

**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 3, 2024 at 2:00 p.m. (Central Time), at First Baptist Church - Sunnyside, 21321 Panama City Beach Pkwy, Panama City Beach, FL 32413.

Present:

David Holt
David Dean
Jerry Robinson
Thomas Balduf

Chair
Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Jamie Sanchez
Cindy Cerbone (via telephone)
Mike Burke
Bethany Womack
Terry Olson
Tom Kerins
Ken Black
Chris Brown

District Manager
Wrathell, Hunt and Associates, LLC (WHA)
District Counsel
Ecologist/District Operations Manager
Resident/HOA Board Member
Resident/HOA Board Member
Resident
Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 2:11 p.m.

Supervisors Holt, Dean, Balduf and Robinson were present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

Ms. Sanchez noted the public comments protocols. Public comments are heard at the beginning of the meeting for specific agenda items and near the end of the meeting for non-agenda items.

Resident Chris Brown asked the Board to consider adding an additional temporary gatehouse guard during the day for a nine-day period beginning around August 1, 2024, while the POA implements the new security system. Mr. Holt thinks the Board should consider this request; he expects that, once the system is online, it will free up the lines to the owners’ gate, such that it might not be necessary to incur costs to add new gates.

Ms. Sanchez confirmed the CDD’s ability to cost-share this expense with the POA and recalled that the Board added additional funds to the Fiscal Year 2025 budget “Security” line item.

A resident asked if the new security system will allow a shift to just one guard. Mr. Olson stated yes, in theory.

Resident Ken Black asked if the Board would consider installing the Flock Safety System on CDD property, coming in from the gate, which is about \$6,000+ in year one. It is a completely separate independent system and not part of the POA program.

Mr. Black gave an overview of the POA’s new software program for the gate and noted that cameras are part of the Phase 2 implementation process. The overall system will streamline access, particularly at the owners’ gate, and shorten the amount of wait time for visitors entering the community.

THIRD ORDER OF BUSINESS

Update: Gatehouse Report

There was no Gatehouse Report.

FOURTH ORDER OF BUSINESS

District	Engineer:	Discussion/
	Consideration/Update	

A. Discussion: Visual Inspection Report on Stormwater Pipes

B. Consideration of Bridge Repair Proposals

These items were deferred.

Mr. Holt advised that Mr. Carroll received the completed Survey but did not receive proposals for constructing the gate; design plans are being prepared.

FIFTH ORDER OF BUSINESS

District	Counsel:	Discussion/ Consideration/ Update
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A. Discussion with Joe Brown Regarding Bridge and Cost Share

Mr. Burke asked for contact information for POA Counsel, as they need to prepare a global settlement before negotiating with St. Joe. Mr. Black stated that the POA is waiting on information that it requested from St. Joe and POA Counsel is doing further research to ensure the POA is able to proceed with the negotiations, which is expected soon.

Mr. Kerins reported that St. Joe presented several future projects in the shareholder's meeting, specifically, the "East Lake Powell" project comprised of a minimum 75-unit hotel, boat slips, bowling alley, swimming pools, etc., on the water.

Discussion ensued about the bridge repair costs likely being higher than anticipated, a comment about St. Joe "extorting" the CDD and not wanting the POA assessment methodology to change over a 10-year period and why preparing an Operations and Maintenance (O&M) Assessment Methodology was removed from agendas.

Ms. Womack stated that, once the POA's new security system is operational, it might give the CDD further insight in tracking who is entering the community for the golf course and to compare if the methodology needs to be changed.

Asked if the CDD has an option to assess St. Joe development residential and commercial property outside the gate, since it will be connected to the main road and infrastructure, Mr. Burke replied affirmatively. Mr. Burke suggested waiting until the CDD has sufficient data, as a lot could happen over three years; he cautioned spending \$50,000 for a Methodology Report now, when the CDD is not going to get \$50,000 in assessments from St. Joe. He thinks the CDD might need to have a study done on the bridge.

Discussion ensued regarding the Clubhouse, original connection fees going unpaid, belief that the revenue stream will go away upon transferring the road to the County and implementing a mechanism to collect funds for the bridge to offset maintenance costs, if the road is transferred to the County.

Mr. Burke recommended modifying the Rule to say that it applies to the bridge; however, he thinks the best option is to convince St. Joe to help the CDD get the County to take the bridge, as that will be worth whatever funds St. Joe might give to the CDD.

The Board consensus is to defer preparing a Methodology Report until there is sufficient data from the new security system. Using data during peak times in June, July or August 2025, was suggested.

SIXTH ORDER OF BUSINESS

District	Ecologist:	Discussion/ Consideration/ Update
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A. Discussion: Conservation Easement Swap – Survey & Legal Status

Ms. Womack stated that POA is to review and confirmation of the proposed swap area needed to complete the survey and legal description is pending. Mr. Kerins wants to confirm that the information was registered in the POA minutes. Ms. Womack will send the draft survey and legal description to the POA prior to submitting it to the Florida Department of Environmental Protection (FDEP).

This item will remain on the agenda.

Ms. Womack reported the following:

- Guard rail painting was completed.
- The physical barriers and signage in the conservation area will be installed next week.
- BrightView will be asked about the status of proposals to treat Cogon grass and cut the right-of-ways (ROWs) and over the roads for the emergency vehicle height.
- Regarding a new driveway and culvert at the old Thomas property that connects to the CDD road, further direction, if any, is needed. The Property Appraiser website recorded 20 lots, of which, four lots on the north side share an access road.

Mr. Burke stated that the CDD could issue a cease and desist letter, similar to the ones issued for the south side of the road that made too many connections.

B. Discussion: Hog Program

Mr. Holt stated that, for the next 60 days, he is testing the two \$100 a piece lessor cost cameras he personally purchased and will provide an update.

This item will remain on the agenda.

- **720 Wild Heron Way - New Driveway and Culvert at the Old Thomas Property.**

This item was an addition to the agenda.

Discussion ensued regarding issuing a cease and desist letter to homeowners at 720 Wild Heron Way for installing a driveway and culvert connecting to CDD roads and to the homeowner of 709 Wild Heron Way, if that property is in violation.

On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, authorizing District Counsel to send letters to the homeowner of 720 Wild Heron Way advising them to disconnect the new driveway accessing CDD roadways and to the homeowner of 709 Wild Heron Way, subject to Mr. Carroll confirming an actual violation at 709 Wild Heron Way, were approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-05, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Ms. Sanchez reviewed the proposed Fiscal Year 2025 budget, highlighting line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes, some of which were discussed at the Workshop in April. Adjustments can be made prior to adopting the budget at the public hearing. Ms. Womack and Mr. Carroll assisted in preparing the Field Operations portion and the Committed Fund balance portions of the proposed budget, respectively. Roadway and landscape services “Capital outlay” and “Roadway resurfacing guard house to end WHW” line items are supposed to be hidden, as there are no funds allotted to these line items.

Regarding the “Roadway and landscape services” line item, Mr. Dean questioned whether the CDD should take back the landscape maintenance responsibilities that were transferred to

the POA, as the contractor has not kept up to the CDD’s 2021 landscape maintenance standards, specifically maintaining the turf in the CDD’s right-of-ways (ROWs).

Discussion ensued regarding whether the CDD notified the new POA Board of the deficiencies. It was noted that the CDD’s landscape standards were attached, not written into the BrightView contract. Discussion of certain gaps incorporated into the contract over the years, the CDD and POA preference to have one landscape contract rather than bifurcating services as a cost-savings measure and issuing a 90-day Notice to BrightView to bring the deficiencies up to the CDD’s standards.

The Board consensus was, if improvements are not apparent within the next 30-days, a list of outstanding deficiencies will be sent to Mr. Olson.

Ms. Sanchez noted the projection of a Fiscal Year 2025 O&M assessment decrease of \$606.87 per unit, as discussed at the Workshop to offset several years of assessment increases.

On MOTION by Mr. Dean and seconded by Mr. Robinson, with all in favor, Resolution 2024-05, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 5, 2024 at 2:00 p.m. (Central Time), at First Baptist Church - Sunnyside, 21321 Panama City Beach Pkwy, Panama City Beach, FL 32413; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Ms. Sanchez asked the Board to consider changing the meeting date and time to the first Wednesday of the month at 9:00 a.m., or 10:00 a.m., for Fiscal Year 2025.

Discussion ensued regarding changing the meeting time to 6:00 p.m. and whether it would increase attendance, alternating meetings between mornings and evenings and potential meeting locations for daytime and/or evening meetings.

This item was deferred.

NINTH ORDER OF BUSINESS

**Reminder: Reminder of Qualifying Period:
Noon, June 10, 2024 - Noon, June 14, 2024**

Ms. Sanchez reminded the Board Members that the candidate qualifying period runs from noon, June 10, 2024 to noon, June 14, 2024, for anyone interested in running for a Board seat in the upcoming November 2024 General Election.

Mr. Black stated that the Deputy Supervisor of Elections notified him that the candidate qualifying period is open for applications. He noted that Mr. Mark Andersen is retiring, effective June 7, 2024 and the Governor appointed his Deputy, Ms. Nina Ward, as the Bay County Supervisor of Elections.

TENTH ORDER OF BUSINESS

**Consider Appointment of Qualified Elector
to Fill Unexpired Term of Seat 5; Term
Expires November 2026**

The Board consensus was to table this item until December 2024, after the November 2024 General Election.

- **Administration of Oath of Office (the following will also be provided in a separate package)**
 - A. **Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
 - B. **Membership, Obligation and Responsibilities**
 - C. **Guide to Sunshine Amendment and Cost of Ethics for Public Officers and Employees**
 - D. **Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Publics Officers**

ELEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-07,
Electing and Removing Officers of the
District and Providing for an Effective Date**

This item was deferred to the December 2024 meeting.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2024

On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, Unaudited Financial Statements as of April 30, 2024, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of May 6, 2024 Regular Meeting Minutes

Line 26: Change “underscore” to “Brown”

Line 145: Change “Gaynous” to “Gainous”

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the May 6, 2024 Regular Meeting Minutes, as amended, were approved.

FOURTEENTH 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 the Ecologist, District Counsel or the District Engineer.

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

- **Meeting Location for Fiscal Year 2025**
- **NEXT MEETING DATE: August 5, 2024 at 2:00 PM (Central Time)**
 - **QUORUM CHECK**

FIFTEENTH ORDER OF BUSINESS

Board Member Comments

Mr. Holt voiced concern that it will be more costly if the CDD and POA do not fill in the cracks in the roads sooner than later. Ms. Womack suggested contacting JAC Construction Company of Bay County and C-miles Construction, Inc.; Mr. Robinson will survey the CDD roads.

Mr. Black asked if the CDD is still under contract with the contractor handling hurricane damage. Ms. Sanchez replied affirmatively; the contract auto renews for at least three years. Ms. Cerbone stated that Custom Tree Care, Inc., is under contract to handle any CDD Federal Emergency Management Agency (FEMA) claims.

SIXTEENTH ORDER OF BUSINESS

Public Comments

Mr. Brown asked about St. Joe’s legal obligations to the CDD as far as financial or maintenance responsibilities. It was noted there is no difference than for any other property owner, which is to pay their assessments.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Balduf and seconded by Mr. Holt, with all in favor, the meeting adjourned at 4:03 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair CHAIR