

**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 October 28, 2019, at 3:00 p.m., Central Time, at the Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413.

Present and constituting a quorum were:

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|------------------------|---------------------|
| 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 |
| Bethany Womack | Ecologist/Operations Manager |
| Clark Walters | POA Board Member |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. McGaffney called the meeting to order at 3:03 p.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Consent Agenda Items

Mr. McGaffney presented the Consent Agenda Items.

- A. Acceptance of Unaudited Financial Statements as of September 30, 2019**
- B. Approval of September 13, 2019 Public Hearing and Regular Meeting Minutes**

The following changes were made:

Line 23: Change "Malco" to "Malchow"

Line 94: Change "monthly" to "weekly"

On MOTION by Mr. Starlin and seconded by Mr. Dean, with all in favor, the Consent Agenda Items, as amended, were accepted and approved.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2020-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019

Mr. McGaffney presented Resolution 2020-01. This Resolution was necessary to reflect additional revenues, legal expenditures and expenditures for roads, bridges and storm cleanup following Hurricane Dorian.

On MOTION by Mr. Balduf and seconded by Mr. Ellis, with all in favor, Resolution 2020-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019, was adopted.

FOURTH ORDER OF BUSINESS

Update: Encroachment Issues Within the District

Mr. Burke described the Consent Agreement in which Mr. Perkins admitted to having an encroachment and stated that he would address it with the contractor named. If Mr. Perkins does not remove the items as spelled out in the agreement by December 1, in addition to a fine, he has granted the District an easement to go on to his property and make the repairs or remediation. Ms. Womack confirmed that a very clear drawing was provided so the homeowner knows what must be done; she would follow up on December 1.

FIFTH ORDER OF BUSINESS

Update: Conveyance of the Portion of Wild Heron Way (Highway 98 to Guard House) to Bay County

Ms. Womack stated the County representative advised of what is required, including pavement and bridge inspections, which must be done by a Florida Department of Transportation (FDOT) certified bridge contractor. She received the name of an inspector based in St. Cloud but would solicit bids for other inspectors and look for someone closer. She

noted that the roads would more than likely need to be resurfaced due to rippling and cracking, so the District might consider the cost of the pavement inspection versus repaving and then having the inspection done afterwards, to avoid the cost of two inspections.

A Board Member asked for confirmation the County would not take the two islands. Mr. McGaffney stated it would be stipulated in the agreement. Discussion ensued regarding conveying the right-of-way (ROW) to the County and providing for the District to maintain it and additional wear and tear on the roads and bridges.

Mr. Ellis asked how soon the roads would need to be done, if not for this project, as they were last done sixteen years ago. Ms. Womack stated it was getting close and she doubted the District could go five years without resurfacing, as the roads showed signs of warping and cracks and heavy rains would result in big puddles of standing water. Discussion ensued regarding the possibility of including a bike lane.

Mr. McGaffney stated an estimate for repaving that section of roadway would be needed before the next meeting because there was not enough in the reserves. The factors to consider regarding resurfacing included additional construction after the fact that would reduce the longevity of the roads, which was beyond the District's control because St. Joe was landlocked on either side, and, if the County took over the road, resurfacing would be required. Discussion ensued regarding the costs and funding. Ms. Womack would solicit bids for resurfacing and restriping.

On MOTION by Mr. Sova and seconded by Mr. Dean, with all in favor, authorizing Staff to obtain an FDOT bridge inspection, in a not-to-exceed amount of \$10,000, was approved.

Discussion ensued regarding the last bridge inspection. Ms. Womack stated that, while the County would not accept the last inspection because it was not done by an FDOT-certified inspector, the inspection listed necessary repairs and stated the bridges were in good condition overall.

SIXTH ORDER OF BUSINESS

Discussion: Contribution Toward Boat House Enclosure for CDD Meetings

Mr. Burke stated the best way for the District to contribute toward the boat house enclosure for CDD meetings would be via a lease agreement with the POA. Lease payments must represent a reasonable return for the District’s needs and must be tied to actual use. Discussion ensued regarding options for enclosing the boat house and other community meeting needs.

Mr. Clark Walters, a POA Board Member, stated the POA was considering enclosing the inside area by the pool, which already had heating and air conditioning units and would only require enclosing the space and insulating the roof. Discussion ensued regarding enclosing the boat house versus the pool area, the size of each area and the cost of renting meeting space elsewhere. Pending further consideration, this would remain an open item.

SEVENTH ORDER OF BUSINESS

**Discussion/Consideration: POA/CDD
Revised Post Orders**

Mr. McGaffney stated, in order to be changed, the Revised Post Orders must be approved and adopted by the Board. The rover referenced in the revised post orders would not be paid for by the District. Discussion ensued regarding the possibility of an agreement with the POA for management of the guard gate, similar to the agreement under which the District transferred management of landscaping. It was agreed there was no need to rush and the item would be revisited in the future if the POA was in agreement.

The following changes were made:

Page 13, SECTION 5, Item IV, Item a: Delete “to the Utility Manager, Lake Powell Residential Golf CDD, and”

Page 13, SECTION 5, Item IV, Item b: Change “contact the Property Manager, Utility Manager, or Lake Powell Residential Golf CDD (in that order) until you can report the leak and its location” to “Report the location to the POA Maintenance Supervisor.”

Page 11, SECTION 4, First Paragraph, Line 3: Change “Wild Heron” to “Lake Powell Residential Golf” and “WHCDD” to “LPRGCDD”

On MOTION by Mr. Starlin and seconded by Mr. Balduf, with all in favor, the POA/CDD Revised Post Orders, in substantial form and to include the changes discussed, were approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Ecologist/Operations: *Cypress Environmental of Bay County, LLC***• Status Report**

Ms. Womack reported the following:

- The Florida Forest Service (FFS) would not allow any burning for at least the rest of the season, so all mitigation work for the next year would be mechanical and hand cutting.
- Water quality and sediment testing was scheduled for November 12, weather permitting.
- The damaged box was taken off the skimmer; how the box would be rebuilt and how storm debris would be removed would be determined.
- The cohort repairs were complete and a proposal was expected for the repair inspection and/or a punchlist of outstanding items.
- Storm Nestor did minimal damage, other than a large limb blocking the sidewalk. Breaking Ground responded within three hours and removed the limb.
- The monitoring report was in progress and would be submitted on time.

Discussion ensued regarding the construction area. Mr. McGaffney stated pictures may need to be sent to the District Engineer and the County may need to be notified that Certificates of Occupancy should not be issued until the issues are rectified.

B. District Counsel: *Burke Blue***• Update: Water Conveyance to PCB**

Mr. Burke stated reported the following:

- The Consent Agreement was done.
- Changes to Ms. Womack's contract were completed.
- The water and sewer were conveyed and he was still working with Panama City Beach.

C. District Engineer: *McNeil Carroll Engineering, Inc.***• Update: Roads and Bridges**

There being no report, the next item followed.

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

Mr. McGaffney presented the St. John Fence proposal, which was approved by the Architectural Review Board. Discussion ensued regarding the project.

On MOTION by Mr. Ellis and seconded by Mr. Sova, with all in favor, reimbursing the POA for the fence, in a not-to-exceed amount of \$20,000, was approved.

Ms. Womack discussed the options for replacing the skimmer box. The consensus was to replace it with a properly bolted wooden box.

- **NEXT MEETING DATE: January 6, 2020 at 2:00 P.M. (Central Time)**
 - **QUORUM CHECK**

Supervisors Ellis, Dean, Balduf and Sova confirmed their attendance at the January 6, 2020 meeting.

NINTH ORDER OF BUSINESS

Open Items

The following change was made:
New Item: Future Meeting Space

TENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

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

TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Sova and seconded by Mr. Starlin, with all in favor, the meeting adjourned at 4:25 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair