

**BLUEWATER BAY MSBU
BOARD of DIRECTORS
Public Meeting
August 19, 2014**

I. Call to Order

Chairman Steve Hall called the meeting to order at 6:02 p.m. Present were Directors, Steve Hall, Jonathan Tallman, Judy Griffin, Debbie Stretch and Felix Beukenkamp. The presence of a quorum was confirmed. Also attending were Marcia Sanders with the Bay Beacon, Jason Connor and Charlie Bland with Valleycrest Landscaping, Bruce & Bonnie Kennedy, Joel Parlea, Al Snider, Hal & Mary Tiaht, Michelle Villianflaer, Jerry & June Gibson, Kathy Dillon, Frank Both, Stuart Davis, Nick Sears, Joan McCarthy, Lynne Whittemore, Chris & Jane Olson, Dick Smith, Brett Barkman and William Cooper. Representing Bluewater Management Services were Darlane Landsberger and Meredith Collins.

II. Announcements

A. Next Public Board Meeting

The next Public Board Meeting will be held on September 18, 2014 at 6:00 p.m. at the Regency Inn, 4577 Hwy 20 in Niceville, Florida.

B. Public Comments

Mr. Hall welcomed all that attended and opened up the floor for audience comments.

A homeowner in attendance reported that there is a problem with flooding of the pond at Aruba/Dominica. Mr. Beukenkamp stated that he will be reporting on the flooding problems.

Ms. McCarthy reported that she lives off of Bay Drive and Ward Cove and would like to see something finished in that area, perhaps some paving stones. This is a bus stop and asked the Board to consider beautifying that area. Ms. Griffin agreed and also reported that some bushes need to be replaced in that area as well.

A homeowner in attendance reported that the area at Bay Drive/St. Kits/Jamaica and Bluewater Boulevard needs to be addressed and that the vines, weeds and trash look bad and it needs to be cleaned up.

III. Approval of Minutes

The July 15, 2014 Board of Directors Meeting Minutes were unanimously approved with a motion from Mr. Beukenkamp, and seconded by Ms. Stretch.

IV. Committee Reports

A. July 2014 Financials – Jonathan Tallman

Mr. Tallman reported that we collected no tax revenue in July and the year to date total remains at \$270,349.54. There is a positive balance of \$4,009.54 over budgeted revenue collected from tax

payers. Our expenses for July totaled \$31,401.77. Expenses for October through July total \$222,260.60 which does not include the allocations for 2014 reserves or supplemental contingency. The County still has not billed the MSBU for the Southwind Drive sidewalk construction. The disbursement request is in the hands of Parks and Recreation and has not been submitted for payment. Please review the July "Expense by Vendor Report" for detailed information on disbursements. The County processed one landscape invoice and the August report may reflect two months of expense. I have met with Staff and reviewed the financials, invoices and check requests for disbursements. Everything is in order. Ms. Griffin made a motion to approve the July 2014 financials, this was seconded by Ms. Stretch, none opposed.

B. Communication – Debbie Stretch

Community Events

Ms. Stretch reported that several neighbors volunteered equipment for the proposed movie night and asked the Board what they thought of for a September or October date. The Board agreed and reported that several neighbors also wish to have the Board possibly sponsor some Boy Scouts.

Parks & Recreation

Ms. Stretch reported that she has no updates for this evening's meeting. The park has been approved for grant money and recommends that neighbors please write to the County Commissioners Office to provide support. Ms. Stretch reported that it's currently in the County Commissioner's hands, however, not sure if it's within this budget cycle.

C. Landscape Maintenance – Judy Griffin

Review of Landscape Bids:

Ms. Griffin asked the Board if they wished to do a Question and Answer session with the landscape contractors prior to the rating process. Ms. Griffin also reported that the scope of work had A, B, C or D levels and some of the pricing will change. One of the big discrepancies with the contractors is the mulch from each bidder, it may be better to go back to "X" amount of bales of mulch to keep costs down. Mr. Hall reported that in the past the turf maintenance was 100,000 square feet and now it's almost eight (8) times that amount. Ms. Griffin reported that the new square footage is maintaining all areas. She also reported that she has had a lot of complaints and requests to add the additional area, however, decided against the rye grass because the pre-emergent kills the grass.

Ms. Griffin reported that Valleycrest has been the landscape contractor for the last nine (9) months and that the previous contract addressed only a minimum amount of trash pick-up but the 2014-15 RFP was had a more extensive trash pick-up.

Mr. Hall reported he has the following two (2) concerns:

1. Russell Landscaping did not have any unit pricing with their bid sheets but included just a maintenance total. He inquired if the RFP called for that specific format? The A, B, C and D were not included. Mr. Nick Sears with Russell Landscaping reported that he has no specific reason why that was not included. Ms. Griffin reported that the pricing is all there and recommends that Russell's proposal stay in the mix with the others.

2. Bayou Landscaping – Mr. Hall reported that they had no evidence of insurance provided nor was there licenses provided in the bid package. Bruce reported that he can get it immediately to include with the package.

Mr. Hall asked the Board if they had any questions and reported that he wishes to have responses from the companies for the discrepancies, such as Valleycrest submitted up to 3,300 bales of pine straw/mulch and where did they come up with that figure.

Valleycrest reported that they measured based upon how far the coverage went and then reviewed the lacking coverage. The existing mulch only covered so far and Mr. Wilcox reported that Valleycrest uses the same contractor who has provided the pine straw/mulch for the last seven (7) years.

Bruce with Bayou Lawn reported that he used the same figures based on the last contract.

Russell Landscaping reported they calculated on the low end for the pine straw based on the square footage.

Dogwood reported that based it on the square footage provided and reported that all of the landscape companies use the same pine straw company and purchase it at \$2.50 per bale. Ms. Stretch reported that if all of the contractors purchase the pine straw from the same manufacturer (South Eastern), why is there such a difference in the pricing for each landscape company? Mr. Beukenkamp reported that it's all attributed to the different company mark up.

Ms. Griffin reported that if we wish to continue on the same path of aesthetics, weighing each proposal shows that the largest difference in pricing is the mulch/pine straw.

1. Dogwood \$6.00 per bale
2. ValleyCrest \$6.00 per bale
3. Russell \$5.90 per bale
4. Bayou \$6.75 per bale

Ms. Griffin reported that anything that gets irrigation needs more fertilization. Mr. Hall reported that Dogwood was \$8,000 more than any other proposal on area "B", landscape maintenance. Ms. Griffin reported yes, however, they were lower on the "A" areas. Mr. Beukenkamp reported that in his experience there was always a mark-up of 10-20 percent in construction, not landscaping.

Mr. Beukenkamp reported that Ms. Griffin will be the landscape person on the MSBU Board until January and asked each company who will be in charge:

1. Dogwood – Stuart Davis reported that he will be the point of contact for Dogwood. He also reported that they are a local company and have worked within Bluewater Bay since the early 1970's. Dogwood has properties/project between Pensacola and Panama City Beach. We live in Niceville and feel that we can bring Bluewater Bay where they need to be.
2. Russell – Nick Sears reported that he will be the point of contact for Russell and that he will be boots on the ground. Mr. Hall asked where their business is located. Mr. Sears reported that they are located in Santa Rosa Beach and have a six (6) man super crew and have three (3) individuals for irrigation and seasonal color in Destin.

3. Bayou – Bruce Kennedy reported that he will be the point of contact for Bayou and that he and Matt Schwab have been in business for many years. Currently serve Magnolia Plantation, The Oaks at Niceville, McDonalds (29), Panda Express, Water Oaks Regatta and Swift Creek. Bayou Landscaping has fifty (50) people on staff.
4. Valleycrest – Jason Connor reported that he and Charlie Bland are the points of contact. Mr. Beukenkamp asked Mr. Connor if there will be any changes in the current contract, Mr. Connor reported no.

Mr. Hall reported that Russell had a much higher bid price. Mr. Sears responded that it was a small error and he can get it amended.

Ms. Griffin reported that budget for the landscape contract is \$218,000.00 and she deducted the mulch totals for each proposal, with the mulch deduction, the contract proposals were as follows:

1. Bayou (lowest bid)	\$143,000
2. Dogwood	\$182,000
3. Russell	\$226,000
4. ValleyCrest	\$203,000

Ms. Griffin reported that she has enjoyed working with Valleycrest. Ms. Griffin also asked the Board if they wished to remove the highest bid proposal as it's much higher than the budget allows. Mr. Tallman asked Ms. Griffin for her recommendation. Ms. Griffin reported that she knows of Dogwood, is not familiar with Russell, Bayou was the prior landscape company and that ValleyCrest is very easy to work with. The Board will vote to choose the landscape company prior to the end of the meeting.

V. Unfinished Business

Flooding / Drainage within Bluewater Bay Report – Mr. Beukenkamp:

Mr. Beukenkamp reported on the Curacao Drive/Dominica/Aruba flooding problem where on two (2) separate occasions the area has flooded into homes. Mr. Beukenkamp reported that he forwarded the below email from homeowners Hal & Mary Tiaht, 408 Aruba Way to Clay Simmons with the Okaloosa County Public Works Department, Mr. Simmons response to Mr. & Mrs. Tiaht is also below:

From: Mary Tiaht [<mailto:htiaht@cox.net>]
Sent: Monday, August 04, 2014 8:30 PM
To: roadinfo
Subject: Attention: Clay Simmons

This e-mail is to alert you to a systemic problem we experience here in Bluewater Bay. Our home at 408 Aruba Way, has suffered flooding six times since we moved here in 1987. The pond behind our house rises and has entered our home in 1998, 2003, 2005, 2009, and twice in 2014.

Every time the water enters our home, we must rush to move as much furniture as we can out of harm's way. Unfortunately, there is not enough room on higher levels in our home to hold all the effective furniture. Subsequently, some furniture had to remain in the flood waters. We were recently flooded on 30 April and before we could resolve this damage, we flooded again on 21 July. The latest incident was the worst. It brought in more water causing a third room to flood. It was impossible to evacuate the furniture from the additional water.

Once the water recedes, we need to mitigate the damage. This entails removing carpets, drywall, and insulation to prevent mold and mildew from forming. The fans and dehumidifiers required to dry out the rooms, increases our electric bill. Finally, there is the cost of repairs.

We can no longer remain stoic while faced with this dilemma. Not only were we required to take out flood insurance, but our home is suffering damage which, in turn, decreases our property values as well as the value of the homes around us.

It is obvious that the 2ft. diameter pipe draining the pond cannot keep up with the inflow. The current design is inadequate.

We suggest the MSBU/County rethink the drainage system. Perhaps an additional/larger diameter drain pipe be installed to handle the increased volume and flow. The road, Curacao Drive, which dams the pond to the south might incorporate a spillway to preclude flooding the property along its banks. This might also protect the road from washing out.

This situation needs to be resolved. With adequate drainage, this pond should never rise beyond its banks. As it is, this problem has only become more serious.

Hal and Mary Tiaht
408 Aruba Way
850-897-4988
850-830-1272

From: Clay Simmons [<mailto:csimmons@co.okaloosa.fl.us>]
Sent: Tuesday, August 05, 2014 11:00 AM
To: Mary Tiaht
Cc: Felix Beukenkamp; Robert Vandenbroeck; Revel Phillips; John Hofstad; Jason Autrey; Scott Henson
Subject: RE: Attention: Clay Simmons

Good Morning Ms. Tiaht,

Thank you for contacting us, regarding the flooding you have experienced at your residence in Bluewater Bay. We have been in touch with Bluewater Bay MSBU representatives (Felix Beukenkamp) regarding the flooding and have copied Felix on this message for his reference.

The drainage systems in Bluewater Bay are intermingled between private subdivisions, the golf course and the County maintained roadways. In essence, we are of the understanding that the drainage features that control the lake levels in question, along with the lakes themselves (including dams) are the responsibility of the golf course. The roadways, along with any associated drainage for the roadway itself are the responsibility of the County.

The approach that we discussed with Felix this morning is that the MSBU, golf course, and County are going to work together to address drainage issues that are affecting your residence. The MSBU and golf course are going to work to take the lead on designing and implementing modifications to the existing systems (lakes and dams) with the County providing technical advice as appropriate throughout the process.

A note regarding flooding – drainage systems are typically designed to support a specific intensity and duration of storm event. We commonly refer to these as a design storm. When rain events occur at or below the threshold of the design storm event, the system handles the water and lake levels do not rise to the height that would cause flooding. What has happened during the recent flooding events has been that those design storms have been exceeded by tremendous volumes of rain that were never anticipated as part of the system design – Flooding is the result as the system is overwhelmed by the volume of water generated during the storm event.

We believe that the two recent flood events (as well as the 2005 event) were well above any design criteria that may have been contemplated during the design of Bluewater Bay. Additionally, no system exists that can account for and handle any rainfall event. We (collectively) can only try to reduce the number of storms that generate enough rainfall to overwhelm the drainage system and cause flooding.

That said, it is our hope that the approach described above, and combination of efforts among the entities involved, will see the drainage modified to reduce the frequency of homes flooding in the area. Please feel free to give us a call if you have any questions regarding this.

Thank you.
William "Clay" Simmons, P.E.
Okaloosa County Public Works
Road and Parks Division Manager
1759 S. Ferdon Blvd.
Crestview, FL 32536

Mr. Beukenkamp reported that he met with Mr. Tiaht, spoke with Mr. Simmons and indicated that the Bluewater Bay Golf Course has some responsibility. However, when he spoke with Mr. Hanks, Mr. Hanks indicated his company did not presently have the funds, at this time to fix the problem. Mr. Beukenkamp asked the Board what they wished to do next. One solution could be a simple engineering design and the County reported that they will help with the design as long as they do not have to pay for it. Mr. Beukenkamp also reported that Mr. Simmons from the County thought that there may be some FEMA funding available and encouraged all homeowners to get involved.

Mr. Tiaht reported that he got a petition together from the homeowners. However, he reported something needs to be done about the problem and provided the petition to the MSBU Board. Mr. Tiaht reported that there is more water flow going in, than coming out and all neighbors should be concerned with erosion issues at their homes as well. Mr. Beukenkamp reported that the elevation needs to be several feet below the current level. Mr. Tiaht reported that the Bluewater Bay Resort should also take some responsibility to get the problem fixed and that one of the dams has broken and the problems are getting worse. The April storm was bad, however, July was worse these were just thunderstorms, nor even a tropical storm.

Ms. Stretch asked if the dam broke within the two rain events. Mr. Tiaht reported that the flooding happened when the dam was fully functional. A homeowner in attendance reported that the pipe is clogged and the volume of water would not make a difference. Mr. Hall reported that it was originally built to handle the water for the golf course and that Southwind Drive is a county owned right of way, however, he believes that this is a Golf Course issue and that the pipe is within the Resort's jurisdiction. Mr. Tiaht reported that the pipe goes through the wetlands side, moving as much water as it can. A homeowner in attendance reported that perhaps if the pine needles were cleaned out, we may be able to get through the season.

Mr. Snider reported that the County reported to him that Mr. Tom Hanks is responsible, however, it appears that Mr. Hanks is sidestepping all responsibility with the issues. Mr. Barkman of 402 Aruba Way reported that he purchased his home when he moved from Colorado last year and reported that his back yard is right by the pond and it's a sewer. He has four (4) children and they cannot play in the back yard, it's disgusting. He also reported that his neighbor's house is inhabitable with three (3) rooms with exposed sheetrock. The problem needs to be addressed now. We will no longer accept the constant "it's not my responsibility" responses and fear every time it rains. The neighborhood is unsanitary and it's unsafe to allow our children to be in or near the standing water.

Mr. Hall reported to all in attendance to please go to the property appraiser's office website to see exactly who owns what and reported that the Lake Doctor cannot try to remedy the problem without permission from the Resort, they will be trespassing. Mr. Hall also reported that what will happen when a representative from the Lake Doctor gets pulled into the drain or hurt by the snakes or alligators. A homeowner in attendance recommends that all homeowners attend the next County Commissioners' meeting with their stories and photos. Mr. Hall reported that this issue will get more attention at a Board or County Commissioner meeting and encouraged all to put together a presentation to address the problems. An owner in attendance asked if the MSBU can help. Mr. Hall reported that the only area that the MSBU may have jurisdiction is the Southwind/ Curacao Drive County owned property. The country ordinance does not allow for drainage issues, only the right of way. An owner in attendance reported that his next step is to contact Channel 3 news. Mr. Tallman reported that this problem has been going on for several months and Mr. Tallman made a motion to send an alert to the Resort, DEP, County Commissioners and the Golf Course, this was seconded by

Mr. Beukenkamp, none opposed. Mr. Tallman reported that he will write the letter/resolution this week. Ms. Griffin also reported that she would like the petition to accompany the resolution.

A homeowner in attendance asked if the MSBU can fund getting the pipe cleaned out. Mr. Beukenkamp reported that the Resort owns the pipe and encouraged him to contact them ASAP about getting it cleaned out. Mr. Hall reported that this may be a structural problem, not just a clean out. Mr. Beukenkamp made a motion to have the MSBU retain services to hire a professional engineer to evaluate the performance of the drain pipe and give several options. Mr. Beukenkamp volunteered to do the scope of work. This was seconded by Ms. Griffin.

Discussion:

Ms. Griffin asked if the MSBU is able to fund the above motion. Mr. Beukenkamp reported yes and that it would possibly only cost an estimated \$1,000.00, and once the information is received, the Board can share it with the homeowners. Ms. Griffin asked if the County has engineers that can do the work. Mr. Beukenkamp reported that they will not perform the work. Mr. Beukenkamp reported that the MSBU should pay for the evaluation of the pipe. Ms. Gibson from Dominica Way reported that the homeowners do not have a year to wait and get this done and she fears that sinkholes will start to appear. Mr. Beukenkamp recommends that she contact Mr. Hanks at the Golf Club. Ms. Gibson reported that it seems no one will help. Mr. Tiahr reported that this is a safety issue that needs to be addressed. Mr. Beukenkamp reported that he will work on the developing the RFP and that the Board will vote at the September Board meeting, this will not be a fast moving train. Mr. Hall recommends that the motion be amended to have two (2) Board members work on the RFP. Mr. Tallman and Mr. Beukenkamp volunteered to work on the RFP, none opposed.

The meeting was adjourned at 7:40 p.m.

The meeting reconvened at 8:02 p.m. to discuss the Landscape Proposals.

Ms. Griffin reported that she spoke with the Valleycrest seasonal color person earlier in the year and the Board voted to do a fall change out. We will receive a credit for some of the fall color that was not done, Bluewater Bay North and South end were not done due to the construction, there will be a credit coming. Ms. Griffin asked if we should wait and skip the fall color for the time being. The cost was going to be \$5,000.00, however, should only be around \$1,900.00 with the credit. Mr. Beukenkamp asked if this can be tabled until the September Board meeting, all agreed.

Ms. Landsberger reported the following scores for each landscape contractor's bid:

ValleyCrest	323
Russell's	235
Dogwood's	293
Bayou Lawn's	237

ValleyCrest had the highest score, making them the contract winner.

Mr. Hall congratulated ValleyCrest and thanked all of the landscape contractors for their proposals.

Mr. Hall and Ms. Griffin stated they will work together with ValleyCrest to negotiate the best price prior to executing a contract.

BWB Design RFP and Base Map Proposal:

Ms. Griffin reported that the RFP was sent out to the Board for review and Mr. Hall made quite a few changes. Ms. Landsberger will make his changes. Mr. Beukenkamp reported that he is disappointed at the time frame taking so long. Ms. Landsberger will send out the amended RFP and ensure it's posted on the website.

New Business:

Management Contract Discussion:

Mr. Hall reported that the Bluewater Management Services Contract has expired and that the time frame for renewal has expired. Mr. Hall asked the Board if they wished to bid out the Management Contract. If the Board wishes to bid out, the Board must provide notice of termination to Bluewater Management as we have passed the time frame. However, we can have one more meeting prior to the expiration date of the current contract.

Mr. Beukenkamp reported that this should be opened up for re-bidding as he was not allowed to participate in the last bidding process. Ms. Landsberger reported that Bluewater Management has not yet gone through a full cycle. Ms. Griffin agreed and is in favor of extending the contract, Ms. Stretch and Mr. Tallman agreed. Ms. Griffin made a motion to continue one (1) more year with Bluewater Management Services, this was seconded by Ms. Stretch, Mr. Beukenkamp opposed, motion passes.

Management Report – Ms. Landsberger:

Ms. Landsberger reported on the following:

1. We had to submit an amended tax roll certification letter to the County to comply with the language requirement. Since taxes are always collected in arrears the letter had to state "2014" Tax Roll Annual Assessment per unit is \$63.00 (4672.65 total assessed units) instead of 2015. County staff members Amy Allen, Janet Fugate, Julie Wilson and Charlotte Dunworth worked hard to insure the increase was applied to the 2014 trim notices. They were very encouraging and provided a great support system. In the last several years the incorrect certification letter was sent to the County and management was notified of the error. However, it was not an issue because the assessment stayed the same. On another note: It was recommended that the MSBU Board begin the budget process in April to meet all of the deadlines for submission.
2. The OCWS meters have been identified but not mapped. They service the flower beds at Bay Drive at Bluewater Boulevard (2) and the Woodlands at White Point Road (3). These were set-up in 2006. Next week OCWS will map the locations so we can determine if the meters are needed for future use. At a cost of approximately \$200 a month it seems like a bargain, if you consider drilling new wells or expanding irrigation lines at the five sites. Next to the drilling, boring under the roadway is the most costly. Approximately \$19,200 has been spent in the last 8 years. A change could be considered in the future when funds are available. Mr. Beukenkamp disagreed, and indicated that the cost of a well and the power to run it would be substantially less than \$19,200.00.

3. The RFP for the digital base map for the County ROW within Bluewater Bay is ready to be posted and distributed for bid when the revisions have been approved.
4. The concrete sidewalks along Winged Foot are on schedule for the early spring of 2015. However, due to the safety issues we were asked to inquire about the cost if we used a private contractor. One of our preferred contractors estimated, based on previous measurements of 1,925 linear feet which equates to approximately 7,700 square feet of 4 foot wide sidewalk, a cost of \$31,955 or 7% more than the County's estimate. This is only an approximate cost and the project would need to be properly scoped and bid out.

Mr. Tallman made a motion to proceed with the cost difference and get the Winged Foot sidewalk done sooner. He recommended developing a scope of work to build the sidewalk as soon as possible. Ms. Griffin reported she would like to see a plan and an RFP completed. Mr. Hall agreed and would also like to see the monetary figures attached to the RFP. Mr. Tallman amended his motion to do an RFP and get it done within the next 30 days to make this project at Winged Foot Drive a practical phase of design, this was seconded by Ms. Griffin, none opposed. Mr. Beukenkamp reported that the Southwind Drive drainage project is almost completed and should be done within the next two weeks.

Ms. Griffin reported that she has had several complaints about the new Chelco lights and she will contact Sinder at Chelco to go with a softer lighting option.

VI. Adjournment

The meeting was adjourned at 8:41 p.m. with a motion from Ms. Griffin.

Submitted by: Meredith Collins

Approved by: Steve Hall