

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

The Board of Supervisors of the Grand Haven Community Development District held a Regular Meeting on August 15, 2019, 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
Tom Lawrence (via telephone)	Vice Chair
Marie Gaeta	Assistant Secretary
Ray Smith (via telephone)	Assistant Secretary
Kevin Foley	Assistant Secretary

Also present were:

Howard McGaffney	District Manager
Scott Clark	District Counsel
Barry Kloptosky	Operations Manager
Stacie Acrin	Grand Haven CDD Office
Jay King	Vesta/AMG
Larry Stuart	Vesta/AMG
David Cottrell	Aquatic Systems, Inc.
Katie Cabonillas	Aquatic Systems, Inc.
Jeri Hopper	Grand Haven Golf Club

Residents present were:

Kathleen Fuss	Rob Carlton
Mike Frichol	Diane Frichol
Mike Wright	Barbara Wright
Maureen Pellegrini	Denise Majewski
Denise Gallo	Tom Byrne
Lisa Mrakovcic	Merrill Stass-Isern
Ron Merlo	Geraldine Marsh
Sue Guy	

FIRST ORDER OF BUSINESS

CALL TO ORDER/ROLL CALL

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

Mr. McGaffney called the meeting to order at 10:06 a.m. Supervisors Davidson, Gaeta and Foley were present, in person. Supervisors Lawrence and Smith were attending via telephone.

SECOND ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

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

Resident Maureen Pellegrini requested to use a portion of CDD land adjacent to the golf course to hold a “ball drop” during an upcoming fundraiser.

Ms. Jeri Harper, of the Grand Haven Golf Club, discussed the details of “ball drop” and why use of the CDD property for the fundraiser was being requested.

Mr. Clark stated that the CDD could accommodate the request; a standard use agreement with an indemnity and proof of insurance would be necessary.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with authorizing District Counsel to prepare a Use Agreement with the Golf Club for use of CDD property on November 2, 2019 for a fundraiser activity, was approved.

▪ **Update: Proposed Memorial Day Commemorative Plaque/Monument Project**

This item was an addition to the agenda.

Dr. Rob Carlton, a resident, reported the following:

- The project was underway and on schedule.
- The initial e-blast was sent on August 5th and a follow up will be sent, when appropriate.
- Funds were being raised to pay for the monument and the related costs.
- The monument and two benches were ordered and in production.
- Site preparation was underway.

FOURTH ORDER OF BUSINESS

STAFF REPORTS

▪ **Aquatic Systems, Inc.: Pond Maintenance**

This item was an addition to the agenda.

Mr. Cottrell stated that Aquatic Systems, Inc. (ASI) was acquired last year by SOLitude Lake Management (SOLitude) and would begin using the SOLitude name in the near future. He discussed the following:

- Mr. James Tau, the Technician assigned to Grand Haven for 16 years, was moving.
- Pond 11 Assessment Report: Due to ongoing algae issues, an assessment of Pond 11 was performed. The results were provided in a PowerPoint presentation. Overall, consistently, oxygen was not found to be an issue in the pond. Treatment recommendations to curb the algae issues were included.

Discussion ensued regarding the results, recommended treatments, cost, treatment frequency and duration, potential dangers to wildlife, etc.

- \$3,790 proposal for a one-time liquid alum application in Pond 11 was presented.

Resident Geraldine Marsh discussed green-colored algae in river or stream in Wild Oaks and asked if that area would be treated. Supervisor Davidson stated that the CDD met with the City regarding this issue and was trying to reach an agreement, as the City wants the CDD to maintain it but it is the City's stormwater and debris that is causing the issue.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the Aquatic Systems, Inc., proposal for a one-time alum application treatment in Pond 11, in a not-to-exceed amount of \$4,000, was approved.

Supervisor Foley asked if spartina grass, etc. helps slow or prevent phosphorus from flowing into the ponds. Mr. Cottrell stated that it can help but the benefit is minimal. Supervisor Davidson stated that the intent of planting the pond banks is to control and trap nitrogen from fertilizer, not phosphorus.

▪ **Discussion: Future Land Use**

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

Mr. Clark stated that he obtained information about the vacant site near the Clubhouse that is currently for sale. Supervisor Davidson stated that the land is zoned for a 24-unit multi-family structure and discussed the potential loss of 24 assessable units and the possible impact on the assessments of the current property owners, etc. Discussion ensued regarding funding options to purchase the land and cover the lost assessments, potential future development and ongoing maintenance costs, whether the CDD needs the land, condition of the land, etc.

Resident Mike Frichol noted the potential loss of revenue from the 24 units planned. Mr. McGaffney stated that was one of the items that would be researched, etc.

On MOTION by Supervisor Gaeta and seconded by Supervisor Foley, delegating authority to Supervisor Davidson, District Counsel and the District Manager to negotiate the terms of purchase of the land with the owner, and present the findings at the next meeting, was approved.

A. District Engineer: *DRMP, Inc.* [David Sowell]

There was no report.

B. Amenity Manager: *Amenity Management Group, Inc.* [Larry Stuart]

Mr. Stuart reported the following:

- A weekly report is submitted and could be provided to others.
- Working on positive public relations, building the amenity team, improving communications, training team to follow the rules, etc., to best serve the community.
- Tennis court fence replacement was underway. Algae treatment was underway.
- New point-of-sale (POS) system would be installed soon.
- Labor Day BBQ scheduled for Monday, September 2, 2019. Taking reservations for tables of 10 or more now or in the future was suggested.
- As directed and to keep them to a minimum, the weekly reports did not contain too much operational detail, on the understanding that the Board would ask for details at meetings.

Discussion ensued regarding the granular chlorine to be applied to the tennis courts to treat the algae, scheduling treatments, Café patron perceptions that wine pours were going down and prices were increasing, corrected wine measuring and improved quality of wines in

the Café and communicating this information to residents, new regular and happy hour menus and more Café specials, price versus quality, few price increases over the years despite increased labor costs, etc.

Resident Merrill Stass-Isern suggested advising about the changes to the wine. She asked about the progress of a Tennis Advisory Group (TAG). Mr. Stuart stated that the new food and beverage lists were being compiled for the new menus; the menus would be provided, once available. Creating the TAG was being reviewed and would be underway soon.

Resident Sue Guy expressed concern about the increasing number of nonresidents at the Café. Supervisor Davidson stated that the matter was being addressed.

Ms. Marsh welcomed Mr. Stuart and acknowledged the difficulties of transition.

The meeting recessed at 11:40 a.m., and reconvened at 11:55 a.m.

▪ **District Counsel: *Clark & Albaugh, LLC* [Scott Clark]**

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

Mr. Clark reported the following:

- FEMA “Clawback” Provision: The memorandum details the law about how long the Federal Emergency Management Agency (FEMA) has to seek repayment of distributed funds.
- Hurricane Matthew FEMA Claim: FEMA has issues with the procurement process for some debris removal. If FEMA denies some of the claim, the District can appeal.
- Amenity Rule Updates: Revisions were underway; the public hearing would be held September 15, 2019.

C. Operations Manager: *Barry Kloptosky*

Mr. Kloptosky discussed the following:

- Pond 3 Bulkhead: Potential for bulkhead failure. Bulkhead would be inspected to determine cause and whether they can be repaired or must be replaced.
- Village Center Stucco Repair Project: Work was underway and there were no major issues of concern. Thus far, all amenities had remained open; it may be necessary to close the pool for a few days. Necessary additional work should be within the contingency amount. An e-blast progress report was sent to residents. Renderings would be available soon.

- Curb and Gutter Repairs: Originally approved for \$30,000. The cost for repairs at three additional locations would be \$15,000.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the S.E. Cline Construction, Inc., proposal for curb and gutter repairs in three additional location, in a not-to-exceed amount of \$15,000, was approved.

Mr. McGaffney noted Supervisor Smith left the meeting at approximately 11:55 a.m.

Discussion ensued regarding tracking damage caused by oak tree roots, whether to budget for it and methods to slow oak tree root growth.

- Operations Manager CDD Debit Card Limit: Increase from \$5,000 to \$10,000 requested.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, increasing the Operations Manager’s CDD debit card limit to \$10,000, was approved.

- Resident Support of Mr. Stuart: A few residents approached Mr. Stuart, Mr. Kloptosky and a Board Member in a negative way related to the transition to the new Amenity Manager.

Discussion ensued regarding taking action against those residents, specifically two residents, including issuing a warning for a first violation, followed by possible suspension of amenity privileges for a second violation and a one-year suspension for a third violation, and the steps to initiate action, potential for personal intervention prior to issuing warning.

On MOTION by Supervisor Gaeta and seconded by Supervisor Lawrence, with all in favor, authorizing District Counsel to send written warning letters to the two residents, and for the Chair to interact with Resident “B”, was approved.

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

This item was presented following Item 4B.

- E. District Manager: *Wrathell, Hunt and Associates, LLC* [Howard McGaffney]

There was no report.

FIFTH ORDER OF BUSINESS

CONSENT AGENDA ITEMS

Mr. McGaffney presented the Consent Agenda items.

A. ACCEPTANCE OF UNAUDITED FINANCIAL STATEMENTS

- **Unaudited Financial Statements as of June 30, 2019**
 - **Updated CIP**

B. APPROVAL OF MINUTES

- **July 18, 2019 Regular Meeting**

The following change was made:

Line 318: Insert "Supervisor" before "Gaeta"

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the Consent Agenda Items, as amended, were approved.

SIXTH ORDER OF BUSINESS

BUSINESS ITEMS

A. Discussion: CDD Staffing Levels

Mr. Kloptosky recalled his prior request to add another CDD Office Assistant.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, approving and authorizing hiring one additional CDD Office Assistant, was approved.

Mr. Kloptosky discussed renovating The Village Center office to accommodate a CDD employee and the potential cost.

B. Consideration of Resolution 2019-08, Re-Designating Dates, Times and Locations for Community Workshops and Regular Public Meetings of the Board of Supervisors of the District for Fiscal Year 2019/2020; and Providing for an Effective Date

Mr. McGaffney presented Resolution 2019-08 and read the title.

On MOTION by Supervisor Gaeta and seconded by Supervisor Davidson, with all in favor, Resolution 2019-08, Re-Designating Dates, Times and Locations for Community Workshops and Regular Public Meetings of the Board of Supervisors of the District for Fiscal Year 2019/2020; and Providing for an Effective Date, was adopted.

C. Discussion: Future Land Use

This item was presented during the Fourth Order of Business.

D. Discussion: Community Information Guide Distribution

Supervisor Gaeta asked about designating the Community Information Guide (CIG) as an “amenity” to prohibit it from being given to or used by anyone outside of the CDD. Discussion ensued regarding the proposed distribution procedures, who should receive it, whether to charge certain people for it and how many CIGs to order.

E. Discussion: Changing Status of Café to Amenity

Supervisor Davidson discussed social media posts promoting the Café as being available to nonresidents. Mr. Clark stated that the Café is part of the defined CDD amenities. The issue to address was the suggested Rule revision, which would allow nonresidents to dine in the Café without being charged a \$10 Daily Guest fee. Additional refinement was needed to specify that guests of residents would not be charged the \$10 Daily Guest fee, if dining with the resident.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, the suggested rule revision related to the Cafe, provided by District Counsel, in substantial form, and authorizing District Counsel to make further adjustments to the rule for inclusion in the Rules of Procedure public hearing, was approved.

▪ **Unacceptable Resident Behavior in the Cafe**

This item was an addition to the agenda.

Mr. McGaffney stated that a warning was issued in 2017 to a different resident for unacceptable behavior in the Café, which was occurring again, in addition to other issues. Mr. Clark discussed behaviors that rise to the level of Staff being able to ask the person to leave immediately and stated that, in this situation, a warning letter could be sent. Discussion ensued

regarding the behavior exhibited, past occurrences, the numerous verbal warnings since 2017, contacting the Sheriff for certain behaviors, etc. Mr. Clark recommended sending a warning letter immediately, followed by a suspension letter if there is another occurrence.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, authorizing District Counsel to send a written warning letter to this resident, was approved.

SEVENTH ORDER OF BUSINESS

OPEN ITEMS

This item was not discussed.

EIGHTH ORDER OF BUSINESS

SUPERVISORS' REQUESTS

There being no Supervisors' requests, the next item followed.

NINTH ORDER OF BUSINESS

UPCOMING MEETINGS/WORKSHOPS

- **September 5, 2019 at 3:00 P.M. (*Public Hearing to commence at 5:00 P.M., time certain*)**
- **September 19, 2019 at 10:00 A.M. Board of Supervisors Meeting and Public Hearing**
- **September 19, 2019 at 10:00 A.M. Community Workshop**

TENTH ORDER OF BUSINESS

ADJOURNMENT

There being no further business to discuss, the meeting adjourned.

On MOTION by Supervisor Davidson and seconded by Supervisor Gaeta, with all in favor, the meeting adjourned at 2:03 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair