1	MIN	TUTES OF MEETING	
2	GRAND HAVEN		
3	COMMUNITY DEVELOPMENT DISTRICT		
4 5 6	The Regular Meeting of the Board of Supervisors of the Grand Haven Community Development District was held on Thursday, November 2, 2023 at 9:00 a.m. in the Grand Haven Room, at the Grand 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 11 12 13 14	Kevin Foley John Polizzi Dr. Merrill Stass-Isern Nancy Crouch	Board Supervisor, Chairman Board Supervisor, Vice Chairman Board Supervisor, Assistant Secretary Board Supervisor, Assistant Secretary	
15	Also present were:		
16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	CDD Board of Supervisors Regular Meeti	District Manager, Vesta District Services Vesta Property Services Vesta District Services District Counsel, Clark & Albaugh, LLP CDD Operations Manager CDD Office Manager Amenity Manager Arborist Seat #4 Candidate	
32	request.  SECOND ORDER OF BUSINESS – Pled	lge of Allegiance	
33	The Pledge of Allegiance was recite		
34 35 36	Prior to opening the floor to audience comments, the Board, Ms. Leister, and multiple members of the audience who were former Board members recognized and thanked Mr. Clark and Mr. Kloptosky for 15 years of service to the Grand Haven community.		
37 38	THIRD ORDER OF BUSINESS – Audience Comments – (limited to 3 minutes per individual for non agenda items)		
39 40 41 42 43 44	An audience member noted that members of the community had been concerned about the nature of discussions for an additional line of credit, and suggested linking discussions to the District's financials to help illustrate that the CDD was actually in good financial health. The audience member additionally asked about how the CDD received assessments, noting differences between the timing of how some residents paid taxes, and Mr. Foley clarified that the funds came in annually and that the District was not in financial trouble.		

An audience member requested for the Board to seriously consider pickleball expansions for the financials moving forward, commenting on the sport's growth data throughout the country and local demand for playing facilities.

An audience member commented negatively on pond maintenance work, suggesting that messy material in the ponds needed to be manually scooped out with nets prior to proceeding with any treatments.

An audience member expressed concerns about the current state of parking lot capacity, and worried that expansions to courts for various sports would worsen the existing problems. The audience member urged the Board to expand parking.

# FOURTH ORDER OF BUSINESS - Consideration of Plaque In Memory of a Resident

A resident spoke to request that the Board install a plaque in the Grand Haven room in memory and commemoration of Lewis Beilman. The resident explained that Mr. Beilman had created and led a long-running and ongoing exercise class for the community called Move To Music, held in that Grand Haven room, and noted his steadfast work with Amy Beilman in support of a national organization for throat and neck cancer victims, including the creation of a local support group at Advent Hospital. The resident noted that her group had sent Mr. Foley a draft of requested text for the plaque, reading:

"In loving memory of Lewis Beilman, our Music Man, from your MTM family."

The resident suggested that the plaque could also include some music notes on the design, and that the plaque could be placed by the media center where Mr. Beilman always stood when leading class.

Mr. Foley made a motion, seconded by Dr. Merrill, to approve the commemorative plaque in substantial form.

During discussion of the motion, Mr. Polizzi suggested that a more structured process for commemorating residents and their contributions may be necessary, recalling that this process had already taken place previously with a commemorative plaque out on the tennis court.

On a MOTION by Mr. Foley, SECONDED by Dr. Merrill, WITH ALL IN FAVOR, the Board approved the commemorative plaque, as presented in substantial form, and for a more structured process for commemorations to be put in place, for the Grand Haven Community Development District.

# FIFTH ORDER OF BUSINESS – Exhibit 1: Presentation of Proof of Publication(s)

# SIXTH ORDER OF BUSINESS – New Supervisor Appointment

A. Acceptance of Resignation

On a MOTION by Mr. Foley, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board accepted the resignation of Supervisor Flanagan, for the Grand Haven Community Development District.

# B. Seat 4

Mr. McInnes explained the requirements and expectations for the individual being appointed to fill the vacancy in Seat 4 of the Board of Supervisors. Mr. McInnes advised that candidates needed to be a registered voter in Flagler County, a US citizen, and a resident within the boundaries of the Grand Haven Community Development District. Mr. McInnes added that the appointee was required to file financial disclosure within 30 days of selection, and annually thereafter as required under state law as part of the Commission on Ethics under penalty of fines.

87	C. Candidates	
88	1. Exhibit 2: Benedick, Julianna	
89	Mr. McInnes stated that Ms. Benedick had withdrawn her application.	
90	2. Exhibit 3: Brazen, Steve	
91	3. Exhibit 4: Davis, Richard	
92	4. Exhibit 5: Debitetto, Michael	
93	5. Exhibit 6: Kalteux, Jeff	
94	Mr. Kalteux was not present.	
95	6. Exhibit 7: Pietropalolo, Joseph	
96 97	Each candidate gave an overview of their respective backgrounds, experience, and/or philosophies regarding serving on a resident Board, and fielded questions from the current Supervisors.	
98	Mr. McInnes asked each of the Supervisors whether they had a choice of candidate to nominate.	
99	Ms. Crouch nominated Mr. Debitetto.	
100	Mr. Foley nominated Mr. Brazen.	
101	Following discussion, the Board came to a consensus to appoint Mr. Debitetto to Seat #4.	
102 103 104	On a MOTION by Ms. Crouch, SECONDED by Dr. Merrill, WITH ALL IN FAVOR, the Board approved the appointment of Mr. Debitetto to Seat #4 of the Board of Supervisors for the Grand Haven Community Development District.	
105	D. Exhibit 8: Oath of Office	
106	Mr. Debitetto was administered the Oath of Office.	
107	E. Acceptance or Waiver of Compensation	
108	Mr. Debitetto opted to accept compensation.	
109	F. Exhibit 9: New Supervisor Information Sheet	
110	G. Exhibit 10: Form 1	
111	H. Exhibit 11: Review of Sunshine Law & Supervisor Duties	
112 113 114 115	Mr. Clark explained the expected supervisory duties and the specific restrictions on permitted communications under Sunshine Law. Mr. McInnes added that a designated email would be set up for District correspondence, noting that communicating through that specific email would facilitate necessary records retention measures.	
116 117	I. Exhibit 12: Consideration & Adoption of Resolution 2024-02, Removing & Appointing Assistant Secretary	
118 119 120	On a MOTION by Ms. Crouch, SECONDED by Dr. Merrill, WITH ALL IN FAVOR, the Board adopted <b>Resolution 2024-02</b> , Removing & Appointing Assistant Secretary, for the Grand Haven Community Development District.	
121	J. Exhibit 13: Presentation of Code of Conduct	

The Code of Conduct was presented to the Board, and all Supervisors signed.

(The Board recessed the meeting at 10:35 a.m., and reconvened at 10:45 a.m.)

#### **SEVENTH ORDER OF BUSINESS – Presentations**

- A. Overview of the Process of Selecting Instructors for Amenity Programs
- B. Exhibit 14: Discussion of Tennis Instruction

Mr. Foley summarized the situation with the new additional tennis instructor who had been providing instruction for a fee paid for by residents taking the classes. Mr. Foley noted that his initial reaction was to question this, having recalled that Board approval was a required element to bring in a new instructor, but then Mr. Clark had found that Vesta did possess the authority to bring in another instructor. Mr. Clark also commented that he felt the language of the rule (Clause #16 on page 22 of the amenity rules) had been poorly crafted, and advised on interpretations and ambiguities caused by the phrasing. Mr. Clark suggested that the language be cleaned up, noting that the Board had an opportunity to do so with this topic of discussion. In response to Supervisor questions, Mr. Clark stated that he had no strong specific recommendation to the Board as to what to do in terms of its level of approval, beyond establishing a complete process in terms of having a written understanding with the individuals providing instruction. Mr. Lucansky provided additional background on initial communications he had had with the tennis instructor to the Board.

Mr. Polizzi asked about time commitments and expectations for Brian Counts, the original tennis instructor. Mr. Lucansky stated that Mr. Counts' time slots and number of lessons would not change. In response to comments about having a contract in writing, Dr. Merrill stated that she had a copy that she could supply to Mr. Lucansky.

Dr. Merrill argued that Clause 16 of the amenity rules in place currently had a clear interpretation that there's only one tennis pro, noting that there was language indicating that no other professional for-profit tennis instructor would be allowed on District courts. Dr. Merrill expressed concerns about having gone through the process with the additional instructor incorrectly and that actions that had already been taken needed to be reeled back in, as she felt that this was causing confusion and possible conflict. Dr. Merrill added that the existing contract with Mr. Counts was an important piece of context for Mr. Lucansky to have.

Mr. Foley discussed with Dr. Merrill whether or not the contract involved a facet of exclusivity and commented on Mr. Clark's memo regarding the rules of language. Mr. Foley additionally expressed agreement with comments that Mr. Lucansky made regarding having additional instruction available to provide an option for residents who would otherwise be going outside the community for classes. Following additional discussion, Mr. Foley suggested that the Board needed to come to an agreement as to what direction to give to Vesta. Mr. Foley commented positively on Mr. Lucansky's role in hiring facilitators throughout the community but stressed the importance of exercising good judgment in hiring any additional tennis instructors so as to be respectful of what Mr. Counts's current role and duties are as a long-standing instructor. Mr. Lucansky clarified that he had full faith and respect for what Mr. Counts does as a respected instructor for the community, and that it was never his intention to do anything that may appear as though he was replacing Mr. Counts.

The Board opened the floor to any audience comments.

A resident reported on instances where she, her children, and her children's friends had suffered an invasion of privacy as part of the debate between Mr. Counts and the new instructor Bill. The resident explained that the lessons she scheduled with Mr. Counts were paid for by the hour and not by head count, and had understood it to be permissible to have her children's friends, who were overnight guests, join in with her children's lessons. The resident stated that an individual had approached the parent of the overnight guest to confirm that they were not a resident, and had reported the circumstances of this lesson to a member of the Board for the alleged purpose of arguing in favor of Bill's lessons. The resident additionally expressed strong concerns about a subsequent incident where these children had been covertly watched by another individual during

their lesson, as part of an apparent attempt to work out where she lived. The resident requested for the rules to be amended to allow overnight guests to play, and urged for the invasive behaviors to stop.

A resident spoke on behalf of a member of a tennis advisory group, who had expressed concerns that the CDD had never discussed the matter with the advisory group to bring the matter to the wider community. The resident noted that she had observed a heated debate between tennis players regarding who they felt was the better tennis pro, and worried about the animosity that was being created by the situation. The resident also recalled comments from members of the Palm Coast Tennis Center which had concerns about how Mr. Counts was being treated by Grand Haven throughout this situation. The resident commented that her interpretation of Rule 16 was that they should only have a single tennis pro, and stated that she hoped the Board would make the right decision moving forward to dispel any further animosity.

A resident spoke in favor of having a single non-resident coach at the facilities. The resident expressed concerns about the sustainability of scaling liability and facility use considerations up with an increasing number of coaches.

An audience member suggested that it could be feasible to have multiple tennis pros, but additional tennis pros needed to be under the directorship of the senior pro and not independently operating as the situation currently was in Grand Haven, as this was causing turmoil and tension. The audience member provided a copy of the code of ethics of the Professional Tennis Registry and suggested that these obligations had been violated.

An audience member indicated that the Board was not supposed to get into operational issues, as this was management's responsibility, but clear rules needed to be set for them to follow. The audience member acknowledged that other clubs typically had a top tennis pro who other tennis pros reported to, or just one single tennis pro, and that this depended on demand.

There were no additional audience comments.

The Board discussed the direction to give to Vesta, with comments being made suggesting that this could be a model to apply to structures for instruction with other amenity programs. The Board discussed additional language with Mr. Clark regarding accommodations for guests accompanied by residents, subject to availability with prioritization for residents. Further comments were made regarding a hierarchy structure and expanding duties for the tennis pro role, with appropriate reimbursement. Dr. Merrill stressed that she believed that if multiple tennis pros were working the facilities, there needed to be language in place to support a structural hierarchy, but added that establishing a head tennis pro would be difficult without clear reimbursement for the instructor stepping up.

A motion was made to accept District Counsel's proposed language for tennis instruction, as presented.

On a MOTION by Mr. Debitetto, SECONDED by Mr. Foley, with Mr. Debitetto, Mr. Foley, and Mr. Polizzi voting "AYE", and Dr. Merrill and Ms. Crouch voting "NAY", the Board accepted the District Counsel's proposed language for tennis instruction, for the Grand Haven Community Development District.

Following the motion, Mr. Clark acknowledged that a majority of the Board wished to direct Mr. Lucansky to discuss with Mr. Counts and come back to the Board with further insight and possibly a more developed concept for an amendment to the existing contract to increase Mr. Counts's role.

On a MOTION by Mr. Foley, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board approved recessing the regular meeting for the purpose of conducting the Public Hearing on Amending the Amenity Rules, for the Grand Haven Community Development District.

(The Board recessed the regular meeting at 12:45 p.m.) 217 **EIGHTH ORDER OF BUSINESS – Public Hearing – Amending Amenity Rules** 218 219 A. Open the Public Hearing 220 On a MOTION by Mr. Foley, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board approved opening the Public Hearing on Amending the Amenity Rules, for the Grand Haven Community 221 222 Development District. B. Exhibit 15: Presentation of Amended Amenity Rules 223 224 Mr. Clark presented the redlined version of the amenity rules to the Board. Mr. Clark advised that 225 the amended rules included an expansion of the definition of people protected by the rules, to be 226 inclusive of District contractors. Mr. Clark explained that amendments to the expulsion and suspension process had expanded the rules to include actions of a violent nature as well as threats 227 and verbal provocations. 228 229 C. Public Comments 230 Mr. McInnes noted that a comment card had been submitted by a resident regarding guest fees, but stated that the resident was not in attendance. Mr. McInnes advised that the guest fees were not 231 232 among the amenity rules being amended at this public hearing. A comment was heard indicating that the third bullet point on the Grand Haven Recreation Facility 233 234 Reservation Policy on page 20 no longer applied as they did not have the Village Center court that 235 was mentioned. 236 There were no additional public comments. 237 D. Close the Public Hearing 238 On a MOTION by Mr. Foley, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board approved 239 closing the Public Hearing on Amending the Amenity Rules, for the Grand Haven Community 240 Development District. 241 (The Board reconvened the regular meeting at 12:53 p.m.) 242 E. Exhibit 16: Consideration & Adoption of Resolution 2024-03, Amending Amenity Rules On a MOTION by Mr. Polizzi, SECONDED by Dr. Merrill, WITH ALL IN FAVOR, the Board adopted 243 244 Resolution 2024-03, Amending Amenity Rules, for the Grand Haven Community Development District. **NINTH ORDER OF BUSINESS – Staff Reports** 245 246 A. District Engineer: David Sowell 247 The District Engineer was not present. 248 B. Amenity Manager: John Lucansky 249 Mr. Lucansky did not provide a report. 250 C. Operations Manager: Barry Kloptosky 251 1. Exhibit 17: Presentation of Capital Project Plan Tracker 252 Ms. Stepniak presented on behalf of Mr. Kloptosky, and noted that as this was early in the fiscal year, many of the planned capital projects being tracked were still seeking proposals. 253 In response to Supervisor questions about the status of the café's automatic door, Ms. 254 255 Stepniak stated that the architect of the café renovation had recommended waiting until the

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renovation to install it, in order to avoid a double-charge related to a redesign. Discussion ensued among members of the Board regarding possibly getting a proposal to address all of the bathroom doors.

2. Exhibit 18: Monthly Report

Mr. Polizzi suggested for future reports to include documentation as to what the Board had previously agreed to.

D. Exhibit 19: District Counsel: Scott Clark

Mr. Clark expressed appreciation and gratitude to the Board for the recognition, and stated that he was thankful for the opportunity to work for this District.

- E. District Manager: David McInnes
  - 1. Exhibit 20: Meeting Matrix
  - 2. Exhibit 21: Action Item Report

Mr. McInnes presented the meeting matrix and action item report, noting that discussions on the prioritizations relevant to the meeting matrix would be held under Exhibit 28.

3. Incident Report(s) Involving Resident(s)

Mr. McInnes provided a summary of an incident. The Board, following discussion, agreed with sending a strongly worded letter with regards to appropriate behavior to the resident.

#### **TENTH ORDER OF BUSINESS – Business Items**

A. Exhibit 22: Consideration & Adoption of Resolution 2024-04, Amending FY23 Budget

Mr. McInnes stated that the actual expenses had exceeded the actual revenue, primarily due to hurricane expenses that had been incurred. Mr. McInnes suggested that reimbursement from FEMA could be forthcoming, but not within the fiscal year of the budget being amended in this resolution. Discussion ensued regarding transparent documentation of expenditures being available to inquiring residents.

On a MOTION by Mr. Polizzi, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board adopted **Resolution 2024-04**, Amending FY23 Budget, for the Grand Haven Community Development District.

B. Exhibit 23: Consideration & Adoption of **Resolution 2024-05**, 2024 General Election Notice

On a MOTION by Mr. Foley, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board adopted **Resolution 2024-05**, approving the 2024 General Election Notice, in substantial form, to allow for corrections to a reference to Seat #4, for the Grand Haven Community Development District.

- C. Consideration of Solitude Lake Management Aeration Installation Proposals
  - 1. Exhibit 24: Pond 9

Ms. Stepniak explained that this was a smaller pond located behind the townhomes with consistent algae issues, and provided precise costs for the aerator equipment and a cost estimate for installing the electrical. Comments were made in support for having an expanded range to cover possible electrical costs with a higher approved not-to-exceed amount.

On a MOTION by Mr. Foley, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board approved the Solitude Lake Management Aeration Installation Proposal for Pond 9, in an amount not to exceed \$12,000.00, for the Grand Haven Community Development District.

#### 2. Exhibit 25: Pond 2

Ms. Stepniak explained that this proposal was for a replacement of the solar area, and that there were no electrical costs associated.

On a MOTION by Ms. Crouch, SECONDED by Mr. Polizzi, WITH ALL IN FAVOR, the Board approved the Solitude Lake Management Aeration Installation Proposal for Pond 2, for the Grand Haven Community Development District.

Following the motion, Mr. McInnes asked for direction from the Board whether these items within the Operations Manager's purview should continue to be brought before the Board even if they were within the scope of the budget, or if the Operations Manager should go ahead with the work. The Board expressed support for going ahead with the work, with comments being made in favor of approved contracts being presented as part of the operations team's updates for informational purposes.

# D. Consideration of Propane Proposal Options

Ms. Stepniak noted that there had been some consistent issues with the current propane supplier's non-local customer service and delivery delays. Staff comments were heard noting the need to remove the existing proprietary propane tanks from the property, which may cause damage to landscaping on the south side which would need to be repaired.

1. Exhibit 26: Suburban Propane

Ms. Stepniak noted that Suburban Propane's proposal would remove the existing propane tanks at no cost.

2. Exhibit 27: Total Comfort

On a MOTION by Ms. Crouch, SECONDED by Dr. Merrill, WITH ALL IN FAVOR, the Board approved the Suburban Propane proposal, for the Grand Haven Community Development District.

#### **ELEVENTH ORDER OF BUSINESS – Discussion Items**

#### A. Exhibit 28: Priorities for the Remainder of FY2024

The Board went through the list of priorities and discussed plans with the Café. Mr. Kloptosky recalled that the Board had previously asked for pricing to help inform their decision on whether or not to expand the Café. Additional discussion ensued regarding parking expansion, recalling a previous comment from an audience member about multiple concurrent events resulting in parking lot overflow. Supervisor suggestions were heard for the Amenity Manager to look into spreading out event schedules. Discussion ensued regarding amenity expansion and call box/gate issue topics.

Following discussion, the Board listed the four top priorities as hog management, ponds management, amenity expansion, and gate access.

### TWELFTH ORDER OF BUSINESS – Supervisors' Requests

Mr. Debitetto thanked the Board and the community for their trust and confidence in his appointment to Seat 4.

Ms. Crouch provided an update on communications with the planning department with the City of Palm Coast, stating that their potential dates of January 11, January 18, and February 1 had been

# Grand Haven CDD Regular Meeting

334	forwarded to Mr. Lucansky to verify meeting room availability. Mr. Clark advised that Board members could attend these community presentations, but should not discuss Board business.		
335 336 337 338	Mr. Polizzi expressed some concerns about possible gaps in communications with the residents of the community, and stressed the importance of taking care with how communications go out in a helpful manner.		
339 340 341	Mr. Foley stated that he had gotten in touch with a point of contact at the University of Florida, who planned on performing a site visit with him. Mr. Foley additionally provided a summary of recent discussions with the lender for the line of credit.		
342	THIRTEENTH ORDER OF BUSINESS - Action Item Summary		
343	Mr. McInnes provided a summary of action items.		
344 345	<ul> <li>The Operations Manager will obtain proposals for installing handicap access buttons for two bathrooms at the Village Center and two bathrooms at the CAC.</li> </ul>		
346	FOURTEENTH ORDER OF BUSINESS – Meeting Matrix Summary		
347 348 349	Mr. McInnes provided a summary of meeting matrix items, noting that he would be adding a discussion on the process for selecting recipients for names on dedication plaques, as well as establishing priorities for the fiscal year at the December meeting.		
350	FIFTEENTH ORDER OF BUSINESS - Next Meeting Quorum Check: December 7, 9:00 AM		
351 352	All Board members present stated that they planned on attending the next meeting on December 7 in person, which would constitute a quorum.		
353	SIXTEENTH ORDER OF BUSINESS – Adjournment		
354 355	Mr. McInnes asked for final questions, comments, or corrections before requesting a motion to adjourn the meeting. There being none, Mr. Polizzi made a motion to adjourn the meeting.		
356 357	On a MOTION by Mr. Polizzi, SECONDED by Ms. Crouch, WITH ALL IN FAVOR, the Board adjourned the meeting, at 2:15 p.m., for the Grand Haven Community Development District.		
358 359 360	*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.		
361 362	Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on <u>January 18, 2024</u> .		
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	Signature	Signature	
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367	Title:  Secretary	A. A. P. C.	