

**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 3, 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
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Mike Burke	District Counsel
Natalie McSwane	Burke Blue
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Steven Undercoffer	POA
Diane Allewelt	POA

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 3:05 p.m., Central Time. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comment

Resident Steven Undercoffer stated he will reserve his comments for when the landscaping, stormwater and Boathouse lease agenda items are addressed.

THIRD ORDER OF BUSINESS

Discussion: Bond Refinancing Option(s)

This item is deferred until further notice.

A. St. Joe

- **Land Swap – Tennis Courts**
- **Cost Share – Covington Bridge Repair Work**

Mr. Burke stated he was promised a meeting with Ms. Bridgette Precise and Ms. Lisa Walters to discuss the land swap and cost-share on the bridge work. His intention is to invite the Chair to the meetings. He will inform all parties of the date once disclosed.

B. Agreements Sent to POA

- I. POA Maintenance Agreement**
 - **Landscape Standards**
- II. POA Agreement for Stormwater Facility Management Services**
- III. POA Boat House Lease**

Mr. Burke stated he contacted Ms. Sherry Mallory regarding the Agreements, who understood that a joint CDD/POA meeting would be taking place. If the Board is amenable, Staff can schedule a meeting to discuss the Agreements; otherwise, Ms. Mallory will have POA Counsel provide a deeper review of their comments, if any, on all three items.

Ms. Cerbone opined that a joint meeting would be great; however, she would ask that POA Counsel review the documents first to identify any issues he might have so they can be included on an agenda. The CDD Board already approved all these items, in substantial form, so, even if the POA has a few minor adjustments, CDD Staff can move forward. She suggested coordinating with the POA President to obtain feedback from POA Counsel in time to advertise for the December meeting.

Discussion ensued regarding the Agreements, 90-day lead time for the Boathouse lease and the joint meeting agenda.

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, scheduling a joint CDD/POA meeting on December 5, 2022 and authorizing Staff to coordinate with POA officers and staff, accordingly, was approved.

C. Other

A. 2015 Wild Heron Way Operational Speed Analysis

Mr. Carroll stated he contacted the Engineer that prepared the original speed analysis for the CDD and the County Public Works Director and was informed that a speed analysis report is typically good for two to four years, assuming the growth changes are minimal. The Engineer offered to re-do the study for less than \$3,500, given that the community has grown. If engaged, the Engineer could complete the study within 30 days.

Discussion ensued about growth changes, whether to update the speed analysis, installing additional signage, re-striping Wild Heron Way, raising or lowering the speed limit, the curve, installing speed humps, engaging law enforcement, traffic enforcement, striping costs and funding sources. The Board opted to proceed with striping.

Ms. Cerbone suggested Ms. Sanchez give an update on her recent communications with the Bay County Sheriff's Department regarding traffic enforcement.

- **Speeding and Traffic Enforcement**

- **This item, previously Item 9DI, was presented out of order**

- Ms. Sanchez reported the following:

- She communicated with Lieutenant Byrd from the Bay County Sheriff's Office, via email.
 - Lieutenant Byrd advised that, if the CDD would like to enter into an MOU for traffic enforcement, the HOA must make all traffic signage in compliance with Florida Statutes.
 - Lieutenant Byrd referred Ms. Sanchez to a vendor for the speed limit signs and speed humps. The vendor data was included for informational purposes.
 - Lieutenant Byrd toured the community and noted that some signage is in compliance and some is not. The referred vendors can ensure that the signs are in compliance.

- Ms. Diane Allewelt voiced her understanding that, in order for the CDD to enter into a MOU, the signage needs to be Department of Transportation (DOT)-approved and the roads must be maintained by Bay County. Ms. Cerbone stated that is different from her understanding, which is that the roads are public roads and, in the initial discussions between County Staff and CDD Staff, it was disclosed that, if the CDD is in compliance, it will be eligible for traffic enforcement; the County never mentioned their responsibility for road maintenance.

Discussion ensued regarding Lieutenant Byrd, public roads, POA roads, traffic enforcement rights, engaging a layperson to monitor speeders and modifying the joint contract with the POA for traffic enforcement.

This item will be included on the December agenda.

▪ **Item 5A Discussion Resumed**

A Board Member suggested pursuing the striping on Wild Heron Way, from I-98 to the driving range, and considering engaging the Safety Sign company to create two S-Curve signs to post on each end of Covington Bridge to urge motorists to slow down. Ms. Cerbone stated Ms. Womack and Mr. Carroll will obtain and present signage and striping proposals at the next meeting. Staff will coordinate with Ms. Allewelt regarding the striping.

B. Covington Bridge Inspection Report – Bridge #460167

There was no update.

C. Drainage Improvements on Intersection of Sweetwater Bay Trail and Wild Heron Way

Mr. Carroll stated that Ms. Womack contacted GCUC and they will be on site next week to clean out the inlets.

SIXTH ORDER OF BUSINESS

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

A. Proposals for Conservation Area Sign Replacements

Ms. Womack stated proposals for the Conservation Area sign replacements are pending. The proposal will be different from the current signage in the neighborhood in that it will have a hard plastic composite core with a thin, aluminum exterior and be laser-printed, which is more durable. As soon as she receives the quotes, she would email them to all parties.

Discussion ensued regarding following up on projects, post-pandemic issues with contractors and surveyors, an unpaid check to a contractor that was working on Turtleback Trail and Marsh Rabbit Run and adhering to the Sunshine Laws.

Ms. Womack stated all the work on Marsh Rabbit Run was completed except for the culvert at the end of the road. The contractor is scheduling this, such that the pipe is delivered and the work is done on the same day to minimize disruption to the homeowner.

The work on Turtleback Court was completed. Mr. Carroll and the contractor modified the box and changed it from a culvert to a swale, which resulted in substantial cost savings. The contractor will issue a credit to the CDD for the proposal.

B. Pond Aerators

Regarding Phase 2 of the pond aeration, the electrical installation is still ongoing. East and west Lake Walk and Dune Lake Walk were completed and the inspection is pending.

C. Status of Speed Limit Sign Order/Installation (Recommendation from 2015 Speed Analysis)

The signage can be installed the week of October 10, 2022; a quote was emailed.

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, reimbursing the POA for installing signage outside of the golf course, was approved.

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, the speed limit sign proposal for two signs, was approved.

D. Catch Basin Cleanout – CDD Roadway Inspection

Sawgrass Court will be installed next; the electrician had to call for a utility locate on Marsh Point Lane and, as soon as the utility locate is found, the work will commence.

E. Proposal for Road Side Slope Work

Ms. Womack is awaiting a quote for the road side slope work. A significant amount of fill will be needed for the side slopes. The proposal will be a not-to-exceed amount for the fill and tickets will be provided for the fill that the CDD will fund.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2022

Ms. Sanchez presented the Unaudited Financial Statements as of August 31, 2022.

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, Unaudited Financial Statements as of August 31, 2022, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of August 1, 2022 Public Hearing and Regular Meeting Minutes

Ms. Sanchez presented the August 1, 2022 Public Hearing and Regular Meeting Minutes.

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the August 1, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

NINTH 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 nothing further to 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

- **Machines**
- **Steps in Obtaining an MOPU**
- **Traffic Law Enforcement on Street Signs**
- **Mobile Speed Bumps**
- **Neighborhood Watch Signs**
- **Automated Systems**

These items were addressed during the Fifth Order of Business.

II. NEXT MEETING DATE: December 5, 2022 at 3:00 P.M. (Central Time)

○ QUORUM CHECK

Ms. Cerbone stated she will coordinate with Ms. Allewelt about a change of venue for the next meeting. Asked if the joint CDD/POA meeting can be held at Shark’s Tooth, Mr. Burke replied affirmatively.

The next meeting will be held on December 5, 2022.

TENTH ORDER OF BUSINESS

Board Member Comments

There were no Board Member comments.

ELEVENTH ORDER OF BUSINESS

Public Comments

Mr. Holt arranged to have a hog trapper capture and dispose of feral hogs, at \$50 per hog, and asked if the CDD can split the hog trapping costs with the POA.

On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, splitting hog trapping costs evenly with the POA, at \$3,500 annually, was approved.

TWELFTH ORDER OF BUSINESS

Action Item Recap

Ms. Sanchez recapped the following action items:

- District Counsel and the CDD Chair will meet with Ms. Precise and Ms. Walters to discuss land swap, cost share on the bridge.
- District Counsel will coordinate with POA officers in preparation for the joint meeting.
- The District Engineer will obtain striping proposals for the December meeting and coordinate with Ms. Allewelt at the POA.
- The District Managers will coordinate with the POA President and Property Manager for the joint meeting.
- The District Managers will compare the Tri-Corps contract with the current pay increase to determine if it needs to be made retroactive.
- The District Managers will contact Shark’s Tooth regarding the upcoming meeting.
- The District Ecologist will obtain proposals for S-Curve, conservation area and “Do Not Feed Wildlife” signage and follow up on Marsh Rabbit Run.
- The District Ecologist will obtain a credit from the contractor regarding Turtleback Court and obtain a quote for the side slope repairs.

Discussion ensued regarding beetle infestations and tree removal authorizations.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Balduf and seconded by Mr. Self, with all in favor, the meeting adjourned at 4:21 p.m., Central Time.


Secretary/Assistant Secretary


Chair/Vice Chair