

**MINUTES OF MEETING
LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Lake Powell Residential Golf Community Development District will hold a Regular Meeting on December 4, 2024 at 2:00 p.m. (Central Time), at the Laguna Beach Christian Retreat, 20016 Front Beach Road (Naomi's Kitchen), Panama City Beach, Florida 32413.

Present:

David Holt	Chair
David Dean	Vice Chair
Thomas Balduf	Assistant Secretary
Joel Stephens	Assistant Secretary
Kenneth Black	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Chris Conti	Wrathell, Hunt and Associates, LLC
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Courtney Bolla	POA Community Association Manager
Terry Olson	Resident/POA Board Member

Residents in attendance:

David Fleet	Pete Malloy	Tom Kerns	Laura Maxwell
Rebecca Ferris	Shari Mallory	Ben Bollinger	Mike Mc Quaig
Kevin Dupont	Andy Allen	Paul Pishal	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:03 p.m. The Oath of Office was administered to Mr. Holt, Mr. Balduf and Mr. Stephens prior to the meeting. All Supervisors were present.

Ms. Cerbone and Mr. Burke reviewed Items 3A through 3D, including the Sunshine Law, electronic communications, Form 1, Form 8B, conflicts of interest, registration with the Florida Commission on Ethics and the requirement that each Supervisor complete ethics training.

Mr. Dean welcomed the attendees and encouraged input. He thanks Ms. Ann Holt for locating this meeting room at a substantial savings to the CDD.

Public Comments

Ms. Cerbone explained the protocols for public comments. She recommended the Board accept all public comments before discussing questions and concerns and noted that the Board is not required to address questions at the meeting.

Mr. Ben Bollinger distributed his presentation. He expressed concern about the assessments apportioned to his property.

Resident Sherri Mallory voiced her opinion that the CDD assessment is not proportionate and fair compared to the projected 2025 assessments to be paid by St. Joe owners. She discussed St. Joe's increased membership, planned golf course expansions and use of Wild Heron Way by St. Joe for construction access to the second golf course. She thinks Equivalent Residential Units (ERUs) should not be the only basis for changes to assessments. She thinks the CDD can assess all households in the CDD and that the CDD is neglecting its fiduciary duties. She asked for the Methodology to be reconsidered. She recalled that Mr. Dean's motion at a prior meeting to reevaluate the Methodology was not seconded. She thinks a subsequent motion to not consider it again, to which Mr. Dean dissented, violated Chapter 190 and the Board's fiduciary duties.

Resident Rebecca Ferris stated that, in 2018, she oversaw the CDD's contract for landscape, turf, pine straw, irrigation etc., with a budget of over \$270,00. At that time, the CDD and POA decided to engage one contractor and for the POA to manage all landscaping for the POA and the CDD. The CDD gave the POA approximately \$55,000 for pond cleanup and the POA began charging POA members only. She believes that that the CDD's portion of the expense has increased since that time and that St. Joe is not assessed for the benefit it receives from the landscaping. She asked for the matter to be addressed.

Resident David Fleet voiced his belief that Florida Statute requires Operation & Maintenance (O&M) assessments to be fair and proportionate to the benefit received and questioned the fairness of the amount St. Joe was assessed for repaving Wild Heron Way to the amount he was assessed, compared to the benefit received. He discussed why he thinks the Methodology should be reevaluated, including adding "trip counts" based on traffic flow.

Resident and POA Board Member Terry Olson stated that one of the road bores for the two wire irrigation system recently struck an irrigation line and the leak is causing erosion to the underlayment under Wild Heron Way, which the contractor will fix. He discussed the proposed

repairs to be completed by RCI and TES, which currently projects a 5' to 10' patch to the blacktop on the northbound side of Wild Heron Way.

Ms. Cerbone recommended Mr. Carroll work with the POA regarding Wild Heron Way. The consensus was for Mr. Carroll to serve as point person and Staff will work with the POA.

Ms. Cerbone summarized that the three main themes of the public comments were:

1. What can be done about perceived unfair O&M assessments.
2. The belief that, when landscaping was removed from the CDD budget and the Agreement between the CDD and the POA was created, it was agreed that the POA would budget, fund, collect and maintain all landscaping and only those assessed by the POA would contribute. Whereas, prior to the Agreement with the POA, all were assessed, including Shark's Tooth.
3. The perception that repaving cost distributions might not be fair, based on how O&M assessments are set up.

Ms. Cerbone recalled talks with St. Joe to make a financial contribution to the repaving from the guardhouse to 98 and the Covington bridge maintenance; she is unaware of the status.

Mr. Dean thinks that past negotiations with St. Joe to fund paving a portion of Wild Heron Way are unrelated to a Methodology for the future and, if St. Joe pays for a portion of the paving, it would still not be apportioned using the ERU method that has been in use since 2000. After receiving Ms. Cerbone's email to the Board, he reviewed Resolutions that address the bond issue and noted that part of the Report states, in Section 8.11, "Method of collection of assessments and benefit, special assessments. The District shall levy and collect assessments and benefit special assessments in accordance with the applicable Florida law." He believes that Florida law states that assessments should be collected annually and that it should be done proportionately and fairly; however, he thinks most property owners in the CDD do not believe that the assessments are fair so a decision is needed as to whether to have a study conducted.

It was noted that other factors will be built into this topic. It was suggested that a decision be considered later in the meeting.

Mr. Dean motioned for a Special Meeting in January 2025 to consider assessments. Ms. Cerbone asked Mr. Dean to hold his motion until later in the meeting after some other agenda items are discussed. Mr. Dean agreed to withdraw his motion for now.

Ms. Cerbone stated that ERUs are not exactly what relates to O&M because all the various types of residential units are all charged the same, whether in a condo or for the largest lot. That

is not related to ERUs; the bond debt is related to ERUs. She stated the question about how St. Joe pays 7.4% of what the other residential units pay needs further consideration. Staff researched the records from the prior management firm who set that percentage with the Board at the time and more research is needed; during previous research, Mr. Burke and Mr. Carroll were both perplexed as to how the 7.4% was established. She stated that debt allocation typically utilizes ERUs; typically, the larger the front footage of a residential lot, the larger the debt obligation that will be assigned to it. O&M typically follows one of two models; either “straight line”, in which every property pays the same regardless of lot size, or by way of the same ERU weightings used for debt assessments are used for O&M assessments.

Ms. Cerbone suggested the Board progress through the agenda to allow Board Members to give details regarding what they would like to discuss at the January 2025 meeting.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors [David Holt - Seat 1, Thomas Balduf - Seat 3, Joel Stephens - Seat 4] (the following to be provided in a separate package)

This item was addressed during the First Order of Business.

- A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2025-02, Electing and Removing Officers of the District and Providing for an Effective Date

Ms. Cerbone presented Resolution 2025-02. Mr. Balduf nominated the following slate:

- | | |
|---------------|---------------------|
| David Holt | Chair |
| David Dean | Vice Chair |
| Thomas Balduf | Assistant Secretary |
| Joel Stephens | Assistant Secretary |
| Ken Black | Assistant Secretary |

Mr. Black nominated the following slate:

- | | |
|---------------|---------------------|
| David Holt | Chair |
| Thomas Balduf | Vice Chair |
| David Dean | Assistant Secretary |
| Joel Stephens | Assistant Secretary |
| Ken Black | Assistant Secretary |

Mr. Holt stated he is willing to serve as Chair for one more year but he believes all Board Members should serve as Chair so he wants to reconsider the officers next year.

No other nominations were made.

This Resolution removes the following from the Board:

- | | |
|----------------|---------------------|
| Jerry Robinson | Assistant Secretary |
|----------------|---------------------|

The following prior appointments by the Board remain unaffected by this Resolution:

- | | |
|----------------|---------------------|
| Craig Wrathell | Secretary |
| Cindy Cerbone | Assistant Secretary |
| Jamie Sanchez | Assistant Secretary |
| Craig Wrathell | Treasurer |
| Jeff Pinder | Assistant Treasurer |

On MOTION by Mr. Dean and seconded by Mr. Stephens, with all in favor, Resolution 2025-02, Electing, as nominated by Mr. Balduf, and Removing Officers of the District and Providing for an Effective Date, was adopted.

As Mr. Balduf’s nominations were approved via adoption of Resolution 2025-02, Mr. Black’s nominations were not called to a vote.

FIFTH ORDER OF BUSINESS

Update: Gatehouse Report

POA Community Association Manager Courtney Bolla distributed a Gatehouse Report. She stated the POA knows of reports of incidents at the gate in which guards failed to correctly follow the Post Orders. A meeting was held with TriCorps representatives and TriCorps committed to additional on-site guard training at least once a week . The POA will also meet with guards weekly to review incidents and provide training, if necessary. The POA provided the current Post Orders, pass types and maps of the CDD roads, which are necessary for the security

system, and provided training for guards so all consistently comply with the Post Orders. She asked the CDD to fund the additional guard for another six months due to increased visitor traffic.

Ms. Cerbone stated the cost is approximately \$6,000 per month; the actual cost is about \$2,700 every two weeks for 14 days, at eight hours per day, and additional charges apply for holidays. Charges began on October 1, 2024 and month three is just beginning.

The Board and Staff discussed their observations at the gate and the cost. They think the increased traffic is due to residents lacking the RFID tag. Discussion ensued regarding the budgeted amounts for security, which exceed the amount of the security contract value.

Mr. Black stated he served on the Committee that considered the new security system and Post Orders and noted that the letter from St. Joe was sent because some employees were stopped at the gate. He cautioned against overreacting and expressed support for the extra resource at the gate to help expedite traffic flow during peak times. Ms. Cerbone stated that guards can request but not demand information.

▪ **Discussion: Letter from St. Joe Regarding Public Road Restrictions**

This item, previously Item 7B, was presented out of order.

Discussion ensued regarding the letter, public roadways and inability to restrict access.

Mr. Burke stated his belief that this is a training issue related to the new Post Orders. He thinks, while no case law exists, courts have determined that it is acceptable to inconvenience visitors for three minutes but they cannot be restricted; therefore, security and on-site staff need to be trained accordingly. He noted that St. Joe’s representative indicated a willingness to take additional action if the restrictions continue.

Training, increased traffic at gates during morning hours, RFID technology and the need for extra resources at the guard gate during peak hours, were discussed.

Ms. Cerbone stated that additional security expenditures would be paid from the General Fund. This item will be included on the February agenda, including a report from the POA.

On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, funding the additional security guard for two additional months, through the end of February 2025, in the amount of approximately \$12,000, was approved.

A. Discussion: Visual Inspection Report on Stormwater Pipes

This item was discussed in conjunction with Item 6C.

B. Status of RFP Award and Contract Execution for Road Resurfacing

Mr. Carroll stated that paving proposals were received. All agreed that C.W. Roberts is the lowest bidder and the consensus was to proceed with the project. Discussions with the County are underway and it was determined that the front portion of Wild Heron Way is under City control and the rest is under County control. The City Engineer will inspect the area to be milled. It was suggested that geotechnical core samples be taken before an Agreement is signed. He presented the Magnum Engineering proposal to perform the work.

On MOTION by Mr. Holt and seconded by Mr. Balduf, with all in favor, the Magnum Engineering proposal for geotechnical cores, in an amount not-to-exceed \$7,500, as directed by the District Engineer, was approved.

Ms. Cerbone stated, because the Request for Proposals (RFP) contract was awarded, the Chair or Vice Chair is authorized to execute the Agreement outside of a CDD meeting.

It was noted that the contract can be signed and that the contract is being expedited because the bid was significantly less expensive than the other bids. Road resurfacing can be expected to begin as soon as possible after the geotech core backup is received.

This item will be removed from the next agenda if the executed Agreement is received.

The meeting recessed at 12:40 p.m., and reconvened at 12:50 p.m.

C. Proposal for Stormwater Drainage Vacuuming

Mr. Carroll stated the visual inspections of the stormwater pipes were completed; a proposal from Gulf Coast Utility Contractors (GCUC) will be presented for any stormwater pipes that need to be vacuumed. This item will remain on the agenda.

A Board Member noted that \$18,000 is budgeted for stormwater system repairs and asked if the drainage vacuuming should cost the same every year. Mr. Carroll stated that some pipes collect silt and others do not; some pipes have never been vacuumed, while others have been vacuumed twice. An exorbitant bill is not expected. In response to the suggestion that a routine annual or biannual maintenance schedule be established, Mr. Carroll stated the scheduled monthly visual inspections have been scheduled accordingly, on a rotational basis.

A. Discussion with Joe Brown Regarding Bridge and Cost Share

Mr. Burke voiced his opinion that the discussion of the costs was not very fruitful; he thinks a long-term solution for gate access issues must be settled before a contribution will be negotiated. He believes that, if a discussion about assessments will occur in January 2025, no answer will be given anytime soon. A special meeting will likely be held to discuss assessments. He suggested someone give a presentation to educate everybody about how assessments work and the different means of developing methodologies. He expressed concern that, when the division of assessments is examined, it will not change that much and that St. Joe and the commercial golf course properties will always pay an amount that does not satisfy residents.

Discussion ensued regarding the appropriate means of developing methodologies; firms that do so, such as WHA and Rizzetta and Co., which developed the original methodology; Board Member and CDD liability; and the special meeting.

Mr. Burke stated that, with regard to trips per day, residences tax roadways more than commercial properties do, particularly in a development such as the CDD.

B. Discussion: Letter from St. Joe Regarding Public Road Restrictions

This item was discussed following the Fifth Order of Business.

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

Mr. Burke stated he recovered the application for the existing signage on Lake Powell; it does not show evidence that permits were obtained for any dock area signage; therefore, new permits would be needed. Substantial work will be needed to submit a permit request.

Ms. Womack stated the CDD must go to the County first. The old signs were not required by the Environmental Permits; they were installed by the Developer or another party. If “No Wake” signs are desired, the County must designate the area as a no wake zone. Once that is done, pilings can be installed and the permit can be issued.

Discussion ensued regarding pilings and buoys, a homeowner request for a no wake zone sign and the area previously designated as an unauthorized no wake zone.

Mr. Burke stated that he will prepare an application for Board approval. He noted that, in the meantime, it might be discovered that it is not worth the effort.

This item will be included on the next agenda.

D. Consideration of Resolution 2025-01 Providing for the Designation of Certain District Roads for Golf Cart Use; Making Certain Findings of Fact; Providing for Signage on Said District Roads and Areas; Providing Authority for Chairman and District Manager; and Providing an Effective Date

Mr. Burke presented Resolution 2025-01. This Resolution was prepared with the expectation that the CDD and the POA will both ask the Board of County Commissioners to designate Wild Heron Way and other specified CDD roads to be used by golf carts. It was noted that golf carts would not be required to be street legal and that community rules stated that children under 18 are not permitted to drive a golf cart without a permit.

A resident stated that the golf cart community designation allows unlicensed golf carts to utilize CDD roads, which they are currently prohibited from doing. The POA passed a golf cart community rule so that unlicensed golf carts can utilize POA roads and the restrictions designate a lower speed limit for golf carts than the County road speed limit.

On MOTION by Mr. Black and seconded by Mr. Holt, with all in favor, Resolution 2025-01, Providing for the Designation of Certain District Roads for Golf Cart Use; Making Certain Findings of Fact; Providing for Signage on Said District Roads and Areas; Providing Authority for Chairman and District Manager; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

**District Ecologist:
Consideration/ Update**

Discussion/

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

Ms. Womack stated the surveys were received. The areas on the map that were proposed to be added and removed from the CDD’s Conservation Areas added up to 19.195 acres rather than the 11.81 acres previously estimated. She discussed the following six areas that she thought would be most beneficial to keep:

- POA area measuring 3.144 acres on Lost Cove Lane, including a stormwater pond and an access point to Mitigation Zone 22.
- POA area measuring 2.88 acres between the houses on Salamander Trail and the golf course, which includes an area the POA cuts for FireWise.
- CDD area measuring .302 acres next to the guard gate, for possible future guard gate expansion.

- CDD area measuring 3.71 acres at the end of Meadowlark Way, a full-size parcel adjacent to a residential lot that could be sold or otherwise developed.
- CDD area measuring .387 acres at the end of West Lake Walk negotiated for FireWise cutting.
- CDD area measuring 1.326 acres that goes behind the courts, which includes a stormwater facility and is routinely cut for FireWise.

Ms. Womack stated the total for these areas reduces the amount to be traded to 11.377 acres. If the POA and the CDD approve, she can send the survey to the Department of Environmental Protection (DEP). She estimated that, if all parties approve today, she can submit the survey by the end of the week in the hopes that the Release Document to be recorded will be received by the end of 2024.

On MOTION by Mr. Dean and seconded by Mr. Black, with all in favor, the Ecologist’s recommendations, contingent upon POA approval, were approved.

I. Walking Trails

There was no update. This item will be included on the next agenda.

B. Discussion: Aerator Status/FPL Communication

Ms. Womack stated the CDD has been assigned a new Florid Power & Light (FPL) Engineer; she left a message and will provide updates when available.

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

Ms. Womack stated the DEP process is ongoing; no enforcement updates were provided. The Board directed Mr. Burke to send the residents a legal letter regarding parking.

D. The Lake Doctor’s, Inc. Quarter 4 Inspection Report

Ms. Womack noted that, aside from torpedo grass that was treated, all ponds look good.

E. Rotolo Consultants Inc. Proposal to Install 4 Rock Bands

Mr. Olson presented the Rotolo Consultants Incorporated proposal for expansion of rock bands around the inner part of the traffic circles, where traffic is breaking irrigation lines.

Discussion ensued regarding the proposal and the proposed repairs.

Ms. Cerbone noted that the POA will need to bill the CDD for the repairs.

On MOTION by Mr. Balduf and seconded by Mr. Holt, with all in favor, the Rotolo Consultants Incorporated proposal, in the amount of \$2,850, was approved.

Ms. Womack stated the Conservation Easement barriers were installed at two areas on Salamander Trail. Barrier posts were installed at two locations where St. Joe golf carts were cutting through to access the Maintenance building and at another golf cart cut-through area. Barrier posts were installed and painted the appropriate color; the Conservation Easement signs will be affixed at the beginning of the week.

Ms. Womack stated the proposed pothole repairs will be more cost-effective to address when the equipment is on site for repairs to the gate to 98. The areas will be monitored and repaired in conjunction with upcoming CDD roadway repairs.

Mr. Dean reported a resident complaint of flooding at the end of Turtleback Trail.

Ms. Womack stated a ditch drainage improvement was improved to address flooding at the end of Arrowhead Trace where a depression was holding water that fell short of the ditch. Mr. Holt discussed safety and similar repairs done. He noted that the repair was cost-effective.

Ms. Cerbone stated that, normally, all expenses are approved at a publicly noticed meeting, except in situations in which life, health and/or safety are in jeopardy. She stated she confirmed a safety issue with Ms. Womack and District Counsel approved of the work being done.

On MOTION by Mr. Holt and seconded by Mr. Stephens, with all in favor, the Scotty’s Tree Service repair expense, in the amount of \$5,500, was ratified.

Ms. Womack was asked to periodically inspect and/or verify that the golf course chemicals are in compliance with the permit.

NINTH ORDER OF BUSINESS

Discussion Items

A. Speeding on WHW

It was noted that speeding on Wild Heron Way remains a concern.

This item will remain on the agenda.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2024

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, the Unaudited Financial Statements as of October 31, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of October 2, 2024 Regular Meeting Minutes

On MOTION by Mr. Holt and seconded by Mr. Balduf, with all in favor, the October 2, 2024 Regular Meeting Minutes, as presented, were approved.

- **Public Comment**

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

Mr. Fleet discussed the Methodology and noted that, as Ms. Cerbone stated, ERUs apply to bond debt assessments. He voiced his opinion that different budget items should be assessed as fairly as possible and that the Methodology should be evaluated annually. He expressed support for engaging an expert and voiced his opinion that St. Joe is not paying its fair share. He also thinks the security contract should be addressed.

A resident stated her belief that the Methodology can address budget items, such as roads and the stormwater system, differently. She asked Mr. Burke to reconsider the Cohen letter and stated she thinks it authorizes the CDD to provide security at the gate. She will send Board Members her previously presented presentation that outlines her analysis regarding a Statute by which the CDD is authorized to enforce security, including but not limited to guardhouses, business gates and an electronic detection system. She noted that the letter specifically states an opinion that, "If public access is causing safety issues such as cut through traffic or speeding, the District can install traffic calming devices such as speed tables or other deterrents to enhance the safety of the roadways." She stated, while there is no case law for the CDD or for St. Joe, she feels that it is reasonable for the CDD to know who is entering Lake Heron. She voiced her opinion that it is reasonable for the CDD to deny access if a visitor will not provide their name because she thinks that constitutes a safety issue.

- **Board Member Comments**

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

Mr. Dean asked Mr. Burke if his firm does any business with Saint Joe. Mr. Burke replied no; his partner was Lisa Walker, who is now General Counsel of the St. Joe Company, which is

why the CDD went to the Independent Letter when his opinion was not accepted and somebody else was hired to do it. Asked if he does any real estate closings, Mr. Burke stated that he may do real estate closings but St. Joe has its own closing department, so they do not bring him anything anymore. Mr. Burke stated, if Mr. Dean is questioning his integrity regarding his advice to this Board, as it relates to St. Joe, he stated, categorically, that he does not shave his opinion to the Board one way or another; he has advised the Board what the law is, he is not shaving his advice about anything regarding assessments or anything else, his loyalty is to the CDD, as his client.

Mr. Dean stated his concern was if Mr. Burke has a conflict if his firm is doing business with St. Joe and the firm had any monetary gain. Mr. Burke replied no; no advice he has given the CDD would raise a conflict of interest.

Discussion ensued regarding a previous instance in which Mr. Burke read a letter on this subject. Ms. Cerbone stated, about one and a half years ago when the CDD was meeting at Shark's Tooth, a question arose regarding a possible conflict of interest and Mr. Burke discussed it on the record. It would be necessary to refer to those minutes.

Mr. Holt stated Mr. Burke addressed the matter at a meeting and it was accepted by all.

Mr. Burke stated the CDD is a government entity; his advice relates to what the CDD does to everybody. He would not give the CDD advice that would be detrimental to his integrity.

Mr. Dean stated that he was not questioning Mr. Burke's integrity but he wondered if it is a conflict of interest. Mr. Burke stated he gives the CDD straight legal advice. He provided several examples of advice he has given and reiterated his recommendation that the Board should have a meeting at which an expert tells the Board and property owners which Assessment Methodologies the CDD can use.

Mr. Burke stated, by his calculations, the spread between what Mr. Ben Bollinger pays in ad valorem taxes and what Sharks Tooth pays for the golf course in ad valorem taxes is nearly identical to the difference between what the CDD assesses Mr. Bollinger and the golf course, so the differences are not going to be that much. He suggested that, before the CDD spends \$50,000 to have a new Methodology written, the Board should make sure that the CDD will make at least that much to offset the extra expense. He stated it requires at least three Board Members to decide what direction the Board will take; he will give the best advice going forward and fight for the CDD as he fights for any of his clients.

Mr. Dean stated the Methodology must be fair and equitable but he keeps hearing from the property owners that they do not think it is fair. He expressed his agreement that it is not fair and thinks that a meeting is needed, regardless of the fact that the CDD might need to spend the money. Mr. Burke reiterated his recommendation that the Board hold a Special Meeting and hire an expert to discuss the options.

- **Discussion/Consideration: \$75,000 Contribution to POA for Renovation of Pool Area Building for Meeting Room**

Ms. Cerbone recalled that a request was made at the last meeting for the CDD to contribute money to the POA for “Buildout”. After that meeting, there was some correspondence between POA Counsel, District Counsel and one or two POA Officers. There is no updated Agreement or redline but there is communication back and forth. She thinks an Agreement needs to be brought to the Board, which could occur at the January or February 2025 meeting. She expressed concern regarding language that will be in the Agreement and the timing of the contribution. She suggested that nothing be approved until the Board can see the Agreement regarding contributing to a buildout.

Mr. Burke stated the lease is 98% done and, in his opinion, it is a matter of whether the Board wants to spend money on a meeting place.

Discussion ensued regarding the amount to contribute and lease terms.

The lease will be included on the next agenda.

On MOTION by Mr. Holt and seconded by Mr. Black, with all in favor, committing \$50,000 to the POA for buildout, with no defined contribution time yet, was approved.

Mr. Holt left the meeting briefly and returned shortly thereafter.

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

There were no Staff reports.

- **NEXT MEETING DATE: February 5, 2025 at 2:00 PM Central Time**
 - **QUORUM CHECK**

Discussion ensued regarding holding a Special Meeting.

- Ms. Cerbone will confer with all parties to organize the meeting.
- Mr. Carroll will provide information necessary for the Methodology.
- A representative from WHA will provide a purely educational session titled “O&M Assessment 101 with Q&A” at no cost to the CDD. District Management will advise the Board that there could be a likelihood of litigation related to revising the Methodology.
- Mr. Fleet will email his findings related to Methodologies to Ms. Cerbone, who will forward the information to the Board and to her colleague at District Management’s office.
- If it is not possible to schedule a special meeting in January 2025, an additional meeting will be scheduled for the morning of February 5, 2025.

On MOTION by Mr. Dean and seconded by Mr. Stephens, with all in favor, directing the District Manager to organize and schedule a January 2025 special meeting, if possible, and, if not, to organize and schedule a morning meeting on February 5, 2025 to include the topic of History of Lake Powell and St. Joe and an educational session titled “O&M Assessment 101 with Q&A” and to discuss options for O&M assessments, was approved.

THIRTEENTH ORDER OF BUSINESS

Board Member Comments

- **Discussion/Consideration: \$75,000 Contribution to POA for Renovation of Pool Area Building for Meeting Room**

This item was presented following the Eleventh Order of Business.

FOURTEENTH ORDER OF BUSINESS

Public Comment

This item occurred following the Eleventh Order of Business.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Black and seconded by Mr. Balduf, with all in favor, the meeting adjourned at 5:24 p.m.

Cindy Lebane
Secretary/Assistant Secretary

[Signature] AS CDD
Chair/Vice Chair CHAIR