

**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 June 5, 2023 at 2:00 P.M. (Central Time), at Shark’s Tooth Clubhouse, 2003 Wild Heron Way, Panama City Beach, Florida 32413.

Present were:

David Holt	Chair
David Dean	Vice Chair
Jerry Robinson	Assistant Secretary
Thomas Balduf	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
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Diane Allewelt	First Service Residential Florida, Inc., Wild Heron Community Association Manager

Residents present were:

Michelle Levick	Bill Spivey	Paul Levick	Paul Fox
George Covellis	Paul Pishel	Chris Brown	Melinda Whitton
Kenneth Black	David Fleet	Pam Malone	Jim Henderson
Art Holbrook	Cindy Ursu	Terry Olson	Courtney Trotter
Steven Undercoffer			

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 2:03 p.m. All Supervisors were present.

Mr. Burke stated that someone suggested that he, or his firm, has a conflict of interest with the St. Joe Company. He stated that he does not have a conflict of interest in this regard. He suspected that the suggestion might have been raised because his former law partners, Lisa Walters and Chris Barnes, represent the St. Joe Company. While he has a personal relationship, with them, each represents their respective clients’ best interest.

SECOND ORDER OF BUSINESS

Public Comments

Ms. Sanchez suggested, and the Board agreed, to categorize public comments and to respond to those requiring further research at the next meeting.

Resident Paul Fox asked what is driving the large assessment increase and, if it is due to the repaving project, he questioned why is it being done now, when construction is ongoing.

Resident Terry Olson asked about the budget process and how the final amounts are determined. In his opinion, the budget is too high and should be reduced to avoid the assessment increase. Mr. Holt stated further explanation will be given during the next agenda item.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2023-02, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Burke outlined the steps in the budget process and noted that the CDD’s annual budget will be formally adopted at the public hearing.

Ms. Sanchez presented Resolution 2023-02. She reviewed the proposed Fiscal Year 2024 budget, highlighting line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget and explained the reasons for any changes. She stated that Ms. Cerbone will incorporate changes to the proposed Fiscal Year 2024 budget during this meeting.

The follow budget line items were discussed:

➤ Page 1, “Security management services: Ms. Sanchez stated that the \$69,655 in the “Projected through 09/30/23” column was corrected to \$110,006, which is indicative of TriCorp Security’s contract increasing in Fiscal Year 2023 due to a pay increases. Mr. Holt stated that the recent Request for Proposals (RFP) process revealed that TriCorp charged the CDD \$60,000 less last year than what their competitors would have charged.

Ms. Womack and Mr. Carroll provided updates on various line items under the “Lakes & wetlands monitoring”, “Roadway and landscape services” and “Stormwater management” budget categories.

➤ “Roadway and landscape services”: Mr. Robinson read the following question submitted to him by a constituent:

“Is there any way to wait another one or two years to repave the roads with so much construction traffic coming from the golf course and construction is continuing to grow, it will be testing the assets immediately.”

Discussion ensued regarding ownership, the decision to phase the roadway resurfacing projects, proceeding with the first project since costs are increasing due to inflation, the reserve funds, securing a shared maintenance agreement with the St. Joe Company for the Covington Bridge, why it is not being conveyed to the County and having to impose special assessments for repair costs in the event of a natural disaster.

Mr. Robinson thinks the CDD needs to hold St. Joe accountable for funding a portion of Wild Heron Way and he wants to see the related budget line item reduced by 50% next year.

➤ “Cost share-irrigation”: Mr. Holt discussed the CDD and POA’s future plans to replace the outdated system due to the increase in the POA’s maintenance bills, and to begin building up the CDD’s reserve funds to replace the infrastructure portion of the project. Mr. Balduf suggested eliminating this line item, given the POA’s healthy budget and uncertainty as to when this project will commence. The consensus was to not budget for this.

The following changes were made to the proposed Fiscal Year 2024 budget:

Page 2, “Bridge repairs and maintenance”: Decrease “\$125,000” to “\$50,000”

Page 2, “Roadway resurfacing 98 to guard house”: Decrease “\$656,000” to “\$325,000”

Page 3, “Cost share-irrigation”: Decrease “\$400,000” to “\$0”

Page 3, “Tax collector”: Decrease “\$38,337” to “\$21,028”

Based on the changes, Ms. Cerbone presented \$1,752.84 as the new assessment amount; it is a 41.7% increase compared to Fiscal Year 2023. She suggested holding a joint meeting with the POA in February or March to discuss the cost-share budget line items for Fiscal Year 2025.

On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, the Resolution 2023-02, Approving a Proposed Budget for Fiscal Year 2023/2024, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 7, 2023 at 2:00 P.M. (Central Time), at Shark’s Tooth Clubhouse, 2003 Wild Heron Way, Panama City Beach, Florida 32413; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, Resolution 2023-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

District Engineer: Discussion/Consideration /Update

A. Covington Bridge Proposals

Mr. Carroll recommended proceeding with the Civil BCL Contractors, Inc., proposal, as he was unable to obtain any other proposals.

On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, the Civil BCL Contractors, Inc., proposal dated April 13, 2023, to repair the Covington Bridge, in a not-to-exceed amount of \$126,560, was approved.

B. Bay County Speed Enforcement

Mr. Carroll suggested researching installing speed monitoring solar panels to address traffic violations, as the Sherriff's Department is not too interested in patrolling the area. He was asked to obtain proposals for various types of devices for the next meeting.

The consensus was to open public comments.

Mr. Self recommended the vendor Traffic Budgets, who is being proposed to the POA Board to install on certain POA roads, and budget accordingly.

Asked if the CDD, a governmental entity, has the authority to issue traffic tickets based on data from the monitoring equipment, Mr. Burke replied no. He explained that the CDD is a government of special purpose. A response from the Sherriff's Department about the cost to engage off-duty personnel to monitor CDD roads is pending. He recalled that, ten years ago the cost was \$85,000.

C. FDOT Compliance

Mr. Burke stated he will forward proof to the Florida Department of Transportation (FDOT) to show that the Covington Bridge will be in full compliance by the next scheduled inspection. Civil BCL Contractors, Inc., will mobilize within two weeks of executing the contract. The project is expected to take eight weeks to complete.

SIXTH ORDER OF BUSINESS

District Counsel: Discussion/Consideration Update

A. Stormwater Facility Management Services Agreement (CDD approved, awaiting POA approval)

B. POA Maintenance Agreement (CDD approved, awaiting POA approval)

- **Landscape Standards**

These Agreements are pending.

C. Wild Herson Way Ownership - HWY 98 to Covington Bridge

Mr. Burke stated that an offer from St. Joe is pending but they were advised the CDD is preparing its budget today.

SEVENTH ORDER OF BUSINESS

District Ecologist: Discussion/Consideration /Update

A. Wildlife Signage Proposal

Ms. Womack stated the agenda title will be changed to “Conservation Easement Signage”. Mr. Dragonette is reviewing the map and will provide an hourly proposal since he is having difficulty providing a lump-sum proposal. She will ask that he add the “not-to-exceed” language to the proposal.

B. DEP Conservation Easement Swap

Ms. Womack stated that comments from the United States Army Corps of Engineers (USACE) to approve the Conservation Agreement are still pending, due to recent staff changes.

C. Brightview Landscape Services, Inc., Rewatering Options

Ms. Womack distributed and presented the BrightView proposal for extra work to regrade and re-hydro seed areas washed-out by the recent storm. This was prepared after the on-site inspection with her and Mr. Holt.

Discussion ensued regarding types of hydro-seed and methods, asking for a specific type of top soil to be used and the need for additional watering due to the current weather conditions.

Mr. Holt asked Ms. Womack to advise the vendor to contact him with any questions while she is on vacation.

On MOTION by Mr. Balduf and seconded by Mr. Robinson, with Mr. Balduf, Mr. Robinson, and Mr. Holt in favor and Mr. Dean and Mr. Self dissenting, the BrightView Proposal dated June 2, 2023, as amended to include installing top soil at no additional charge, for extra work at Wild Herson Way Outside of Gate, in a not-to-exceed amount of \$6,840, was approved. [Motion passed 3-2]

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2023

On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, the Unaudited Financial Statements as of April 30, 2023, were accepted.

NINTH ORDER OF BUSINESS

Approval of May 1, 2023 Regular Meeting Minutes

The following changes were made:

Line 169: Change "A Board Member" to "Mr. Self"

Line 176: Insert "Camp" before "Creek"

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the May 1, 2023 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

- A. Ecologist/Operations: Cypress Environmental of Bay County, LLC**
- B. District Counsel: Burke Blue**
- C. District Engineer: McNeil Carroll Engineering, Inc.**

There were no reports from Staff.

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

- **NEXT MEETING DATE: August 7, 2023 at 2:00 P.M. (Central Time)**

○ **QUORUM CHECK**

ELEVENTH ORDER OF BUSINESS

Board Member Comments

Mr. Robinson asked for the recently repaired Wild Heron Way box culvert area to be cleaned up. Ms. Womack will contact Civil BCL Contractors, Inc.

Mr. Balduf recognized Mr. Eddie Levick, Christian and everyone else involved in setting up the sound system.

TWELFTH ORDER OF BUSINESS

Public Comment

Resident David Fleet asked if there are plans to eliminate the cogon grass behind Clubside 1, which, according to the State, will require aggressive treatment. Ms. Womack discussed how this invasive grass spreads and how difficult it is to remove. It would take coordinated efforts from the CDD, POA, private lot owners and the golf course to keep it under control. She will reinspect the areas and email the last assessment report to those parties. Mr. Holt suggested Ms. Allewelt notify the residents of the issue and directed Ms. Womack to proceed with treating the CDD areas, within budget.

Resident Cindy Ursu asked if the CDD has separate accounts for reserves and the Operation and Maintenance (O&M) portion of the budget. Ms. Cerbone stated the assigned and unassigned fund balance items are considered the CDD's reserves. She discussed how the one operating bank account is funded.

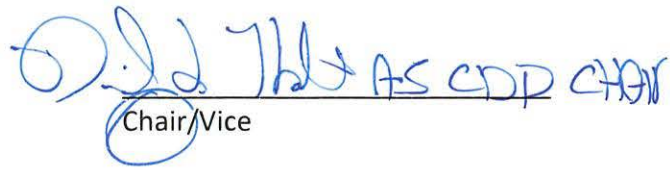
Ms. Ursu cautioned the Board about proceeding with a significant assessment increase without obtaining written commitments on cost-share budget items from the POA, St. Joe Company and the County. She suggested notifying residents of future projects to avoid a large turnout during budget season.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Self and seconded by Mr. Holt, with all in favor, the meeting adjourned at 3:56 p.m., Central Time.


Secretary/Assistant Secretary


Chair/Vice