

BLUEWATER BAY MSBU

BOARD of DIRECTORS

Public Meeting

September 13, 2016

I. Call to Order

Chairman Debbie Stretch called the meeting to order at 6:00 p.m. Present were Directors Judy Griffin, Felix Beukenkamp, Steve Boswell and David Costa, Jr. The presence of a quorum was confirmed. Also attending were David Howard, Chris Rollins, Danny Willcox with Brightview Landscaping, Chris Olson, Steve Duresky, Pat Fralix and Lynne Whittemore. Also in attendance were representatives from Progressive Management of America, Inc., Jeff Kent and Jordan Hernandez. Representing Bluewater Management Services were Darlane Landsberger and Meredith Collins.

II. Announcements

Next Public Board Meeting will be held on October 11, 2016 at 6:00 p.m. in the Bluewater Management Services Conference Room, 4400 Highway 20 East Suite 311 Niceville Florida.

III. Approval of the August 9, 2016 Board of Directors Meeting Minutes

The August 9, 2016 Board of Directors Meeting Minutes were approved with a motion from Ms. Griffin and a second from Mr. Boswell, none opposed.

IV. Committee Reports

A. Finance – Steve Boswell

Mr. Boswell reported on the August 31, 2016 financials. Ms. Griffin made a motion to approve the August 31, 2016 financials as presented, this was seconded by Mr. Costa.

Discussion: Mr. Beukenkamp reported that he spoke with several accountants and there should not be a negative number on the financials and the total revenue appears to be less than what we started with. He would like to see a change in this format. For clarity, Ms. Landsberger presented a fiscal year-end projection which provided a variance between the actual and budgeted amounts. It was noted that data may vary, slightly when the County provides a final fiscal year-end report.

The August 31, 2016 financials were approved, Mr. Beukenkamp opposed.

B. Landscape – Judy Griffin

Ms. Griffin reported that she and Mr. Willcox of Brightview did a drive through and noted that there are a lot of weeds. Mole crickets have been discovered in the sodded area of the Bluewater Boulevard triangles. Brightview has treated the affected areas. The visibility at the traffic circle was evaluated. The only solution seems to be cutting back the azaleas (down & back) and trimming the hollies like trees, removing 5-6 feet from the ground up. The Board was asked for input. Ms. Griffin asked the Board to inspect the area and evaluate. The Board agreed to table further discussion and a decision until the October Board meeting.

Ms. Griffin recommended using perennials instead of annuals at the Bay Drive and Bluewater Boulevard intersection in front of the Tennis Center. This method was successful at Range Road.

A Community Volunteer Work Day on Saturday, November 5, 2016 is planned to beautify, trim vines and do general cleanup of the community. Volunteers should meet at the Bluewater Clubhouse at 8:00 a.m. Management was asked to post the event on the website, several weeks prior to the date.

C. Communication – Felix Beukenkamp

Mr. Beukenkamp thanked Bluewater Management for keeping up the website. He deferred discussion of the format for meeting minutes until later.

Management Report is attached which includes the following.

The Woodlands Entrance Lighting: Ms. Landsberger provided three solar lighting samples for the Woodlands entrances. Ms. Griffin made a motion to use the brightest sample light for the Woodlands entrance, with second by Mr. Boswell.

Discussion: The longevity of the solar lights was discussed. The hardwired lights were determined to be the best option but also the most expensive. To prevent vandalism or theft Ms. Landsberger reported that a longer spike will be used along with epoxy to deter theft.

The motion was approved, none opposed.

FEMA Drainage Grant: Ms. Landsberger reported that the \$6,993.00 balance for the FEMA grant local share is due to the County NLT September 30, 2016.

Mr. Beukenkamp reported that he spoke with Commissioner Kelly Windes regarding the balance due at the end of September. Mr. Windes stated that the County would try to come up with the balance. Mr. Beukenkamp recommended no action be taken, at this time. Ms. Griffin recommended voting for the MSBU to pay the balance. Mr. Beukenkamp disagreed. When asked who provided the deadline, Ms. Landsberger reported that the County Attorney sent correspondence which provided the deadline of September 30, 2016. Mr. Beukenkamp reported that this a policy issue and the County Attorney nor Bluewater Management makes policy. Mr. Beukenkamp stated, no action should be taken. Mr. Beukenkamp recommended that the Board meet with Commissioner Windes. Ms. Stretch said it would be a Sunshine violation. Mr. Beukenkamp disagreed and said it was permitted under certain circumstances. Ms. Stretch volunteered to contact Commissioner Windes, for availability. Mr. Olson asked if a member of the Flood Committee should be in attendance. Ms. Griffin suggested the Flood Committee meet with Commissioner Windes, separately, prior to September 30, 2016. Ms. Griffin stated that the MSBU should have not gotten involved with the drainage issue. This is a County responsibility and asked residents to attend the BOCC meetings, with this in mind.

MSBU Ordinance Revision – Insurance Coverage: Ms. Landsberger reported per the MSBU Board's request, County Attorney, Greg Stewart provided a revised MSBU Ordinance, addressing the insurance provisions. Mr. Beukenkamp stated that there is no urgency to approve this item because insurance has been paid for this cycle. Mr. Beukenkamp made a motion to table discussion on the revision with a second from Mr. Boswell, none opposed. Ms. Landsberger was asked to notify the County Attorney of the action.

V. Unfinished Business:

A. Management Contract Discussion & Decision:

Mr. Jeff Kent, Progressive Management of America, Inc. reported that if they were to be awarded the contract, they would open an office in Bluewater Bay by January 1, 2017. Representative of Bluewater Management Services, Inc. and Progressive Management of America, Inc. were excused from the meeting during Board discussion.

Ms. Griffin reported the following: Both proposals were evaluated as presented by Bluewater Management Services, Inc. and Progressive Management of America, Inc. Ms. Griffin made a motion to retain Bluewater Management Services, Inc. for one year with a second from Mr. Beukenkamp.

Discussion: Written performance standards will be implemented and management will adhere to the standards.

The motion was approved with Ms. Stretch, Mr. Bowell, Mr. Costa and Ms. Griffin voted, yes and Mr. Beukenkamp voting, no.

Progressive Management of America, Inc. was thanked for their participation.

B. Project List Priority Discussion:

Ms. Stretch suggested the project list can be tabled and a workshop planned for the October MSBU Board meeting. The Board agreed that the workshop will be held at 5:30 p.m. on October 11, 2016 in the Bluewater Management Services, Inc. conference room, prior to the public meeting.

C. Lake Flood Committee Report and Grant Update:

1. Ms. Fralix reported that The Friends of Bluewater Bay will hold a Golf Tournament on October 8th with proceeds going toward the FEMA Drainage Grant local share.

VI. New Business:

A. Establish October 11, 2016 MSBU Board Meeting Agenda:

1. Status of the Flood Grant

B. Construction of Board Meeting Minutes:

1. Ms. Stretch that in order to streamline the Board Meeting Minutes, Robert's Rules should be used to formulate the minutes. Only actions taken, motions, should be included. Ms. Griffin agreed and reported that long discussions or summaries should be discontinued. Ms. Landsberger stated that all meetings are recorded and could be provided to the public on the website. The Board decided that Public Comments will no longer be included. It was determined that no motion was needed because the action was administrative in nature.

C. Board Member Conduct:

1. Ms. Stretch reported that she has received several complaints from the public on how the MSBU meetings are being conducted. She presented Rules of Order for Board consideration (See attached). Mr. Costa made a motion to adopt the Rules of Order with a second from Ms. Griffin.
2. Discussion: Mr. Beukenkamp asked for specifics on the complaints. Ms. Stretch declined to include this information. Ms. Griffin concluded it was not relevant. Mr. Costa suggested that the aforementioned information be posted on the website and residents made aware of the changes.

The motion was adopted, none opposed.

Management was asked to post the adopted Rules of Order on the website.

3. Ms. Griffin recommended one email address for receipt of all MSBU emails with the Communication Chair acting as the point of contact distributing to the appropriate person. Ms. Griffin made a motion to have all email correspondence sent to the Communication Chair with a second from Mr. Beukenkamp.

Discussion: Ms. Landsberger stated that it may be better to filter the emails through Management and the Communication Chair. Mr. Beukenkamp volunteered to use communication's email for this purpose. Ms. Griffin explained the goal is to have one central contact to insure correspondence is addressed in a timely manner. It was agreed that this should be accomplished by December 31, 2016.

The motion was approved using the Communication Chair and Management as the primary contacts, none opposed.

VII. Public Comments

No public comments were made.

VII. Adjournment

The meeting was adjourned at 8:30 p.m. with a motion from Ms. Griffin.

Submitted by: Meredith Collins

Approved by: Debbie Stretch

BLUEWATER BAY MUNICIPAL SERVICES BENEFIT UNIT

MANAGEMENT REPORT

September 13, 2016

CHELCO I met with Sinder Perring from CHELCO to inspect the condition of the street lights under the authority of the MSBU. Three leaning light poles one on Bluewater Blvd., one on Bay Drive and one on Wingedfoot were identified. Poles were repaired. Additional trimming was completed around streetlights. This is an ongoing effort. Contact information: cperring@chelco.com

FDOT An inquiry was made and a reply was received from Cliff Johnson of the Florida Department of Transportation regarding the peeling mast arms at signalized intersections: In September 2015, the Department resolved to repaint mast arms at signalized intersections in the Bluewater Bay area at the rate of one or two per year until all were done. At that point in time, in my role of project manager I assigned a task work order to our signalization maintenance contractor directing him to proceed with arranging for the work to be done through his subcontractor. In June 2016, it became evident that our contractor was going to essentially default on the multiyear maintenance contract by failing to renew on July 1st. As of that time, unfortunately the mast arm repainting for Bluewater Bay remained on the contractor's task work order list as unresolved and uncompleted.

At this time, it remains necessary for the Department to advertise and award a new signalization maintenance contract. This is a process that takes approximately 4-5 months. Following award of the new contract, I can assure you that the repainting of mast arms in the Bluewater Bay area will be near the top of the contractor's list along with some other outstanding high-priority work that has remained unresolved from the previous contract. The repainting procedure is somewhat expensive, therefore it will still be my plan to repaint mast arms at signalized intersections in the region at the rate of one or two per year until all are eventually done.

I do regret these unfortunate circumstances and appreciate your patience in this matter. Should additional discussion or information be necessary, please do not hesitate to contact me.

My reply: Although, the explanation seems reasonable the residents of Bluewater Bay deserve immediate relief from this eyesore. The problem has existed for nearly a decade and was the result of a poor quality product. The State should have sought remedy from the previous contractor. Please notify our office when this situation has been resolved. Contact information: Cliff.Johnson@dot.state.fl.us

CODE COMPLIANCE There have been a few yard debris infractions in past month and the County replied promptly. We have a large pile of tree debris on the east end of the Woodlands. It was reported and we will monitor the situation. Officer John Wilson is our compliance officer for Bluewater Bay. Contact information: jwilson@co.okaloosa@fl.us or phone 651-7531

MSBU ORDINANCE REVISION County Attorney Greg Stewart replied to an inquiry regarding the need for insurance coverage for the MSBU: *The ordinance governing **BWBMSBU** does require insurance. I think that we need to look at each of the different type of insurance policies separately. If the MSBU has property that it maintains then there would need to be coverage which would protect the County against claims relating to persons at that property who are injured (the liability component). For example, the management offices where the Board holds its meeting should have some coverage in the event that someone is injured while there. Further, if there is property that is owned by the MSBU, then there would need to be some insurance that would provide coverage if there is damage. The reference to (if needed), applies to workers compensation which would not apply where you have no employees. At this point, I do not know have enough background on what property the MSBU might have but if there is any property, then there would need to be coverage. I would suggest that we try to have a call to discuss the issue in more detail. After a phone discussion to clarify property issues, third party exposure and other liability issues the attached revision was prepared and provided on Monday, September*

12th for Board consideration. Kerry Parsons of Nabors, Giblin & Nickerson (Greg Stewart's law firm) has been assigned to facilitate the revision and wrote on September 13th: *I wanted to follow up on the proposed draft to clarify the BWB insurance requirements and see if you or the board had any comments? If you believe this is ready to move forward, please let me know as soon as possible, and I will try to get it before the BOCC for setting of a public hearing at next week's meeting. The deadline for getting it on the agenda to set for a public hearing would be tomorrow morning.*

SIGNS We ordered a white vinyl street sign to replace the missing sign at Bluewater Blvd. and Oakmont. The sign is expected in the next week and will be installed. A letter on one of the monument signs fell off and was reattached. A traffic sign at Woodlands and Southwind was broken off. It was reported to the County for repair. Over the next three weeks we plan to clean of the right of way, monument, miscellaneous traffic and directional signs. Some touch up painting is also planned.

WOODLANDS LIGHTING Three styles of solar lights are provided for consideration for the main entrance signs to The Woodlands and the secondary entrance at Samana. Once a decision is made management will install the lights. An electrician has been scheduled to remove the hardwired ground lights at the main entrance of The Woodlands.

FEMA DRAINAGE GRANT The County Finance office has reminded us that the balance of the local share is due by September 30th. The confirmed funds submitted by the MSBU follows:

MSBU's FEMA Grant \$22,560 local share.

\$8,167, collected from Bluewater Bay property and business owners, was presented to Gary Stanford of the Okaloosa County Clerk's office at the December, 2015 Board of County Commissioners' (BBC) meeting.

\$3,400 was transferred from MSBU funds, with a disbursement request, May 11, 2016.

\$2,000 contributed by the Friends of Bluewater Bay from funding raising efforts.

\$2,000 contributed by Randy Wise Homes was included in the \$4,000 check (#1031) dated July 12, 2016 from the Friends of Bluewater Bay.

\$5,000 has been pledged by Bluewater Bay Resort.

\$22,560 total local share

\$15,567 has been collected, to date.

\$6,993 due to the County by September 30th.

BOARD MEETING RULES OF ORDER

Bluewater Bay Municipal Services Benefit Unit elects to adopt Robert's Rules of Order for use when conducting the MSBU Boards' meetings. The following specific Rules of Order will be used to facilitate such meetings.

1. At the conclusion of each report, the Chairperson shall open the floor for topic discussion.
2. Members must raise a hand to be recognized.
3. Questions must be directed to the Chairperson or individual reporting on the specific agenda topic.
4. No verbal exchanges between individual attendees will be allowed.
5. Recognized members may speak for no longer than three minutes per topic and must formulate a question or indicate that a statement will be made.
6. Members will not be allowed to deviate from the current agenda topic.
7. No one individual shall monopolize the proceedings. Therefore, at the sole discretion of the Chairperson a member may be asked to cease.
8. All discussions must be factual, professional and agenda driven.
9. Director reports must be concise, factual and limited to the topic.
10. Topic discussion will be limited to "time available" and shall be established by the Chairperson.
11. The sole purpose of the Board meeting is to present reports, conduct business and take the appropriate action.
12. Respectful interaction and courteous behavior is encouraged.
13. Disruptive, uncooperative or belligerent members of the Board or attendees will be asked to leave the meeting place.
14. The Chairperson will act as a Sergeant at Arms or may appoint a member to act in that capacity.
15. A round table Q&A will be allowed at the end of the meeting at the sole discretion of the Chairperson. Chairperson will direct the question to the appropriate Board member.

16. Minutes will reflect actions taken and not include details of general discussion.

Example: Members discussed the pros and cons of tree trimming.
Resulting action is to have Management Company call XYZ tree trimming for removal.
