

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, March 16, 2023 at 9:00 a.m. in the Grand Haven Room, at the Grand Haven
6 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 Kevin Foley	Board Supervisor, Chairman
11 John Polizzi	Board Supervisor, Vice Chairman
12 Nancy Crouch	Board Supervisor, Assistant Secretary
13 Michael Flanagan	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, Vesta District Services
18 Scott Clark	District Counsel, Clark & Albaugh, LLP
19 David Sowell <i>(via phone)</i>	District Engineer
20 Barry Kloptosky	CDD Operations Manager
21 Vanessa Stepniak	CDD Office Manager
22 John Lucansky	Amenity Manager
23 Lea Stokes	Vesta

24
25 *The following is a summary of the discussions and actions taken at the March 16, 2023 Grand Haven CDD*
26 *Board of Supervisors Regular Meeting. Audio for this meeting is available upon public records request.*

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

28 The Pledge of Allegiance was recited.

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

31 There were no comments from any members of the audience.

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

33 A. District Engineer: David Sowell

34 **This item was presented out of order.**

35 1. Golf Course Parking Lot Review

36 Mr. Sowell recalled that the golf course parking lot and areas along Waterside Parkway
37 between the north parking lot of the Village Center and Egret Drive were scheduled to be
38 repaved in 2024. Mr. Sowell advised that, following his review, he felt that neither
39 currently warranted any resurfacing for the next year. Mr. Sowell noted that the Board had
40 deferred repaving in the previous year, and so his next step would be to adjust the plan to
41 determine where these resurfacing projects could fit within the District’s planned timeline.

42 Mr. Sowell fielded questions from the Board regarding the extent of his assessment of
43 surface conditions, the depth measurements for resurfacing, and preparing estimates/plans
44 through FY 2036.

45 Following discussions on resurfacing, Mr. Sowell provided an update on the banks
46 assessment on Pond 14, noting that he had assessed four properties with Mr. Kloptosky in
47 early March. Mr. Sowell stated that the rip rap boulder treatment had been successful thus
48 far, and that they were waiting on a revised quote from the landscape contractor for the
49 Board's consideration as part of FY 2024 budget planning.

50 *(Dr. Merrill joined the meeting via phone at 9:14 a.m.)*

51 Prior to proceeding with the subsequent staff reports, Mr. Clark recalled a disagreement during a
52 portion of the March 2 workshop regarding Supervisors' involvement in the day-to-day activities
53 of staff. Mr. Clark presented the CDD's Code of Conduct to the Board, outlining specific provisions
54 for questions for District staff to be directed to the District Manager or Operations Manager, and
55 for Board members to not disrupt District staff while performing their job functions. Mr. Clark
56 advised that the primary struggle which had come up for discussion during the workshop had been
57 regarding ongoing communications and directions to staff from a Board member that were being
58 deemed to be excessive. Mr. Clark led a discussion on staff complaints against the Board member,
59 with Mr. Kloptosky, Ms. Stepniak, and Mr. Lucansky providing input, and the Supervisor made
60 comments apologizing for the extent of the issue and clarifying their intent with some of the past
61 communications.

62 Mr. Foley made a motion, seconded by Mr. Flanagan, to make stronger policy in the code of
63 conduct such that Board members were not permitted to give direction or directly interfere in any
64 way with staff, managers, or contractors; that all conversations on staff have to go through the
65 District Manager; that staff members could have the right to direct Board members to the District
66 Manager as the appropriate channel if approached by them, without fear of reprisal; and that Board
67 members can only interact with staff to ask questions or provide direction if the Board specifically
68 authorizes such conduct.

69 During discussion of the motion, Mr. Flanagan noted that residents were encouraged to
70 communicate with the office for residential/community concerns, and asked about the
71 differentiation between contacting them as a resident versus as a Board member. Mr. Foley stated
72 that being a Board member inherently gave interactions coming from Supervisors of the CDD a
73 level of authority that was distinct from residents. Additional Board comments were made
74 regarding redirecting residents coming to Supervisors with community concerns over to the office.

75 During discussion of the motion, Mr. Polizzi suggested that the motion needed to be very clear on
76 what was being changed in the Code of Conduct. Following discussion, Mr. Clark stated that he
77 could come back with language formalizing the suggested changes.

78 On a MOTION by Mr. Foley, SECONDED by Mr. Flanagan, WITH ALL IN FAVOR, the Board approved
79 for the District Counsel to bring back changes to the District Code of Conduct to indicate that all
80 communication for staff should go through the District Manager, for the Grand Haven Community
81 Development District.

82 Following the motion, Mr. Foley noted that the Supervisor that had been discussed was in a Board-
83 approved role as the lead on the communications and website initiative, which he acknowledged
84 would require some contact with staff and contractors. Mr. Foley additionally noted that at the
85 previous workshop, the Board member had suggested that channeling all communications through
86 the District Manager rather than directly to staff would add months of work to the project. Mr.
87 Foley stated that he was not in favor of authorizing the Board member to circumvent the District
88 Manager to communicate directly with staff to avoid these delays, and requested for the Board

89 member's resignation as the Board-approved lead Supervisor on the initiative. In response to
90 questions about how the new Supervisor in this role would interact with the staff organization, and
91 Mr. Foley suggested that this could be discussed at the next workshop meeting.

92 B. Exhibit 1: Amenity Manager: John Lucansky

93 Mr. Lucansky stated that all materials needed for the Tiki Hut had been ordered and set up by the
94 Operations Manager and Office Manager, and that this was ready to go by the planned opening
95 date of May 27. Mr. Lucansky fielded questions from the Board regarding online ordering systems
96 and increases in the number of cars parked in the street during events.

97 C. Operations Manager: Barry Kloptosky

98 1. Exhibit 2: Presentation of Capital Project Plan Tracker

99 Mr. Kloptosky presented the plan tracker to the Board. Mr. Kloptosky noted that he was
100 unsure where the \$50,000 budgeted cost for the "Vehicle Traffic, Speed Control
101 Improvements" line item was being sourced from, and Mr. McInnes stated that he would
102 look into the records to determine its origin. Mr. Kloptosky additionally fielded questions
103 from the Board regarding the priority list, the deferral of roadways under line item 7, and
104 on whether a number of budgeted amounts for line items were sufficient.

105 Additional suggestions were heard from the Board for a report with specific information
106 on targets that were needed, approximate costs, and estimated times for completion.

107 2. Exhibit 3: Monthly Report

108 Mr. Kloptosky noted that the asphalt repairs in the monthly report were in the agenda for
109 Board approval, and that the landscape enhancements to the pool area were close to
110 completion but had been delayed slightly due to the rain. Mr. Kloptosky additionally
111 confirmed that the figure of 25 hogs being removed was the most recent number as of
112 March 15, and that no hog complaints had been received over the past week. Mr. Kloptosky
113 stated that the design architect for the café renovation had been unable to complete the
114 initial information plan in time for this meeting, but that the proposals to move forward
115 with the scope of work and designs would come before the Board at the next regular
116 meeting.

117 D. Exhibit 4: District Counsel: Scott Clark

118 1. FEMA Subgrant Agreement

119 Mr. Clark gave an overview of the agreement that was being presented by FEMA for Board
120 approval, following the District's claim for public assistance and reimbursement for
121 debris/damage in connection with Hurricane Ian. Mr. Clark recommended that the
122 Operations Manager be designated as the primary contact, and for himself, Mr. Kloptosky,
123 Mr. McInnes, and Ms. Stepniak as full access members. Mr. Clark additionally suggested
124 that the District Engineer be brought in on an as-needed basis. The Board, following
125 discussion, came to a consensus to list all Supervisors under read-only access roles.

126 On a MOTION by Mr. Foley, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board accepted
127 the FEMA Subgrant Agreement, with the addition of names as presented, for the Grand Haven Community
128 Development District.

129 2. District Property Enhancements

130 Mr. Clark recalled workshop discussions about what to do when residents began planting
131 on District property, or installing patios or pavers. Mr. Clark stated that a section of another
132 District's adopted rules had been included for consideration, explaining that when residents

133 extended yards into conservation areas, that may create some rights issues and potential
134 liability to the water management District. Discussion ensued regarding communicating
135 with the Master Association on the existing set of rules and guidelines and to follow the
136 Operations Manager's recommendations on addressing these issues. Following input from
137 Mr. Kloptosky, the Board agreed to have District Counsel move forward and bring back a
138 draft rule specific to Grand Haven.

139 3. Storm Debris RFP

140 Mr. Clark advised that there were existing regulations from FEMA for going out for RFP
141 every three years for emergency storm debris contracts, and stated that the language would
142 be identical to the previous year's aside from updated titles and dates.

143 On a MOTION by Mr. Polizzi, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board approved
144 the publication for an RFP for services to address storm debris, for the Grand Haven Community
145 Development District.

146 Following the motion, Mr. McInnes stated that the responses to the RFP would be brought
147 back for consideration at the meeting scheduled for May 18.

148 E. District Manager: David McInnes

149 1. Exhibit 5: Meeting Matrix

150 Mr. McInnes presented the meeting matrix, and Mr. Kloptosky fielded questions from the
151 Board regarding solar evaluation.

152 2. Exhibit 6: Action Item Report

153 Mr. McInnes presented the action item report and fielded questions from the Board.

154 *(The Board recessed the meeting at 11:10 a.m., and reconvened at 11:23 a.m.)*

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

156 A. Exhibit 7: Consideration for Acceptance – The February 2023 Unaudited Financial Report

157 B. Exhibit 8: Consideration for Approval – The Minutes of the Board of Supervisors Workshop
158 Meeting Held February 2, 2023

159 C. Exhibit 9: Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting
160 Held February 16, 2023

161 On a MOTION by Mr. Flanagan, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board
162 approved all items on the Consent Agenda for the Grand Haven Community Development District.

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

164 A. Exhibit 10: Consideration for Acceptance – The FY 2021 Financial Audit

165 Mr. McInnes stated that this had been found to be a clean audit of the District's financials for the
166 fiscal year. In response to Supervisor questions, Mr. McInnes explained the purpose of qualified
167 public depositories, and clarified that Bank United was the CDD's qualified public depository.

168 On a MOTION by Mr. Flanagan, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board accepted
169 the FY 2021 Financial Audit for the Grand Haven Community Development District.

170 B. Exhibit 11: Consideration of S.E. Cline Road Repairs Proposal – Wild Oaks

171 Mr. Kloptosky explained that the proposal was for targeted repairs for asphalt around manhole
172 covers in Wild Oaks. Mr. Kloptosky acknowledged that about \$25,000 was remaining in the budget
173 for the CIP line item #6, and that this proposal was in the amount of \$36,275.50. Mr. Kloptosky
174 noted that road repaving under line item #7 had been deferred, so that there were funds left over
175 that could allow for this. The Board and Mr. Kloptosky discussed the methods for repair and full
176 replacement, and Mr. McInnes suggested that a contingency amount could be added to the approved
177 amount in case of any issues during repairs.

178 On a MOTION by Mr. Polizzi, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board approved
179 the S.E. Cline Road Repairs Proposal, in an amount not to exceed \$42,000.00, for the Grand Haven
180 Community Development District.

181 **SEVENTH ORDER OF BUSINESS – Discussion Items**

182 A. FY 2024 Budget (continued) and FY 2025 – FY 2027 Capital Project Review

183 1. Exhibit 12: FY 2024 (and beyond) One Pager Revised

184 Mr. McInnes stated that, historically, an amount of \$750,000 had been set aside for disaster
185 funds, and recalled that some concerns had been voiced about the impacts of inflation. The
186 Board requested for Egis to be contacted for possible information regarding a disaster
187 increase amount. The Board discussed amounts listed under concrete-sidewalk repair,
188 walking path, and croquet line items with Mr. Kloptosky. It was clarified that the croquet
189 court line item was related to funds set aside for lighting, and that the croquet court surface
190 was not expected to need a refresh within the next two years. Additional discussion ensued
191 regarding potentially exploring an option where the percentage of unassigned funds being
192 placed in a disaster fund was set to 5%.

193 2. Exhibit 13: Operations Manager’s Review of FY 2025 – FY 2027 Proposed Capital
194 Projects

195 Mr. Kloptosky noted that Ms. Stepniak had distributed a handout related to items that had
196 been added, deleted, and adjusted. Mr. Kloptosky provided updated dollar amounts for
197 projects proposed for FY 2024, and future year projects. Mr. Kloptosky suggested that the
198 pressure washer and maintenance utility vehicle purchases could be deferred to 2025,
199 leaving money for the purchase of a new golf cart. Suggestions were additionally given for
200 the basketball courts resurfacing for Creekside to be adjusted to \$7,500, and for the amount
201 for the shelter frame on Wild Oaks Park to be left and substituted for use for the canopy at
202 Creekside. Mr. Kloptosky additionally noted that there would likely be more bank
203 reinforcements than the four locations included in the report.

204 B. Exhibit 14: Post Orders – Continued

205 Mr. Clark presented the overhaul of the previous post orders, explaining that the process had been
206 drafted up from post orders obtained from other private communities. Mr. Clark recommended
207 looking at the system to ensure that a comprehensive list of tenants was captured and accounted
208 for. In response to Supervisor requests, Mr. Clark provided an overview of the language that had
209 been removed and added, noting that overall, the draft post orders were five pages longer than the
210 previous ones. Ms. Stepniak and Mr. Clark discussed additional details on provisions for
211 contractors particularly with construction activity entering the community. Following additional
212 discussion with the Board, Mr. Foley suggested for Board comments and suggestions on the drafted
213 post order updates to District Counsel and/or the District Manager.

214 **NINTH ORDER OF BUSINESS – Supervisors’ Requests**

215 Mr. Polizzi noted that Snap Survey would be providing a quote soon to address all the information
216 related to the surveys, including documents, responses, and analyses.

217 Dr. Merrill expressed concerns about exposed pipes on a pond near the main gate along Waterview.

218 Mr. Flanagan requested a discussion on leaf removal policy to be added to the June workshop
219 meeting agenda.

220 Ms. Crouch inquired about pond algae treatments, and Ms. Stepniak noted that Pond 18 had been
221 treated recently by Solitude and had not heard anything negative from residents, though stated that
222 she could touch base with the vendor.

223 Mr. Foley gave some suggestions for reworking the meeting matrix, and noted that he had been in
224 contact with the trash pickup supervisor for the city, who had indicated that FEMA would not
225 reimburse the city for storm debris pickups on streets that are not publicly maintained. Mr. Foley
226 noted that this applied to the CDD's roadways, and that the supervisor had offered to come in for
227 a meeting and provide an explanation of her role and the city's perspective on storm debris pickups.

228 **TENTH ORDER OF BUSINESS – Action Item Summary**

229 Mr. McInnes provided a summary of action items.

230 • District Manager will review the source of the \$50,000 for Vehicle Traffic and Speed Control
231 Improvements listed in the FY 2023 Capital Plan.

232 • District Manager and Chair will be updating the Capital Plan from 2024 through 2027 given
233 information from this meeting.

234 • District Manager will contact EGIS and determine whether they used a percentage increase for
235 disaster removal.

236 • District Counsel will prepare a revised Code of Conduct to indicate that Supervisor
237 communications with staff will go through the District Manager.

238 • District Counsel will provide a proposed rule regarding encroachment on CDD-owned property.

239 • District Counsel will publish an RFP for storm debris removal services and will have RFP responses
240 considered during the meeting scheduled for May 18.

241 • District Counsel will distribute a red-lined version of the Post Orders to the Board.

242 • Operations Manager will get back with the Board on the cloud option alternative to the server quote
243 with Celera.

244

245 • Next Meeting Quorum Check: April 20, 9:00 a.m.

246 All Supervisors in attendance indicated that they planned on attending the next regular meeting
247 scheduled for April 20 in person, which would constitute a quorum.

248 **TENTH ORDER OF BUSINESS – Adjournment**

249 Mr. McInnes asked for final questions, comments, or corrections before requesting a motion to
250 adjourn the meeting. There being none, Ms. Crouch made a motion to adjourn the meeting.

251 On a MOTION by Ms. Crouch, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board adjourned
252 the meeting, at 1:08 p.m., for the Grand Haven Community Development District.

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

256 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
257 meeting held on April 20, 2023.

258
259 David C. McInnes

Signature

[Signature]
Signature

David C. McInnes

Printed Name

Kevin Foley
Printed Name

260 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman