

**MINUTES OF MEETING  
LAKE POWELL RESIDENTIAL GOLF  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Lake Powell Residential Golf Community Development District held a Regular Meeting on December 3, 2018, at 10:00 a.m., Central Time, at the Shark's Tooth Golf Club, Main Dining Room, 2003 Wild Heron Way, Panama City Beach, Florida 32413.

**Present and constituting a quorum were:**

Thomas Balduf	Chair
John Ellis	Vice Chair
Bruce Sova	Assistant Secretary
David Dean	Assistant Secretary
Calvin "Bucky" Starlin	Assistant Secretary

**Also present were:**

Howard McGaffney	District Manager
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist
Ken Buchholz	Resident and POA President
Rebecca Ferris	Resident, Architectural Review Board Chair
Robert Fletcher	Resident
Paul Fox	Resident
Jim Morgan	Resident
Jody Morgan	Resident
Clark Walter	Resident
David Fleet	Resident
Hank Williams	Resident
Nancy Williams	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. McGaffney called to order at 10:02 a.m. All Supervisors were present in person.

**SECOND ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors, David Dean [SEAT 2] and Calvin "Bucky" Starlin [SEAT 5] (*the following to be provided in a separate package*)**

The Oath of Office was administered to Mr. Dean and Mr. Starlin by District Counsel, prior to today’s meeting. He provided and explained the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
  - i. Form 1: Statement of Financial Interests**
  - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2019-01, Electing the Officers of the District; and Providing for an Effective Date**

Discussion ensued regarding the responsibilities of the offices and why members of Management’s Staff are recommended for certain positions.

Mr. Ellis nominated Mr. Balduf for Chair. Mr. Sova nominated Mr. Ellis for Vice Chair. Mr. Dean nominated Mr. Ellis for Chair. Mr. Ellis declined the nomination for Chair. Mr. Balduf nominated the remaining slate of officers. Mr. Dean nominated Mr. Starlin for Assistant Secretary. No other nominations were made. The slate of officers was as follows:

Chair	Tom Balduf
Vice Chair	John Ellis
Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder
Assistant Secretary	Calvin “Bucky” Starlin
Assistant Secretary	David Dean
Assistant Secretary	Bruce Sova
Assistant Secretary	Howard McGaffney

**On MOTION by Mr. Ellis and seconded by Mr. Sova, with all in favor, Resolution 2019-01, Electing the Officers of the District; and Providing for an Effective Date, as nominated, was adopted.**

Consent Agenda Items

**A. Approval of Unaudited Financial Statements as of October 31, 2018**

Mr. McGaffney presented the Unaudited Financial Statements as of October 31, 2018.

Discussion ensued regarding fund balance, budgeting for hurricane cleanup, why the CDD cannot pay for debris removal over the entire community and is limited to only paying for cleanup on CDD-owned property and roadways, the Federal Emergency Management Agency and potential recovery, payments to and billings from Shark's Tooth Golf Club, etc.

**B. Approval of August 27, 2018 Public Hearing and Regular Meeting Minutes**

Mr. McGaffney presented the August 27, 2018 Public Hearing and Regular Meeting Minutes.

**On MOTION by Mr. Balduf and seconded by Mr. Starlin, with all in favor, the Consent Agenda Items, as presented, were approved.**

FIFTH ORDER OF BUSINESS

Staff Reports

▪ **District Counsel: *Burke Blue***

This item, previously Item 5B, was presented out of order.

• **Conveyance of Water and Sewer Deeds - PCB**

Mr. Burke stated that work is continuing on getting the easements straightened out. Panama City Beach continues to operate the water and sewer services.

**Mr. Burke left the meeting.**

**A. Ecologist: *Cypress Environmental of Bay County, LLC***

• **Status Report**

Ms. Womack presented the Status Report for August through November 2018 and responded to questions.

**B. District Counsel: *Burke Blue***

This item was presented prior to Item 5A.

**C. District Engineer: *McNeil Carroll Engineering, Inc.***

• **Update: Roads and Bridges**

Mr. Carroll discussed the scope of work, bridges to be addressed, the report expected from Nova Engineering and Environmental, LLC (Nova) in January identifying deficiencies and issues, going out to bid, etc.

As the next meeting is in March and to avoid delaying the project Mr. McGaffney suggested authorizing the District Engineer to obtain proposals and for the Chair to execute for services not to exceed the budget amounts.

**On MOTION by Mr. Sova and seconded by Mr. Dean, with all in favor, the authorization for the District Engineer to obtain proposals and for the Chair to execute, subject to the Chair and District Counsel’s review and for District Counsel to negotiate a contract, provided the cost does not exceed the budgeted amount, was approved.**

A Board Member asked if the District has any issues with the regulatory agencies because of any detrimental changes to the ecology. Ms. Womack replied no; the District is currently in compliance with the requirements of the permit. In response to the question of whether he had any recommendations for preventative maintenance of the stormwater management system, Mr. Carroll stated that it is part of the existing contract. Discussion ensued regarding the requirements if carp are stocked in the ponds, fishing in the stormwater ponds being strictly prohibited under the permits, etc.

**D. District Manager: *Wrathell, Hunt and Associates, LLC***

There being no report, the next item followed.

**SIXTH ORDER OF BUSINESS**

**Discussion: Damage to Community  
Resulting from Hurricane Michael**

- **Ratify Actions Taken Resulting from Hurricane Michael Damage Recovery**

Mr. McGaffney discussed work remaining related to the hurricane, the landscaping services provider, etc.

Discussion ensued regarding the aftermath of the recent hurricane.

Mr. McGaffney thanked everyone involved for working together in dealing with the emergency situation and the cleanup efforts, including the District Engineer, Mr. Balduf, the Volunteer Fire Department, POA personnel, various residents, Ms. Womack, BrightView, other contractors, etc.

On MOTION by Mr. Dean and seconded by Mr. Starlin, with all in favor, the emergency actions taken by the District Manager, District Staff and the Chair, in the aftermath of the hurricane, was ratified.

**SEVENTH ORDER OF BUSINESS**

**Update: RFP for Emergency Disaster Debris Removal**

This item was discussed following the Eighth Order of Business.

**EIGHTH ORDER OF BUSINESS**

**Public Comments**

Mr. Dean felt that meeting only four times per year is not sufficient and that meetings should be held every six weeks, at a time and day when more members of the public can attend. Discussion ensued.

Mr. Jim Morgan, a resident, recalled his concern expressed at a prior meeting regarding contractors storing equipment on CDD property and asked if the CDD gave the POA permission to use the property, now that the POA is taking over the maintenance. Mr. McGaffney stated that the Maintenance Agreement with the POA contemplates that the POA will use the area as a maintenance yard. It was noted that the specified area has been a designated maintenance yard since 2004 or before. He questioned why the CDD would allow this to continue and inconvenience the nearby residents. Mr. Morgan discussed the activity occurring in the maintenance yard. Discussion ensued regarding the maintenance yard area, this being a POA issue and the POA's efforts to resolve the issues, the current daily level of activity, etc.

Mr. Bob Fletcher, a resident, asked if the POA pays the CDD for the use of the maintenance area. Mr. McGaffney did not think the POA pays the District. In response to a question, Mr. McGaffney stated that the CDD did not pay for any of the improvements in the maintenance yard. Mr. Fletcher asked if the POA will be required to maintain the roadways to the County's standards and signage requirements, etc. Mr. McGaffney stated that the roads are public roads owned and operated by the District; this is just a landscaping agreement whereby the POA will fund the maintenance through the POA fees and the POA will manage the landscape maintenance aspect and does not relate to signage, etc.

Discussion ensued regarding the pillar monument. Mr. Dean discussed how the damage occurred. It was reported to the police but this is not a POA or CDD issue.

- **Update: RFP for Emergency Disaster Debris Removal**

**This item, previously the Seventh Order of Business, was presented out of order.**

Mr. McGaffney presented the Request for Proposals (RFP) for Emergency Disaster Debris Removal and discussed the benefits of having a contractor in place. Five or six contractors have responded and he hoped to present the proposals in March.

**NINTH ORDER OF BUSINESS**

**Supervisors' Requests**

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

**TENTH ORDER OF BUSINESS**

**NEXT MEETING DATE: March 4, 2019 at 10:00 A.M., Central Time**

Discussion of the meeting time resumed. Mr. McGaffney stated that only the meeting date and time would be changed; the number of meetings would not change.

**On MOTION by Mr. Dean and seconded by Mr. Starlin, with Mr. Dean, Mr. Starlin and Mr. Ellis in favor and Mr. Balduf and Mr. Sova dissenting, revising the Meeting Schedule to hold meetings on the first Wednesday of the month at 6:00 p.m., subject to availability of the current meeting location or at the Boat House, commencing with the March meeting, was approved. (Motion passed 3-2)**

The next meeting will be held on Wednesday, March 6, 2019 at 6:00 p.m., Central Time, rather than March 4<sup>th</sup>.

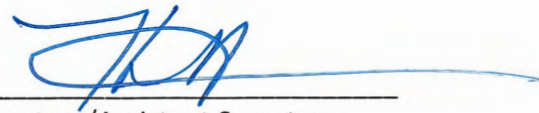
Mr. Ellis asked about the CDD's philanthropic abilities, such as donating to a worthy cause. Mr. McGaffney would seek District Counsel's opinion.

**ELEVENTH ORDER OF BUSINESS**

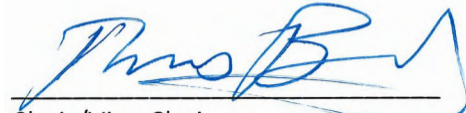
**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Ellis and seconded by Mr. Starlin, with all in favor, the meeting adjourned at 12:00 p.m.**

A handwritten signature in blue ink, consisting of stylized initials and a long horizontal flourish extending to the right.

Secretary/Assistant Secretary

A handwritten signature in blue ink, featuring a cursive style with a large initial 'P' and a checkmark-like flourish at the end.

Chair/Vice Chair