i. Unaudited Financial Statements as of August 31, 2018**

This item was not discussed.

B. APPROVAL OF MINUTES**i. August 2, 2018 Community Workshop****ii. August 16, 2018 Regular Meeting****iii. September 6, 2018 Public Hearings and Regular Meeting****iv. September 20, 2018 Community Workshop****v. September 20, 2018 Continued Regular Meeting**

Revisions to the minutes were previously submitted to Management by Supervisor Davidson. Supervisor Gaeta would email her revisions to Management.

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, the Items under Consent Agenda Item B, as amended to include the revisions previously submitted by Supervisor Davidson and the revisions to be submitted by Supervisor Gaeta, were approved.

▪ SUPERVISORS' REQUESTS

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

Supervisor Gaeta noted the many meetings and presentations initiated and/or given by Mr. Foley, currently a resident but soon to be Board Member. She felt that Mr. Foley should be advised that he can bring these things up, once he is sworn in because, if one resident is allowed to give presentations, etc., it sets precedence should another resident want to do the same. She objected to him, assuming the role of a Supervisor prior to taking the oath.

Discussion ensued regarding the level of involvement that residents should have, with regard to presentations, initiating meetings with vendors, etc., before being a Board Member.

EIGHTH ORDER OF BUSINESS**BUSINESS ITEMS****A. Discussion: Liability Release Form to Borrow Equipment**

This item was deferred to the next meeting.

- B. Discussion on/Consideration of: Resolution 2019-01 Initiating Conflict Resolution Procedure Under the Florida Governmental Conflict Resolution Act, Concerning Actions by the City of Palm Coast Compelling Removal of Trees Within the District (Item tabled at September 20, 2018 Continued Meeting)**

This item was presented earlier in the agenda.

- C. Discussion on/Consideration of: Renewal of Crowder Gulf Disaster Debris Removal Agreement**

Mr. Clark stated it would not be appropriate to renew the Agreement, as the District went through a procurement process to engage other contractors for those services.

On MOTION by Supervisor Davidson and seconded by Supervisor Chiodo, with all in favor, not renewing the Crowder Gulf Disaster Debris Removal Agreement, was approved.

Ms. Gallo asked for an update on the antenna and turtle sculpture. Supervisor Davidson stated both items will be discussed tomorrow during his meeting with members of City staff.

- D. Discussion on/Consideration of: Reserve Study Proposals**

- **MillerDodson Associates, Inc.**
- **Dreux Isaac & Associates, Inc.**

This item was not discussed.

- E. Discussion on/Consideration of: Alternative Proposal for One-Time Annual Trimming of Common Area Spartina on Ponds 8 and 10**

This item was presented following the Sixth Order of Business.

NINTH ORDER OF BUSINESS

PUBLIC HEARING TO HEAR PUBLIC COMMENT AND OBJECTIONS TO THE ADOPTION OF AMENDMENTS TO THE RULES OF PROCEDURE TO INCLUDE PROPOSED AMENDMENTS TO RULE VI RELATED TO STORMWATER AND DRAINAGE EASEMENTS

- A. Affidavits of Publication**
 - i. Notice of Rule Development**
 - ii. Notice of Rulemaking**

B. Consideration of/Decision on: Resolution 2019-02, Adopting Amendments to Rules of Procedure to Include Chapter VI, Relating to Stormwater and Drainage Easements

This was discussed earlier; the Public Hearing was continued to November 15, 2018.

TENTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

ELEVENTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

This item was addressed following Item 7B.

TWELFTH ORDER OF BUSINESS

**UPCOMING WORKSHOP/MEETING DATES
[10:00 AM]**

A. COMMUNITY WORKSHOP

- **November 1, 2018**

The next workshop will be held on November 1, 2018 at 10:00 a.m.

B. BOARD OF SUPERVISORS MEETING

- **November 15, 2018**

The next meeting will be held on November 15, 2018 at 10:00 a.m.

THIRTEENTH ORDER OF BUSINESS


ADJOURNMENT

There being nothing further to discuss, the meeting recessed at 2:21 p.m., and the Public Hearing was continued to November 1, 2018 at 10:00 a.m.

<p>On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, the meeting adjourned at 2:21 p.m., with the exception of continuing the Public Hearing to November 15, 2018 at 10:00 a.m., at this location, were approved.</p>
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Secretary/Assistant Secretary



Chair/Vice Chair