

**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 2, 2024 at 2:00 p.m. (Central Time), at the Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413.

**Present:**

David Holt	Chair
David Dean	Vice Chair
Jerry Robinson	Assistant Secretary
Thomas Balduf	Assistant Secretary
Kenneth Black	Assistant Secretary

**Also present:**

Cindy Cerbone	District Manager
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Courtney Bolla	POA Community Association Manager
Chris Brown	Resident/Architectural Review Board (ARB)
Terry Olson	POA Board Member

**Residents in attendance:**

Tom Kerns	Bill Thomas	Virginia Thomas	Stephanie Perdue
Terry Olson	Stephan Karian	Kelly Fredrickson	Patti Undercoffer
Richard Ugg	Tom Ledman	Tim Mendenhall	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comments**

Ms. Cerbone stated, as today's meeting is being held in an outdoor venue. all meeting attendees should speak up when commenting. She explained the protocols for public comments.

Mr. Burke provided a recap of a driveway issue involving resident Bill Thomas, who owns a corner lot and installed a culvert to block access to his property to prevent motorists from going through his property. He noted that Mr. Thomas' actions are a violation of the CDD's Rules. The

issue is the access point and Mr. Thomas is subject to the CDD’s jurisdiction. Staff sent a letter explaining this to Mr. Thomas, who subsequently agreed to remove the obstruction.

Discussion ensued regarding who owns the property, safety concerns, motorists cutting across Mr. Thomas’ property and using the road as a connector and a prior issue wherein Mr. Thomas drained the wetland altering the right-of-way (ROW) and eventually agreed to return it to its original condition.

Mr. Dean stated Mr. Thomas has the right to install a fence on his property line but not a culvert. Mr. Thomas stated he will comply with the Board’s wishes and remove the culvert within 30 days.

Resident Stephan Karian discussed what he perceives as dangers with the CDD’s proximity to a commercial shopping area. He asked about the feasibility of installing a traffic light at the entrance of the shopping center.

Mr. Burke stated he previously broached this topic and, although there was some desire by the Board to have a light installed, all parties involved must retain Counsel and reach a consensus. He offered to draft an agreement reflecting the wishes of the Board and residents.

Discussion ensued regarding the CDD petitioning the State to install a traffic light, the cost to petition the County, the other parties that have a say about installing a traffic light, safety concerns, recreation traffic, conveying the road to the County and St. Joe having the final decision authority on this matter.

Ms. Cerbone summarized that the Board asked Mr. Karian to obtain an estimate of the cost to petition the State, obtain feedback from surrounding entities and parties that would be impacted by the installation of a traffic light in the area and report his findings at the next meeting.

**THIRD ORDER OF BUSINESS**

**Update: Gatehouse Report**

There was no update.

**FOURTH ORDER OF BUSINESS**

**District Engineer: Discussion/ Consideration /Update**

**A. Discussion: Visual Inspection Report on Stormwater Pipes**

Mr. Carroll stated the visual inspections of the stormwater pipes are underway and the report will be completed by the next meeting.

This item will remain on the agenda.

**B. Consideration of Bridge Repair Proposals**

- **Civil BCL Contractors, Inc.**

Mr. Carroll presented the Civil BCL Contractors, Inc., proposal for the Wild Heron bridge repairs.

**On MOTION by Mr. Dean and seconded by Mr. Robinson, with all in favor, the Civil BCL Contractors, Inc., proposal for bridge repairs, in the amount of \$43,650, was approved.**

- **Consideration of Responses to RFP for Construction Services Road Resurfacing 2024**  
This item, previously the Eighth Order of Business, was presented out of order.

**A. Respondents**

Mr. Carroll reviewed the bid submittals received from Premier Paving, American Sand & Asphalt Paving and C.W. Roberts Contracting Inc.

**B. Evaluation/Ranking of Proposals**

The Board scored and ranked the respondents individually.

Ms. Cerbone tabulated the combined scores and rankings, as follows:

#1	C.W. Roberts Contracting Inc.	406.6 points
#2	American Sand & Asphalt Paving	295.90 points
#3	Premier Paving	282.10

**C. Award of Contract/Authorization to Engage Highest-Ranked Respondent**

**On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, awarding ranking C.W. Roberts Contracting, Inc., as the #1 ranked respondent to the RFP for Construction Services for Road Resurfacing, awarding the contract to C.W. Roberts Contracting Inc., the #1 ranked respondent, directing District Staff to prepare a form of agreement and authorizing the Chair or Vice Chair to execute in between meetings, for ratification at the next meeting, was approved.**

**A. Discussion with Joe Brown Regarding Bridge and Cost Share**

Mr. Burke stated, now that he has been made aware of the bridge repair costs, he will contact Mr. Joe Brown to discuss cost-sharing, inform Mr. Brown that the CDD will resurface the entirety of Wild Heron Way and then commence the conveyance process.

**B. Discussion: Letter to Resident Regarding Driveway Issue**

This item was addressed during the Second Order of Business with Mr. Thomas.

**C. Discussion: Waterway Signage (No Wake, Speeding)**

Mr. Burke stated he had trouble accessing the file for this item and asked for it to remain on the agenda.

Mr. Burke stated that the CDD needs to be designated as a golf cart community and recommended that the Board direct District Counsel to commence the process.

Management will include a Resolution designating the CDD as a golf cart community on the next agenda.

**SIXTH ORDER OF BUSINESS**

<b>District</b>	<b>Ecologist:</b>	<b>Discussion/</b>
<b>Consideration/</b>	<b>Update</b>	

Ms. Cerbone stated Ms. Womack had to leave but Staff will email updates to the Board.

**A. Discussion: Conservation Easement Swap – Survey & Legal Status**

**I. Walking Trails**

**B. Discussion: Aerator Status/FPL Communication**

**C. Update: DEP Violation (1501 Sweetbay Trail/CDD Tree Damage)**

These items will remain on the agenda.

**SEVENTH ORDER OF BUSINESS**

**Discussion Items**

**A. Roundabout Modification for New POA Irrigation System**

Mr. Olson stated the POA Board recently commenced facilitating an upgrade to its irrigation system; bids were obtained, the lowest bidder was selected and the POA Board is in the process of drafting the contract. It will cost \$230,000 to upgrade the irrigation system. As part of the preparation for the site survey, the contractor will install spray heads and relocate any lateral lines that are being damaged regularly by vehicle and truck traffic. He described where

and how the project will be performed and stated, since the work will take place on Wild Heron Way, the POA feels that the CDD should help expand the road and assist with cost-sharing.

Discussion ensued regarding the traffic circle, the roundabout, scope of work, line relocation, asphalt, river rock treatments and the project timeline.

Ms. Cerbone suggested the Board direct the District Engineer to coordinate with Mr. Olson and report his findings to the Board regarding the irrigation system upgrade.

**On MOTION by Mr. Dean and seconded by Mr. Black, with all in favor, authorizing the District Engineer to work with Mr. Terry Olson, in between meetings, regarding the roundabout modification, river rock and irrigation line relocation, and report their findings at the next meeting, was approved.**

**B. Speeding on WHW**

Mr. Balduf stated he pulled data from the last three months regarding radar signs. He discussed incoming traffic, outgoing traffic, the speed limit, enforcement, special radar cameras and the POA. He concluded that the radar signs are working.

This item will remain on the agenda.

**C. Additional Security Expense to Assist POA with Security Updates at Guardhouse (standard contract rates for 60 days)**

Ms. Cerbone stated this was approved at the last meeting.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Responses to RFP for Construction Services Road Resurfacing 2024**

**A. Respondents**

**B. Evaluation/Ranking of Proposals**

**C. Award of Contract/Authorization to Engage Highest-Ranked Respondent**

This item was addressed following the Fourth Oder of Business.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of August 31, 2024**

**On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, the Unaudited Financial Statements as of August 31, 2024, were accepted.**

TENTH ORDER OF BUSINESS

Approval of August 5, 2024 Public Hearing and Regular Meeting Minutes

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, the August 5, 2024 Public Hearing and Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

There was no report.

B. District Counsel: Burke Blue

• Discussion: Feasibility of Designating Lake Powell CDD as a Golf Cart Community

Mr. Burke stated Mr. Black contacted him about designating Wild Heron Way (WHW) as a golf cart community; Florida Statutes allow County and City governments to make such designations. Mr. Burke stated, although his research shows CDDs were left out of the Statute, an argument can be made that the CDD’s road is part of the County road system because the Statute requires that all public roads be part of either the U.S., State, County or City road systems and, since the CDD is outside of the incorporated City, it could be done as part of the County.

Discussion ensued regarding the POA, Bay County, State Statutes and golf cart operator licenses and registration requirements.

Mr. Burke will draft a resolution petitioning the County to designate WHW a golf cart community and present it at the next meeting.

C. District Engineer: McNeil Carroll Engineering, Inc.

There was no report.

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

▪ NEXT MEETING DATE: December 4, 2024 at 2:00 PM Central Time

○ QUORUM CHECK

TWELFTH ORDER OF BUSINESS

Board Member Comments

Mr. Dean asked about a new meeting venue.

Ms. Cerbone stated Staff secured the Laguna Beach Christian Retreat at a cost of \$150 per meeting, through April 2025, and the Hilton Hotel for meetings in May, June and August 2025.

**On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, the new meeting location of the Laguna Beach Christian Retreat, at a cost of \$150 per meeting through April 2025, was approved.**

- **Discussion: EOC Information from other CDDs**  
**This item was an addition to the agenda.**

Mr. Dean stated the CDD needs an Emergency Operations Center (EOC) for disaster/storm recovery. The CDD needs a plan that includes boots on the ground, oversight, phone lines to communicate with the County, a separate website, a storage facility to stock water for distribution and chainsaws to clear debris, etc. He voiced his opinion that an EOC is something the CDD, as a governmental entity, owes to the community. He would like to pursue this and recalled that a gentleman who was the head of an EOC in a nearby County previously volunteered to guide the CDD on how to operate an EOC at no charge.

Ms. Cerbone stated it would be helpful to coordinate with the POA regarding forming an EOC. Staff will research and ask District Managers what other communities that formed EOCs have in place and report their findings at the next meeting. This item will remain on the agenda.

- **Discussion/Consideration: Contribution to POA for Renovation of Pool Area Building for Meeting Room**

Mr. Olson asked the CDD to contribute \$75,000 to the POA’s pool area renovations.

Discussion ensued regarding a lease agreement, the project timeline, the contribution amount and the budget. This item will remain on the agenda.

**THIRTEENTH ORDER OF BUSINESS**

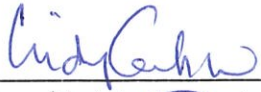
**Public Comment**

No members of the public spoke.

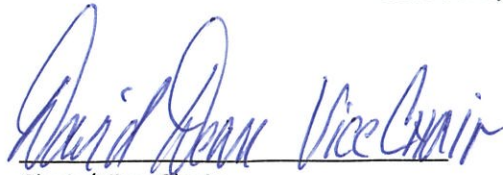
**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Holt and seconded by Mr. Robinson, with all in favor, the meeting adjourned at 4:28 p.m.**



Secretary/Assistant Secretary



Chair/Vice Chair