

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

The Board of Supervisors of the Grand Haven Community Development District held a Regular Meeting on Thursday, May 20, 2021 at 9:00 a.m., in the Grand Haven Room, at the Grand Haven Village Center, located at 2001 Waterside Parkway, Palm Coast, Florida 32137.

**Present were:**

Chip Howden	Chair
Kevin Foley	Vice Chair
Dr. Merrill Stass-Isern	Assistant Secretary
Michael Flanagan	Assistant Secretary
John Polizzi	Assistant Secretary

**Also present, were:**

Howard McGaffney	District Manager
Scott Clark	District Counsel
David Sowell	District Engineer
Barry Kloptosky	Operations Manager
Vanessa Stepniak	Office Manager
Roy Deary	Vesta/AMG
John Lucansky	Vesta/AMG
Robert Ross	Vesta/AMG
Bob Koncar	Inframark
Darrin Mossing	GMS
Jim Perry	GMS
Eric Robinson	Owls Roost

**Residents present, were:**

Brendon Zagumennikh	Dennis Parker	Denise Gallo	Kathleen Fuss
Andre Zagumennikh	John Noble	Lisa Mrakovic	DW Ferguson

**FIRST ORDER OF BUSINESS**

**CALL TO ORDER/ROLL CALL**

Mr. McGaffney called the meeting to order at 9:03 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**PLEDGE OF ALLEGIANCE**

*Disclaimer: These summary minutes are intended to highlight the topics discussed, items being considered and actions taken.*

All present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**PUBLIC COMMENTS (3-Minute Rule)**

No members of the public spoke.

**FOURTH ORDER OF BUSINESS**

**BUSINESS ITEMS**

**A. Discussion/Consideration: Suspension of Amenity Privileges**

Mr. Clark presented the suspension letter sent to residents Andre Zagumennikh and Brendan Zagumennikh and outlined the guidelines for the Board’s decision making.

Mr. Lucansky described his version of the events of March 26, 2021, at which a report was filed with the Flagler County Sheriff.

Resident Dennis Parker described his version of the events of March 26, 2021.

Mr. Brendan Zagumennikh described his version of the events of March 26, 2021.

Mr. Andre Zagumennikh described his version of the events of March 26, 2021.

The Supervisors asked follow up questions about the incident, the guidelines at the fitness center, previous incidents, what could have been done differently and whether a pattern of behavior exists. Mr. Ross stated that Staff previously documented the same pattern of behavior. Mr. McGaffney confirmed that the previous Amenity Manager completed internal documentation of a verbal warning. Supervisor Howden reminded all in attendance that the Board adopted policies that all residents and guests must follow.

Mr. McGaffney summarized that an alleged verbal threat was the reason for the suspension and discussed better ways the situation could have been handled. In the absence of video evidence or witnesses, the Board considered the statements of the residents present and discussed the options. Implementing a Civil Trespass and the appropriate term, was discussed.

**On MOTION by Supervisor Polizzi and seconded by Supervisor Flanagan, with all in favor, issuing a 90-Day Civil Trespass to Mr. Brendan Zagumennikh and Mr. Andre Zagumennikh, to be effective through August 20, 2021, and authorizing Staff to execute, was approved.**

Mr. Clark presented a suspension letter sent to Resident Peter Worsfold.

Mr. Ross stated that three women complained that Mr. Worsfold behaved in an abusive manner. Mr. Clark stated this was a Third Offense, which carries an automatic suspension for a minimum of 90 days but the Board may suspend privileges for one year or more. Mr. Worsfold was not present and no representative was present to speak on his behalf. Mr. Clark noted that, if a person who is suspended refuses to leave the premises, the procedure is for Staff to call the Sheriff's Department.

**On MOTION by Supervisor Stass-Isern and seconded by Supervisor Foley, with all in favor, issuing a one-year suspension to Mr. Peter Worsfold and authorizing Staff to execute, was approved.**

**B. Consideration of Responses to RFP for District Manager Services**

Mr. Clark stated that there were three qualified respondents to the Request for Proposals (RFP) for District Manager Services. He suggested the Board allot time for presentations and Q&A at the June meeting. The Supervisors discussed their general thoughts, priorities and questions they would like addressed during the presentations.

**Supervisor Stass-Isern left the meeting at 10:25 a.m. and returned at 10:29 a.m.**

▪ **Consider Suspension of COVID-19 Restrictions**

**This item, previously Item 4H, was presented out of order.**

**On MOTION by Supervisor Flanagan and seconded by Supervisor Stass-Isern, with all in favor, suspending all COVID-19 restrictions, was approved.**

**C. Ratification of Operations Manager's Annual Performance Evaluation**

Mr. McGaffney stated the Operations Manager's Performance Evaluation was completed, in accordance with the Board's instructions. Mr. Kloptosky received an above average performance rating and his wage increase and bonus were effectuated accordingly.

**On MOTION by Supervisor Foley and seconded by Supervisor Flanagan, with all in favor, the District Manager's actions in executing the Operations Manager's Annual Performance Evaluation process and effectuating Mr. Kloptosky's wage increase and bonus, were ratified.**

The meeting recessed at 10:37 a.m. and reconvened at 10:52 a.m.

- **Consider Authorization of RFP for FY2022 Road Resurfacing Plan for The Crossings and South Village Center Parking Lot**

**This item, previously Item 4E, was presented out of order.**

Mr. Sowell presented the RFP for the Road Resurfacing Project and responded to questions. Supervisor Howden stated the schedule must be suitable for the project to begin as soon as possible in Fiscal Year 2022. Mr. Kloptosky discussed coordination of completing the curb and gutter repairs with the road resurfacing. Supervisor Flanagan asked if the contract price, on Page 28, would lock in material costs. Mr. Clark stated he would review the document.

**On MOTION by Supervisor Howden and seconded by Supervisor Foley, with all in favor, the Request for Proposals for the FY2022 Road Resurfacing in The Crossings and South Village Center Parking Lot and authorizing Staff to advertise the RFP, was approved.**

- **Staff Report: District Engineer: DRMP, Inc. [David Sowell]**

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

Mr. Sowell reported the following:

- He and Mr. Kloptosky reviewed the lake bank surrounding Pond 14 and an evaluation of necessary repairs would be provided at the next workshop or the next meeting.
- Discussions with the St. Johns River Water Management District (SJRWMD) regarding permitting for the North parking lot were underway and he hoped to have good news within the next two months.

Discussion ensued regarding the ongoing need to monitor lake bank conditions, potential need for future work or surveys and possible future City improvements to waterways. This item would be discussed at a future workshop.

**D. Discussion/Consideration: Phase 3 Restroom Project**

Mr. Kloptosky discussed rising material costs and portions of the Phase 3 project that should be completed before portions of the Phase 2 project. Discussion ensued regarding the costs and whether to defer the remaining portions of Phase 2 and Phase 3. The consensus was to leave Phase 3 in the Fiscal Year 2022 budget. Mr. Kloptosky would work to accomplish as

much of the Phase 2 project as possible, including addressing privacy concerns, since privacy was a high priority.

**E. Consider Authorization of RFP for FY2022 Road Resurfacing Plan for The Crossings and South Village Center Parking Lot**

This item was presented following Item 4C.

**F. Continued Discussion: Non-Resident Annual Membership Fee**

Supervisor Howden recalled discussion at the workshop, at which a fee of \$3,000 or \$3,500 was considered. Discussion ensued regarding the rationale and the amount of the fee.

**On MOTION by Supervisor Stass-Isern and seconded by Supervisor Foley, with all in favor, authorizing Staff to advertise a Public Hearing for September 2, 2021 at 5:00 p.m., in the Grand Haven Room, at the Grand Haven Village Center, located at 2001 Waterside Parkway, Palm Coast, Florida 32137, to consider implementing a Non-Resident Annual Membership Fee of \$3,000, was approved.**

**Supervisor Foley left the meeting at 12:04 p.m. and returned at 12:07 p.m.**

**G. Consideration of Resolution 2021-06, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Mr. McGaffney reviewed the proposed Fiscal Year 2022 budget, highlighting line items adjusted as a result of discussions at the last workshop, the Capital Improvement Plan (CIP) and the 10 Year Outlook. The consensus was to remove the 10 Year Outlook from the Public Hearing agenda to avoid confusion as to what was being approved at the Public Hearing.

Mr. McGaffney stated the September 2, 2021 Regular Meeting would begin at 3:00 p.m. and the Public Hearings would begin at 5:00 p.m.

Mr. McGaffney stated an overtime escalator and 3% salary increases were included in the budget. He presented the table of Proposed Assessments, which reflected an assessment increase of 7.17%, or \$168.71 per unit, and discussed the reasons for the increases.

Discussion ensued regarding whether the meeting could be open to viewing only via Zoom and requiring public participation in person or in writing in advance of the meeting. Mr.

Clark stated the District could offer participants the opportunity to view meetings via Zoom while still requiring participation in person or in writing. Staff’s difficulty facilitating public participation via Zoom, setting time limits for public comments and ensuring that comments are addressed following meetings, were discussed.

The following change was made to Resolution 2021-06:

Section 2, HOUR: Change “3:00 p.m.” to “5:00 p.m.”

**On MOTION by Supervisor Howden and seconded by Supervisor Foley, with all in favor, Resolution 2021-06, as amended, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for September 2, 2021 at 5:00 p.m., in the Grand Haven Room, at the Grand Haven Village Center, located at 2001 Waterside Parkway, Palm Coast, Florida 32137, and remotely via Zoom, Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**Supervisor Stass-Isern left the meeting briefly and returned at 12:37 p.m.**

Discussion ensued regarding accommodating public comments, outside of the allotted time for public comments on the agenda, and the difficulties in fielding questions from remote attendees. The consensus was that public comments would only be entertained as scheduled in the agenda and that members of the public attending remotely would not be engaged separately during business items.

**H. Consider Suspension of COVID-19 Restrictions**

This item was presented following Item 4B.

**FIFTH ORDER OF BUSINESS**

**CONSENT AGENDA ITEMS**

**A. ACCEPTANCE OF UNAUDITED FINANCIAL STATEMENTS**

- **Unaudited Financial Statements as of March 31, 2021**

**B. APPROVAL OF MINUTES**

**I. April 1, 2021 Virtual Community Workshop**

**II. April 15, 2021 Regular Meeting**

Mr. McGaffney presented the Consent Agenda items.

**On MOTION by Supervisor Howden and seconded by Supervisor Foley, with all in favor, the Consent Agenda Items, as presented, were accepted and approved.**

**SIXTH ORDER OF BUSINESS****STAFF REPORTS****A. District Engineer: *DRMP, Inc.* [David Sowell]**

This item was presented following Item 4C.

**B. Amenity Manager: *Amenity Management Group, Inc.* [Robert Ross]**

Mr. McGaffney stated that this Report is generally given by Mr. Lucansky and, as such, his name would be included in future agendas for Amenity Manager Report.

Mr. Lucansky reported the following:

➤ Resume community tennis on Mondays, Wednesdays and Saturdays, at 8:00 a.m., and on one court on Mondays at 5:00 p.m.

The consensus was this was acceptable. Supervisor Stass-Isern requested court rotation.

➤ Fourteen active classes, including ballet, Zumba, table tennis and tai chi were going well. Instructors were notified that The Grand Haven Room was available and that periodic short-term closures were expected, due to construction.

➤ Water fountains remained closed but water coolers were available.

➤ A community Memorial Day ceremony is planned; a flyer was sent to residents.

**C. Operations Manager: [Barry Kloptosky]****I. CIP****II. Monthly Report**

Mr. Kloptosky presented the CIP Project Tracker and the Operations Manager's Report and discussed the following:

➤ Sidewalk Deflection Repairs: Waterside Parkway was in progress and some slabs on North Waterview were being replaced at no cost.

➤ Curb and Gutter Repairs: The project has been delayed due to concrete shortages; additional work would be completed at the end of the week.

➤ Village Center: Outdoor speaker equipment was delivered and installed.

➤ Pickleball Courts: Contracts were in progress; pending completion of infrastructure work, the project would likely begin in July.

- Croquet Courts: The project was progressing; the courts may be useable in July.
- Walking Bridges: The Wild Oaks and Jasmine bridges were completed; the Intracoastal bridges would be the next for repairs.
- Audio/Visual Upgrades in Grand Haven Meeting Room: Feedback and Bluetooth issues were being addressed. It was hoped that the system would be operational for the next meeting.

**D. District Counsel: *Clark & Albaugh, LLP* [Scott Clark]**

There being nothing further to report, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**UPCOMING WORKSHOP AGENDA ITEMS**

Mr. McGaffney stated the following would be discussed at the next workshop:

- Job descriptions, skill sets and responsibilities.

The Board's direction was that performance reviews and budgeted raises would continue to be handled at the Operations Manager and District Manager level.

- Health Insurance: New rates were requested and the Board may wish to consider increasing the percentage paid by the CDD for spouse coverage from 30% to 50% in order to attract and retain talent.

- Mileage reimbursement versus vehicle allowance.

Supervisor Howden wanted to address human resources and long-range planning, including a new process for residents to provide input.

**EIGHTH ORDER OF BUSINESS**

**SUPERVISORS' REQUESTS**

Supervisor Polizzi stated he felt that Operations and Amenity Staff should evaluate the incident reporting process and technology.

Supervisor Stass-Isern requested Staff's assistance in conducting more orderly meetings.

Discussion ensued regarding the preference for in-person workshops. The consensus was that, going forward, workshops would be held in person, unless otherwise noted.

Supervisor Stass-Isern suggested that the Firewise Committee send information to inform residents about planned mowing and the mandatory nature of the program. Supervisor Howden stated he would contact the Committee Chair. Mr. Kloptosky stated that all work was completed for Fiscal Year 2021; permitting requests were being prepared for work to



commence in Fiscal Year 2022. Supervisor Howden asked Mr. Kloptosky to send e-blasts, when appropriate.

Supervisor Flanagan stated he was approached by residents at Front Street Park wishing to have benches moved. The neighbors reached a consensus and he would send the information to Mr. Kloptosky. Supervisor Flanagan suggested developing a two or three-year technology plan, including all components, from the front gate to the infrastructure. This item would be included in the long-range planning discussion.

Supervisor Foley voiced his opinion that the Operations Manager should not be required to submit a long report at workshops. Supervisor Howden discussed the Board’s responsibility to set policy and stated he felt that the Board required too many reports and questioned the role of the Board’s job. Discussion ensued regarding including this as a topic for planning, including the possibility of utilizing technology for project tracking and communicating effectively with residents. Mr. Kloptosky asked for all resident inquiries to be directed to the office. The consensus was that updates may be provided but the Operations Manager’s Report was generally not necessary at workshops.

Supervisor Howden asked the Supervisors to consider whether to utilize the services of the special events contractor for Grand Opening events, such as the openings of the new croquet and pickleball courts.

**NINTH ORDER OF BUSINESS**

**NEXT COMMUNITY WORKSHOP DATE:  
June 3, 2021 at 9:00 A.M.**

- **QUORUM CHECK**

All Supervisors confirmed their in-person attendance at the June 3, 2021 workshop.

**TENTH ORDER OF BUSINESS**

**ADJOURNMENT**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Supervisor Foley and seconded by Supervisor Stass-Isern, with all in favor, the meeting adjourned at 1:42 p.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair