

1 **MINUTES OF MEETING**

2 **GRAND HAVEN**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Grand Haven Community Development
5 District was held on Thursday, October 20, 2022 at 9:02 a.m. in the Grand Haven Room, at the Grand
6 Haven Village Center, 2001 Waterside Parkway, Palm Coast, Florida 32137.

7 **FIRST ORDER OF BUSINESS – Call to Order/Roll Call**

8 Mr. McInnes called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10	Chip Howden	Board Supervisor, Chairman
11	Kevin Foley	Board Supervisor, Vice Chairman
12	Michael Flanagan	Board Supervisor, Assistant Secretary
13	John Polizzi (<i>via phone</i>)	Board Supervisor, Assistant Secretary
14	Dr. Merrill Stass-Isern (<i>via phone,</i>	Board Supervisor, Assistant Secretary
15	<i>joined in progress</i>)	

16 Also present were:

17	David McInnes	District Manager, DPGF Management & Consulting
18	Scott Smith	Vesta
19	Scott Clark	District Counsel, Clark & Albaugh, LLP
20	David Sowell	District Engineer
21	Barry Kloptosky	CDD Operations Manager
22	Vanessa Stepniak	CDD Office Manager
23	John Lucansky	Amenity Manager, Vesta Property Services
24	Donald Blinn	Resident
25	Lucie Lackanee	Resident
26	Mary Beth Swanson	Resident

27 *The following is a summary of the discussions and actions taken at the October 20, 2022 Grand Haven*
28 *CDD Board of Supervisors Regular Meeting. Audio for this meeting is available upon public records*
29 *request.*

30 **SECOND ORDER OF BUSINESS – Pledge of Allegiance**

31 The Pledge of Allegiance was recited.

32 **THIRD ORDER OF BUSINESS – Audience Comments – (*for non-agenda items - limited to 3 minutes***
33 *per individual)*

34 Mr. Blinn expressed concerns regarding the condition of the pond, particularly in regards to floating
35 debris in the pond. A Supervisor indicated that this matter would be addressed during Mr.
36 Kloptosky's presentation.

37 (*Dr. Merrill joined the meeting via Zoom at 9:08 a.m.*)

38 Ms. Lackanee requested a key for a locker in the ladies' room, noting that she had been given a key
39 in the past. Mr. Kloptosky explained that the lockers were originally intended to be used by all
40 residents and indicated that some lockers had been removed and replaced with benches due to a
41 lack of use. Mr. Howden indicated that he would like for this matter to be included on a future
42 agenda.

43 Ms. Swanson inquired about cleanup of wetland debris, citing fire hazard and flooding concerns.
44 She suggested looking into regrading this area to help alleviate a water issue. Mr. Kloptosky noted

45 that the wetland areas were strictly monitored and enforced by St. Johns River Water Management.
46 Ms. Stepniak confirmed that the area in question was a wetland area.

47 Mr. McInnes briefly circled back to the matter of lockers, noting that any changes to the locker
48 policy would require a rule change.

49 **FOURTH ORDER OF BUSINESS – Staff Reports**

50 A. Exhibit 1: Amenity Manager: John Lucansky

51 Mr. Lucansky informed the Board that violations found by a Health Inspection report had been
52 rectified within 2 days of the inspection. He stated that the dogs on property were confirmed by
53 their owners to be service animals, noting that asking for certificates or requesting that the dog wear
54 a vest was not permitted.

55 Mr. Foley expressed concerns regarding reports from the Department of Business and Professional
56 Regulation for the café. He expressed dissatisfaction with the lack of enforcement of the dog policy,
57 to which Dr. Merrill indicated agreement.

58 In response to a Supervisor question, Mr. Lucansky stated that there was nothing additional the
59 CDD needed to do in order to reduce violations. Mr. Flanagan commented that the doors of the
60 café could be difficult to open. Mr. Kloptosky explained that this was caused by the suction of the
61 air and indicated that the doors would be adjusted to correct this.

62 Mr. Flanagan asked if there was enough money in the Contingency Fund for disaster recovery to
63 cover overtime for staff members. Mr. Lucansky indicated that he did not believe overtime would
64 be necessary. Mr. Flanagan additionally requested that Mr. Lucansky refrain from including items
65 in his report that were consistently unchanged. Mr. Lucansky explained that these items were
66 included to ensure that these were still checked on a weekly basis.

67 Mr. Polizzi stressed the importance of ensuring high quality standards at the café and advised
68 increased diligence in regards to enforcing the rules of the café, particularly pertaining to dogs. He
69 suggested sending out quarterly communications to residents to remind them of the café rules.

70 Mr. Howden asked Mr. Kloptosky to work with Mr. Lucansky on the inspection and dog issues and
71 bring back their changes to the Board.

72 B. District Engineer: David Sowell

73 1. Exhibit 2: Discussion of North Drainage Map

74 Mr. Sowell provided an overview of the North Drainage Map. He noted that he was unable
75 to find As Built design plans for Grand Haven North but indicated that the structures were
76 functioning as designed.

77 In response to a Supervisor question, Mr. Sowell clarified that Pond 25 was isolated from
78 Wetland P and all other ponds through its control structure. He stated that he did not believe
79 the homes around this area were in jeopardy.

80 Dr. Merrill expressed concerns regarding water levels of Wetland P and the lack of multiple
81 egresses. Mr. Sowell suggested pumping water into an inlet to lower the water levels. Mr.
82 Clark advised contacting St. John's River Water Management to obtain permission to pump
83 the water.

84 Mr. Flanagan asked if the District had total responsibility for taking control of what was
85 causing the issues with the ponds of Wild Oaks and the wetlands in these areas. Mr. Clark
86 indicated that this was a shared responsibility. Mr. Flanagan asked how the District could
87 hold other entities responsible for their share of responsibility. Mr. Clark stated that
88 consultants could be sent to speak with the entities and indicated that letters could be sent

89 as well, if the latter was unsuccessful. A Supervisor recalled that the Board had discussed
90 putting the infrastructure process on a future Workshop agenda.

91 Mr. Flanagan inquired as to whether there were enough funds allocated in the budget to
92 address overflows and to ensure the barriers were working correctly. Mr. Kloptosky stated
93 that the District had enough money in the budget to address immediate concerns but
94 indicated that a more involved discussion regarding the financing could be held at a
95 Workshop meeting. Following discussion, the Board reached a consensus to revisit this
96 matter at a Workshop meeting.

97 In response to a Supervisor question, Mr. Sowell confirmed that the plan to enclose
98 Wetland P had been taken into account in the development plans.

99 Mr. Sowell advised that the Board consider repairing a retaining wall on 53 West
100 Waterside, as the wall could jeopardize the foundation of some nearby homes if it was to
101 fail. He indicated that further investigation of the entire property wall was needed to
102 determine the full scope of repairs. Mr. Howden stated that he would like for Mr. Kloptosky
103 and Mr. Sowell to evaluate the wall and report back, to which there were no objections.

104 Mr. Sowell informed the Board that there were some depressions forming around the
105 manholes in Wild Oaks. He advised extending the maintenance program into this area and
106 repairing the manholes. Mr. Kloptosky stated that this would fall under Road Repair and
107 noted that 6 manholes had already been repaired.

108 Mr. Sowell additionally brought up the Road Resurfacing Program. He indicated that
109 Waterside Pkwy. was not in need of repairs at this time. He stated that it would cost
110 approximately \$250,000.00 to repave Waterside Pkwy. from the Village Center to the south
111 entrance of the community. Mr. Foley commented on disturbed asphalt and concrete
112 curbing on Waterside Pkwy. Mr. Sowell explained that the problematic areas would be
113 repaired but advised that a full repaving was not warranted. Mr. Flanagan noted that sealing
114 could be a potential option to improve the aesthetics of the road. Mr. Kloptosky indicated
115 that he would look into this.

116 *(Dr. Merrill left the meeting at 10:32 a.m.)*

117 C. Operations Manager: Barry Kloptosky

118 1. Exhibit 3: Presentation of Capital Project Plan Tracker

119 Mr. Howden asked for any questions on the tracker. In response to a Supervisor question,
120 Mr. Kloptosky stated that this was the last tracker for Fiscal Year 2022 but acknowledged
121 that there was a small number of outstanding items that were not currently on the tracker.

122 2. Exhibit 4: Monthly Report

123 Mr. Kloptosky informed the Board that the sidewalk replacement project was now in
124 progress. He stated that he did believe the treatment for Pond 43 was working and brought
125 up a proposal to harvest the pond in the amount of \$43,500.00. He indicated that he was
126 dissatisfied with Solitude's service and stated that he had received a proposal for a different
127 vendor to take over treatments for all of the District's ponds in the amount of \$8,450.00
128 per month. Following discussion, the Board reached a consensus to direct Mr. Kloptosky
129 to obtain additional proposal options for aquatic maintenance prior to giving Mr. Clark
130 authorization to issue a letter of termination to Solitude. Mr. Flanagan requested that Mr.
131 Kloptosky look into potential discounts with multi-year contracts. Mr. Polizzi noted that
132 he would like to continue to look into additional solutions for Ditch 10 in the interim.

133 *(Dr. Merrill rejoined the meeting at 10:57 a.m.)*

134 Mr. Kloptosky stated that aeration installation for Pond 24 and Pond 11 would move
135 forward after the conduit was installed. He discussed an application issue pertaining to the
136 installation of a meter by Pond 37. Ms. Stepniak indicated that this was in the process of
137 being resolved and stated that she would call the individual working on this matter after
138 the meeting.

139 In response to a question from Mr. Flanagan, Mr. Kloptosky indicated that some of the
140 items on the bathroom punch list had been completed. Mr. Flanagan additionally asked if
141 any feedback had been received from the guards. Ms. Stepniak stated that positive feedback
142 had been received.

143 Mr. Kloptosky provided the Board with an update regarding the storm cleanup process. He
144 relayed negative feedback from residents regarding the speed of the cleanup but indicated
145 that he disagreed with the feedback and that he felt the cleanup had occurred in an efficient
146 manner. He commented positively on the work performed by the cleanup company. He
147 additionally explained that the City had not helped the District with the cleanup, as they
148 had with prior storms. Mr. Foley commented that he felt more communication with
149 residents was needed.

150 Mr. Clark provided background information on past agreements in 2016 and 2017 with the
151 City regarding storm cleanup and confirmed that the City had been unwilling to provide
152 supplemental cleanup for Hurricane Ian. He relayed that the City Attorney had stated that
153 the City was not legally obligated to pick up debris and that it would not be feasible for the
154 City to do so.

155 Mr. Howden stated that he had reached out to the Mayor's Office, the City Manager's
156 office, and Councilman Klufas regarding storm pickup but had not received a response. He
157 informed the audience and Board members that the City was not providing the same
158 garbage solid waste pickup services as was provided to those living outside the District,
159 despite each household within the District paying roughly \$360 per year for this service.
160 He stated that the City had removed after-storm cleanup from their contract with Waste
161 Pro. Mr. Howden additionally discussed an issue of some residents taking advantage of
162 storm cleanup. Mr. Polizzi indicated that he thought this may be due to a misunderstanding
163 as to what was considered the residents' responsibility and how much the City would pick
164 up.

165 Mr. Foley pointed out that dates had not been included on the Operations Manager report
166 and reiterated that he would like for this to be included moving forward.

167 In response to a Supervisor question, Mr. Kloptosky stated that there was still an open
168 position for a Field Maintenance Worker 2 and a Field Supervisor. Mr. Howden noted that
169 Mr. McInnes was in the process of pursuing potential options internally with DPFPG.

170 *(The Board recessed the meeting at 11:51 a.m. and reconvened at 12:06 p.m.)*

171 Following the recess, Mr. Flanagan requested that the Meeting Minutes reflect Mr. Clark
172 and Mr. Howden's statements regarding the City's actions in detail.

173 D. Exhibit 5: District Counsel: Scott Clark

174 Mr. Clark stated that the steps for FEMA reimbursement would be initiated, noting that it appeared
175 that the District would received 100% reimbursement for the debris potion.

176 Mr. Howden requested to move up the discussions on Employee Protection from Verbal Abuse &
177 Abuse on Social Media Sites and the Draft Gate Limited Access Rule.

178 E. Employee Protection from Verbal Abuse & Abuse on Social Media Sites

179 **This item, originally Item B under the Sixth Order of Business, Discussion Items, was**
180 **presented out of order.**

181 Mr. Clark advised amending the rules to create protections against abuse for staff. He explained
182 that abuse occurring on social media would be outside the District's control. The Board reached a
183 consensus to allow Mr. Clark to speak with the employees and bring back potential rule changes.

184 F. Draft Gate Limited Access Rule

185 **This item, originally Item C under the Sixth Order of Business, Discussion Items, was**
186 **presented out of order.**

187 Mr. Clark asked if the Board would like to move forward with this rule and inquired as to how
188 this would impact the Crossings and Wild Oaks. Mr. Flanagan suggested a change in
189 infrastructure to allow the guards visibility and pointed out that penalty of having to use the guard
190 side could not be enforced at the Crossings or Wild Oaks. Mr. Clark noted that the Board could
191 adopt the rule and determine how to implement it as a second step. In response to a Supervisor
192 question, Mr. Clark clarified that the verbiage would need to be voted on at a Public Hearing.

193 On a MOTION by Mr. Foley, SECONDED by Mr. Flanagan, WITH ALL IN FAVOR, the Board authorized
194 staff to notice the Gate Limited Access Rule for Public Hearing for the Grand Haven Community
195 Development District.

196 G. District Manager: David McInnes

197 Mr. Howden requested to move up the Resident Incident discussion.

198 1. Discussion of Resident Incident – *To Be Distributed*

199 **This item, originally Item G3 under the Fourth Order of Business, Staff Reports,**
200 **was presented out of order.**

201 Mr. McInnes reviewed a recent incident in which a resident used abusive language
202 against a Vesta employee at the Creekside Fitness Center. He noted that a memo detailing
203 the incident was public record and that Supervisors were permitted to view the footage at
204 the Creekside office. He advised issuing a written warning to the resident. Mr. Howden
205 recommended for a written warning to be sent to the resident from the District Manager
206 advising of a 60-day warning of the first offense. Mr. Foley suggested a 2-week
207 suspension for the resident. Mr. Clark advised against this suggestion, as this could
208 hinder enforceability. The majority of the Board agreed to Mr. Howden's
209 recommendation of a 60-day warning.

210 *(Dr. Merrill left the meeting at 12:58 p.m.)*

211 2. Exhibit 6: Meeting Matrix

212 Mr. Foley requested to add a discussion on the 10-year plan to the January or February
213 Workshop Meeting. Mr. Foley additionally suggested adding a Town Hall Meeting
214 regarding the survey to the January Workshop.

215 3. Exhibit 7: Action Item Report

216 Mr. Howden asked for any questions on the Action Item Report, to which there were
217 none.

218 **FIFTH ORDER OF BUSINESS – Consent Agenda Items**

219 A. Exhibit 8: Consideration for Acceptance – The September 2022 Unaudited Financial Report

- 220 B. Exhibit 9: Consideration for Approval – The Minutes of the Board of Supervisors Workshop
221 Meeting Held September 1, 2022
- 222 C. Exhibit 10: Consideration for Approval – The Minutes of the Board of Supervisors Regular
223 Meeting Held September 15, 2022

224 On a MOTION by Mr. Foley, SECONDED by Mr. Flanagan, WITH ALL IN FAVOR, the Board approved
225 all items on the Consent Agenda for the Grand Haven Community Development District.

226 Following the motion, Mr. McInnes requested to move up Exhibit 11 and Exhibit 12.

227 **SIXTH ORDER OF BUSINESS – Business Items**

- 228 A. Exhibit 11: Consideration of VerdeGo Annual Price Increase

229 **This item, originally Item B under the Sixth Order of Business, Business Items, was**
230 **presented out of order.**

231 Mr. McInnes explained that the District had budgeted for an 5% rate increase for landscape
232 maintenance but VerdeGo had requested an increase of 9%. He explained that the cost of
233 chemicals was the driving force of the increase and recommended that the Board approve the
234 increase. Mr. Kloptosky indicated that he agreed with Mr. McInnes' recommendation.

235 Mr. Foley advised that the Board look into the District's expenses and attempt to cut back on
236 costs. Mr. Flanagan noted that he would like for the VerdeGo's rates to decrease if the market
237 went down in cost.

238 On a MOTION by Mr. Flanagan, SECONDED by Mr. Foley, WITH ALL IN FAVOR, the Board approved
239 the VerdeGo Annual Price Increase for the Grand Haven Community Development District.

- 240 B. Exhibit 12: Consideration of Precision Land Grading Price Increase

241 **This item, originally Item C under the Sixth Order of Business, Business Items, was**
242 **presented out of order.**

243 Mr. McInnes explained that the cost of chemicals was the driving force for Precision Land
244 Grading as well. He noted that this was a 3% higher than what had been budgeted for FY 2023
245 and recommended that the Board approve the increase. Mr. Kloptosky noted that he had spoken
246 with the contractor and indicated that he felt this was a fair cost.

247 On a MOTION by Mr. Flanagan, SECONDED by Mr. Foley, WITH ALL IN FAVOR, the Board approved
248 the Precision Land Grading Price Increase for the Grand Haven Community Development District.

- 249 C. Cellphone Access at Gates

250 **This item, originally Item A under the Sixth Order of Business, Discussion Items, was**
251 **presented out of order.**

252 Mr. Howden spoke against allowing cell phone access at the gates due to security concerns. He
253 additionally suggested that the Board consider splitting vendor access. Other Supervisors voiced
254 their support of allowing cell phone access at the gates. In response to a Supervisor question, Ms.
255 Stepniak confirmed that the current system only allowed one phone number per address at this
256 time but indicated that this could change in the future. She recommended waiting for the rollout
257 of the resident web portal to allow residents to input their cell phone numbers themselves, should
258 the Board choose to move forward with this change.

259 *(Mr. Polizzi left the meeting at 1:45 p.m.)*

260 Mr. Flanagan made a motion to move forward with cell phone access at the gates, which was
261 seconded by Mr. Foley. Mr. Howden asked for any comments from the audience. An audience
262 member expressed concerns regarding the limit of one phone number per household. Ms.
263 Swanson agreed that she would like for multiple cell phones to be able to be used and spoke in
264 favor of cell phone access for the gates.

265 On a MOTION by Mr. Flanagan, SECONDED by Mr. Foley, with Mr. Flanagan and Mr. Foley, voting
266 "AYE" and Mr. Howden voting "NAY", the Board approved moving forward with Cell Phone Access at
267 the Gates for the Grand Haven Community Development District.

268 D. Update on Resident Survey – Supervisor Polizzi

269 1. Review of Reports

270 This item was tabled, as Mr. Polizzi had left the meeting.

271 **SIXTH ORDER OF BUSINESS – Discussion Items**

272 The items originally under this Order of Business were discussed under the Fourth Order of
273 Business, Staff Reports, and the Fifth Order of Business, Business Items.

274 **EIGHTH ORDER OF BUSINESS – Supervisors Requests**

275 Mr. Foley requested for legal costs to be discussed at the next meeting, if possible. There were no
276 objections to this request.

277 Mr. Flanagan requested to have the incident report review completed within a week after the
278 incidents were brought to District Management’s attention. Mr. Howden expressed that he did not
279 think this would be appropriate. Mr. McInnes reviewed the process of documenting incidents and
280 indicated that he would be hesitant to commit to the 1-week turnaround time that was requested.
281 He stated that he could notify the Board of incidents and update the Board on the incidents as part
282 of his report, as was done for this meeting. Mr. Flanagan spoke in favor of this process.

283 **NINTH ORDER OF BUSINESS – Action Item Summary**

284 Mr. McInnes reviewed the Action Item Summary.

285 A. The Operations Manager will work with the Amenity Manager with respect to correction on the
286 DBPR inspection and to address the issue of pets in the Village Center.

287 B. The District Engineer will work with the Operations Manager on the retaining wall issue in the
288 Crossings.

289 C. District Counsel will continue to work on the verbal abuse issue.

290 **TENTH ORDER OF BUSINESS – Next Meeting Quorum Check: November 3rd, 9:00 a.m.**

- 291 • Quorum Check

292 All Board members, with the exception of Dr. Merrill and Mr. Polizzi, confirmed that they would
293 be present for the meeting, which would establish a quorum.

294 **ELEVENTH ORDER OF BUSINESS – Adjournment**

295 Mr. McInnes asked for final questions, comments, or corrections before requesting a motion to
296 adjourn the meeting. There being none, Mr. Foley made a motion to adjourn the meeting.

297 On a MOTION by Mr. Foley, SECONDED by Mr. Flanagan, WITH ALL IN FAVOR, the Board adjourned
298 the meeting, at 2:10 p.m., for the Grand Haven Community Development District.

299 *Each person who decides to appeal any decision made by the Board with respect to any matter considered
300 at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,
301 including the testimony and evidence upon which such appeal is to be based.

302 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
303 meeting held on November 3, 2022.

304 David C. McInnes
305
Signature

[Signature]
Signature

David C. McInnes
Printed Name

Winnifred B. Howden
Printed Name

306 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman