

**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 January 24, 2022, at 10:00 a.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
Calvin "Bucky" Starlin	Assistant Secretary
David Holt	Assistant Secretary
Jerry Robinson	Assistant Secretary

Also present were:

Cindy Cerbone (via telephone)	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist/ District Operations Manager
Steven Undercoffer	Resident
Frank Self	Resident/POA
M. Levick	Resident
Tom Kerins	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:09 a.m., Central Time.

All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comment

Resident Frank Self discussed the stormwater treatment and the management thereof. He asked if the stormwater that drains into the creek or the lake is a CDD or HOA issue.

Discussion ensued regarding the CDD assuming stormwater management maintenance responsibilities from the POA, the environmental permit, stormwater conveyance from the POA to the CDD, Department of Environmental Protections (DEP) standards, maintenance costs, a cost-share agreement and public and private benefit.

Mr. Burke stated the POA is private property so CDD Staff must determine if there is a public benefit to the CDD taking over stormwater responsibilities from the POA and an analysis is needed to make that determination.

Ms. Cerbone asked if Mr. Carroll would be the lead engineer, if a study is going to be conducted and when it would be completed. Mr. Carroll confirmed that he would take the lead on the study and the report would be ready no later than April or May. Ms. Cerbone stated the report must include feasibility and estimated operational costs of taking over the stormwater system from the POA. Management would include the data in the budget for presentation at the June meeting.

Resident Tom Kerins voiced his opinion that the POA is better-equipped to handle the esthetics of the community and the infrastructure aspects should be handled by the CDD. He asked about the CDD's lack of use of unassigned funds in the amount of \$850,000. Mr. Balduf stated the unassigned funds are set aside for road repairs, both on the outside and inside of the gate, and for hurricane cleanup, which could be astronomical. Asked if funds assigned to a category must be spent on that category, Ms. Cerbone stated no, the funds are only place holders and there is no statutory requirement to only use the funds for the assigned category.

THIRD ORDER OF BUSINESS

Updates

A. Ponds

Ms. Womack reported the following:

- The aerators in the large Meadowlark pond and the lakeside pond are not in service because Gulf Power has not installed the meters.
- Gulf Power recently converted to Florida Power & Light (FPL) and is unresponsive to Ms. Womack's calls. Ms. Womack would continue trying to get the aerators activated.
- Other Ponds: Initiated obtaining all of the addresses and, once all of the addresses are obtained, Staff would coordinate with the electrician and with Lake Doctors.

Discussion ensued regarding obtaining the addresses, contractor delays and obscuring the existing motor pumps with vegetation.

B. Tree Pruning (DEP Continued Site Inspections)

Ms. Womack reported the following:

➤ There were questions about what can be cut in the conservation easement areas. Staff confirmed with the DEP about what can be hand-trimmed. Some shrub vegetation is beginning to overtake the emergent shoreline vegetation.

➤ There was some confusion between DEP personnel. One DEP employee from another office notified the POA of certain concerns. Ms. Womack stated that she followed up and is awaiting a return call. No issues are expected.

C. Wooden Bridge Washout on Turtleback Road

Ms. Womack stated that the wooden bridge washout on Wild Heron Way, south of Turtleback Road, is scheduled for repair.

D. Cogongrass Treatment Plan

Ms. Womack reported the following:

➤ Staff’s attempt to hire a contractor to treat cogongrass was unsuccessful. Ms. Womack could perform the treatments if she is unable to engage a contractor.

➤ The cogongrass is currently dormant but would become active soon.

The consensus was to authorize Ms. Womack to treat the cogongrass.

E. Water Quality Assessment

Ms. Womack reported the following:

➤ The McGlynn Laboratories Inc., water quality report was completed and previously transmitted to the Board.

➤ The water quality is satisfactory; there are no elevated parameters in any of the water quality items tested.

➤ The CDD is on an annual inspection schedule.

F. Other

There were no other items to update.

FOURTH ORDER OF BUSINESS

Update/Consideration of Drainage Concerns and Dewberry Proposals

A. 22300 Arrowhead Terrace (Bricken) - Other Arrowhead Trace Stormwater Improvements

Ms. Womack would forward two proposals for these drainage improvements to Management for distribution to the Board.

Ms. Womack stated the proposals are for 300' of ditch improvements, including placing a jute mat on the slopes and rock on the bottom. Break-N-Ground quoted \$14,700 and Southern Siteworks quoted \$22,249.20.

On MOTION by Mr. Balduf and seconded by Mr. Starlin, with all in favor, the Break-N-Ground proposal, in the amount of \$14,700, for Arrowhead Trace drainage improvements, was approved.

- **Discussion/Consideration of Updated Landscape Agreement Regarding Tree Removal**
This item, previously the Sixth Order of Business, was presented out of order.

Ms. Womack recalled a request to examine verbiage in Exhibits A and B of the Landscape Maintenance Agreement and she made a few suggestions.

The Board and Staff discussed the Landscape Maintenance Agreement, Ms. Womack's suggestions, a littoral area, tree removal, etc. Mr. Burke suggested addressing the Landscape Maintenance Agreement revisions in April, along with the stormwater facilities. This item would be carried over to the April meeting.

B. 22703 Turtleback Court (Duggan)

Mr. Carroll stated a survey was received and reviewed. The inlet in the back that controls the lake level is approximately 6" above grade and needs to be re-graded. The plans would be prepared and sent to Ms. Womack for her to advertise a request for bids for the repairs. The Board consensus was to hire Break-n-Ground to perform the repairs.

C. 22120 Marsh Rabbit Run (Daws)

Mr. Carroll stated this area was fully surveyed, from the lift station to the cul-de-sac. He would review the survey with the Chair to determine how best to address the drainage issue.

D. Phillips Pond on Wild Heron Way

Flooding at the Phillips property due to clogged drains and a filled-in swale was noted. Mr. Carroll suggested cutting the ditch to lower the water level. Mr. Carroll would inspect the property after the meeting.

E. New Construction Sites

Mr. Carroll and Ms. Womack would review the new construction sites and report their findings at the next meeting.

FIFTH ORDER OF BUSINESS

Update: ROW Encroachment – 720 Wild Heron Way (Thomas)

Ms. Womack reported the following:

- The Right-of-Way (ROW) encroachment at 720 Wild Heron Way was repaired.
- The homeowner would be installing fencing and plantings on his property.
- The area was stabilized with grass and Ms. Womack would monitor for destabilization.

A Board Member noted that the first bridge inside the gate, at the southeast corner, is experiencing erosion and has a hole in it. Ms. Womack would inspect the area after the meeting, facilitate repairs and provide an update at the next meeting.

SIXTH ORDER OF BUSINESS

Discussion/Consideration of Updated Landscape Agreement Regarding Tree Removal

This item was addressed during the Fourth Order of Business.

SEVENTH ORDER OF BUSINESS

Discussion/Consideration of Coastal Wildlife Removal Wild Hog Invoice from Wild Heron POA

Ms. Sanchez presented the \$3,500 Coastal Wildlife Removal Invoice for wild hog removal.

Discussion ensued regarding the hog issue, hog traps and trapping results thus far.

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the Coastal Wildlife Removal Wild Hog Invoice, in the amount of \$3,500, was approved.

EIGHTH ORDER OF BUSINESS

Continued Discussion: Updated Post Orders

Mr. Burke urged the Board to forward all comments to him so that revisions can be made. The updated Post Orders would be prepared and presented at the next meeting.

NINTH ORDER OF BUSINESS

Discussion: Lease Agreement with POA for Boat House Regarding Drop Down Request

Mr. Dean recalled that a motion was made to entertain this six or seven months ago. At that time, the POA elected not to enter into an agreement with the CDD. The POA has since reconsidered and would like to enter into the Lease Agreement with the CDD.

Ms. Cerbone stated the Board already approved this item in the past and asked if District Counsel could draft the Lease Agreement to forward to the POA. Mr. Burke asked about the terms.

Discussion ensued regarding the cost, Lease Agreement, dropdown enclosure and the standard that the POA wants the CDD to meet.

This item was tabled to the next meeting, contingent on the POA obtaining pricing and reporting the information to the Board.

TENTH ORDER OF BUSINESS

Consideration of Proposal for Stormwater Needs Analysis

This item was discussed earlier in the meeting. A proposal would be presented at the next meeting.

ELEVENTH ORDER OF BUSINESS

Consideration of District Engineer Work Authorization

This item was a duplicate of the Tenth Order of Business.

TWELFTH ORDER OF BUSINESS

Consideration of Renewal of Disaster Debris Removal and Disposal Services Agreement

Ms. Cerbone stated that she would like Mr. Burke to review piggyback agreements.

Discussion ensued regarding renewing the Agreement, monitoring the Piggyback Agreement and reimbursement from the Federal Emergency Management Agency (FEMA).

On MOTION by Mr. Balduf and seconded by Mr. Starlin, with all in favor, renewing the Disaster Debris Removal and Disposal Services Agreement and authorizing Mr. Burke to review and monitor the Piggyback Agreement, was approved.

The meeting recessed briefly and reconvened.

THIRTEENTH ORDER OF BUSINESS

Discussion: Requirements from County for Road Repairs from Highway 98 to Covington

Ms. Womack stated the County previously inspected the roadways and is requiring the CDD to repave the road from Highway 98 to Covington.

Discussion ensued regarding the County's comments, the area up to the bridge, resurfacing, re-striping and St. Joe.

District Staff would research having the City take over maintenance responsibilities and report the findings at a future meeting.

FOURTEENTH ORDER OF BUSINESS

Discussion: Acquiring Prospect Promenade Parcel

Referencing an email, Mr. Dean stated that he conferred with Bridget Precise regarding the CDD acquiring the Prospect Promenade parcel. If the CDD proceeds with the purchase and has amenities constructed, the amenities must be open to the public.

Discussion ensued regarding purchasing the property, maintenance costs, providing public access and presenting this item to the POA at an upcoming POA meeting. The consensus was for the POA to take the lead on purchasing the property.

FIFTEENTH ORDER OF BUSINESS

Update/Consideration of Culvert Stormwater System Services Proposal

Ms. Womack stated the best approach would be to identify the problematic areas and for Board Members to report drainage issues to CDD Staff after significant rain events.

SIXTEENTH ORDER OF BUSINESS

Discussion: Bathroom Construction Costs

It was determined that there is no longer a need to construct additional bathroom facilities on the property.

SEVENTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2021

Ms. Sanchez presented the Unaudited Financial Statements as of December 31, 2021.

On MOTION by Mr. Starlin and seconded by Mr. Dean, with all in favor, the Unaudited Financial Statements as of December 31, 2021, were accepted.

EIGHTEENTH ORDER OF BUSINESS

Approval of Minutes

Ms. Sanchez presented the following meeting minutes:

- A. **November 1, 2021 Regular Meeting**
- B. **November 8, 2021 Continued Regular Meeting**

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the November 1, 2021 Regular Meeting and the November 8, 2021 Continued Regular Meeting Minutes, as presented, were approved.

NINETEENTH ORDER OF BUSINESS

Staff Reports

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

Ms. Womack stated 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***

- **NEXT MEETING DATE: March 7, 2022 at 3:00 P.M. (Central Time)**

- **QUORUM CHECK**

The next meeting will be held on March 7, 2022.

TWENTIETH ORDER OF BUSINESS

Board Member Comments

There were no Board Member comments.

TWENTY-FIRST ORDER OF BUSINESS

Public Comments

Resident Steven Undercoffer stated any documents received from the Environmental Protection Agency (EPA) should be forwarded to Ms. Womack.

Action Item Recap

Ms. Sanchez reviewed the following action items:

- Staff to complete the Stormwater Needs Analysis Report by the April meeting. Mr. Carroll would take the lead on what stormwater maintenance the CDD can take from the POA. The Analysis Report must include the feasibility and estimated operational costs and be relayed to Management ahead of the June budget season.
- Ms. Womack to have Gulf Power install meters or engage a different vendor.
- Ms. Womack to commence cogongrass treatments on CDD property.
- Ms. Womack to research installing imitation rocks around the aerators.
- Ms. Womack to inspect the foot bridge for erosion and facilitate repairs.
- Ms. Womack to forward proposals to the Board regarding drainage concerns.
- Ms. Womack to ask Break-N-Ground to commence the Arrowhead drainage improvements.
- Ms. Womack to obtain proposal from Break-N-Ground for Turtleback Court repairs.
- Ms. Womack to inspect holes in bridge on Wild Heron Way near the roundabout.
- Mr. Burke to review legal verbiage in the Landscape Agreement.
- Mr. Burke to review the Lease Agreement and POA dropdowns.
- Mr. Burke to review the Disaster Debris Monitoring Piggyback Agreement.
- Mr. Carroll to prepare a proposal for preparation of the Stormwater Needs Analysis Report.
- Mr. Carroll to prepare a work authorization.
- Mr. Carroll to research and confer with the City about the City taking over road repairs.

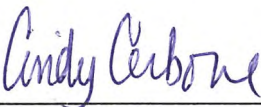
TWENTY-THIRD ORDER OF BUSINESS

Adjournment

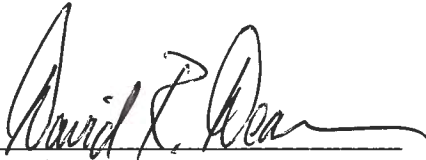
There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Dean and seconded by Mr. Starlin, with all in favor, the meeting adjourned at 12:21p.m., Central Time.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair