

**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 Public Hearing and Regular Meeting on August 1, 2022, 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:

David Dean	Chair
Thomas Balduf	Vice Chair
David Holt	Assistant Secretary
Jerry Robinson	Assistant Secretary
Frank Self	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Tom Kerins	Resident
Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 3:02 p.m., Central Time. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comment

There were no public comments.

THIRD ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone presented the proposed Fiscal Year 2023 budget, highlighting line item increases, decreases and adjustments. The funds for the “Road resurfacing” budget line item was transferred to the “Road projects” fund balance, due to the decision to defer the project.

Mr. Dean stated that the project was tabled due to the lack of contractor responses to the CDD’s Request for Proposals (RFP). Upon project completion, the County will accept the turnover of Wild Heron Way (WHW), from Highway 98 to the front gate.

Ms. Cerbone stated that, going forward, hopefully the CDD and the POA will coordinate similar projects and hopefully engage one contractor that is able to bill each entity separately.

On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, the Public Hearing was opened.

Resident Tom Kerins asked what is driving the budget increase and why the funding for certain projects, like roadways, has not yet been used. Mr. Dean recalled explaining in prior meetings that it is due to inflation and allocating significant funds in the event of a natural disaster that might also necessitate imposing special assessments to cover the costs. Mr. Holt stated that, due to the difficulty engaging contractors, the CDD asked St. Joe’s if it can piggyback off their project.

On MOTION by Mr. Holt and seconded by Mr. Self, with all in favor, the Public Hearing was closed.

Ms. Cerbone presented Resolution 2022-06.

On MOTION by Mr. Self and seconded by Mr. Dean, with all in favor, Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2022-07.

On MOTION by Mr. Balduf and seconded by Mr. Holt, with all in favor, Resolution 2022-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

**District Counsel – Discussion/
Consideration/Update**

A. Sunshine Law Refresher

Mr. Burke distributed and presented the Summary of the Sunshine Law Refresher, and discussed requirement for governmental entities to provide public access to public meetings and public records. He provided examples of Supervisors violating the Sunshine Law. He encouraged all Supervisors to view the Attorney General’s website on this matter and to contact him with questions or concerns.

B. Update: Agreements Sent to POA

I. POA Maintenance Agreement

- **Landscape Standards**

II. POA Agreement for Stormwater Facility Management Services

III. POA Boat House Lease

C. Other

These items were deferred to the next meeting.

SIXTH ORDER OF BUSINESS

**District Engineer – Discussion/
Consideration Update**

A. Ratification of Stormwater Management Needs Analysis

Mr. Carroll stated that the Stormwater Management Needs Analysis Report was submitted by the June 30, 2022 due date. Mr. Burke stated ratification is not necessary

B. Review of 2015 Wild Heron Way Operational Speed Analysis

The Report was included for informational purposes.

Mr. Dean asked for this to be on the agenda as he and others in the community believe the speed limit coming off Covington Bridge and the guest turn outside the gate should be reduced, to prevent a possible collision. In his opinion, the speed limit sign three-quarters of a mile outside the gate was improperly placed and asked that it be removed. Ms. Cerbone stated that, due to the age of this Report, these requests might require performing another traffic study and/or speed analysis.

Discussion ensued regarding updating the Study to include other locations, the POA currently installing a sign beyond the exit of Shark’s Tooth Golf Club due to close calls and the Board’s decision at a prior meeting not to pursue entering into a traffic enforcement agreement with the Sheriff. Mr. Carroll was asked to confirm if the 2015 Study is still valid and obtain a proposal if a new one is needed. Upon further review, it was discovered that Page 5 listed recommendations to post additional signage in advance of the curves in each direction.

On MOTION by Mr. Dean and seconded by Mr. Balduf, with all in favor, authorizing Mr. Carroll to purchase and install appropriate signage following the recommendations in the 2015 Wild Heron Way Operational Speed Analysis and remove the 15-mph speed limit sign identified by Mr. Dean but keep the signpost, was approved.

The Board discussed reconsidering entering into a Traffic Enforcement Agreement, various types of monitoring devices available to address speeding issues and the POA using private companies for enforcement.

A Board Member suggested asking if, as part of the “Great Southern Slowdown” movement, the Sheriff Department will monitor CDD roadways a few days a week.

A resident asked if installing new speed monitoring systems addresses the issue of drivers running stop signs. Mr. Robinson replied hopefully, if the equipment is placed accordingly.

Discussion ensued about defining CDD and POA roads and enforcing traffic violations.

A resident reported his wife’s recent traffic accident on Wild Heron Way and Highway 98 and suggested the CDD ask St. Joe’s to install a traffic light.

The meeting recessed at 4:30 p.m., and reconvened at 4:40 p.m.

C. Update: Covington Bridge Inspection Report- Bridge #460167

Mr. Carroll presented the Covington Bridge Inspection Report and four Work Order Clarifications, which included timelines to complete each recommendation. Proposals will be obtained for each project, to commence next year. Mr. Burke will ask St. Joe to share the cost of this expense, as Mr. Holt stated that the Panama City Planning Commission is requiring St. Joe to initiate a Maintenance Agreement with the CDD, due to the recent PUD.

Mr. Dean stated that the specification to which the bridge was built was sent to Mr. Carroll. Mr. Holt opined that the amount the CDD contributes to the County far exceeds the benefit it receives in resources and, in his opinion, the CDD should continue pushing to get the bridge transferred to the County. Due to the additional supporting documentation, Ms. Womack suggested the CDD address this with the County once the bridge repairs are completed.

D. Update: Drainage Improvements on Intersection of Sweetwater Bay Trail and Wild Heron Way

Mr. Carroll had reviewed the certified documentation and surveys and stated the contractor should be able to proceed now that the water levels have receded.

SEVENTH ORDER OF BUSINESS

**District Ecologist – Discussion/
Consideration/Update**

Ms. Womack reported the following

➤ Drainage Improvement Projects: The Marsh Rabbit Run project was almost complete and the Turtleback Trail project will be next. The Board agreed for the recommendation to obtain proposals from this contractor to repair the side slopes on CDD roadways.

A. Update: Firewise

Ms. Womack stated that the POA asked for the CDD to service Sawgrass Court. Cutting overgrowth and removing the fallen dead tree is scheduled for next week. There are no other Firewise areas to address and, as such, there will be a break before they start mitigation cutting before getting ready for the annual monitoring in September.

In response to the request for the CDD to address overgrowth at the Wild Heron Way traffic circle and Marsh Rabbit Run, Ms. Womack stated she will investigate the area to determine what can be done, as this is a conservation easement area.

Discussion ensued regarding dead pine trees.

B. Consideration of Proposals for Conservation Area Sign Replacements

Ms. Womack will obtain proposals for the signs and have the POA Maintenance Team install them.

C. Update: Pond Aerators

Lake Doctors expects delivery of equipment this week and, once installed, the electrician will connect the power.

D. Status of Areas Allowed to be Managed

Ms. Womack confirmed that most CDD areas are restricted by conservation easements. This item will be removed from future agendas.

Ms. Womack presented the New Leaf proposal to remove dead trees on CDD property.

On MOTION by Mr. Dean and seconded by Mr. Robinson, with all in favor, the New Leaf proposal to remove dead pine trees in the Linkside area, in a not-to-exceed amount of \$1,900, was approved.

Ms. Womack stated that she and Mr. Carroll will reinspect the southeast approach of the bridge inside the gate to determine what is causing the subsistence.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

Ms. Cerbone presented the Unaudited Financial Statements as of June 30, 2022.

On MOTION by Mr. Balduf and seconded by Mr. Holt, with all in favor, Unaudited Financial Statements as of June 30, 2022, were accepted.

NINTH ORDER OF BUSINESS

Approval of Minutes

Ms. Cerbone presented the following:

- A. June 6, 2022 Regular Meeting**
The following changes were made:
Line 25: Change "Pete" to "Paul"
Line 156: Change "Robinson" to "Dean"
- B. June 13, 2022 Continued Regular Meeting**
- C. June 21, 2022 Continued Regular Meeting**

On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, the June 6, 2022 Regular Meeting Minutes, as amended, and the June 13, 2022 Continued Regular Meeting Minutes and the June 21, 2022 Continued Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

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

There was nothing further to report.

B. District Counsel: *Burke Blue*

There was no report.

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

There was nothing further to report.

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

I. Speeding and Traffic Enforcement

This item was discussed during Item 6B.

II. NEXT MEETING DATE: October 3, 2022 at 3:00 P.M. (Central Time)

o QUORUM CHECK

The next meeting will be held on October 3, 2022 at 3:00 p.m., Central Time.

ELEVENTH ORDER OF BUSINESS

Board Member Comments

• Coordination with POA

A. Road Restriping

Ms. Cerbone asked Ms. Womack to reinforce with Diane the CDD’s interest in coordinating projects with the POA, such as roadway restriping, signage and other similar projects.

B. Catch Basin Cleanout

Mr. Carroll stated that the POA scheduled this project. Ms. Womack stated she will inspect the CDD roadways and report her findings at the next meeting

There were no Board Member comments.

TWELFTH ORDER OF BUSINESS

Public Comments

This item was addressed following the Thirteenth Order of Business.

THIRTEENTH ORDER OF BUSINESS

Action Item Recap

Ms. Cerbone will email a recap of the Action Items to the Board for their review and comments.

▪ **Public Comments**

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

In response to a resident's request for an update on the tennis court/land swap matter, it was noted that the title search is pending.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, the meeting adjourned at 5:24 p.m., Central Time.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair