

**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 Public Hearing and a Regular Meeting on September 19, 2025 at 10:00 a.m. (Central Time), at the POA Community Activity Room, 1110 Prospect Promenade, Panama City Beach 32413.

Present:

David Holt
David Dean
Kenneth Black

Chair
Vice Chair
Assistant Secretary

Also present:

Cindy Cerbone
Chris Conti (via telephone)
Mike Burke
Robert Carroll
Courtney Bolla
Dave Muntean (via telephone)

District Manager
Wrathell, Hunt and Associates, LLC (WHA)
District Counsel
District Engineer
POA Community Association Manager
Halff Associates

Members of the public:

David Fleet	Dan Walker	Terry Olson	Rebecca Ferris	Melanie Vandiver
Jeff Mills	Tim Rosson	Chris Brown	Herbert Scheuer	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:02 a.m. (Central Time). Supervisors Holt, Dean and Black were present. Supervisors Balduf and Stephens were not present.

SECOND ORDER OF BUSINESS

Discussion:

Ms. Cerbone discussed procedures for public comments. Comments are limited to three minutes per person.

Ms. Cerbone recalled previous budget discussions of matters that could impact this budget and/or future budgets, which centered around how the CDD assesses property owners for Operation & Maintenance (O&M) expenses. She discussed the budget and the Agreement with the POA, which budgets and collects for maintenance of some CDD improvements, mainly

along Wild Heron Way. She discussed concerns, questions and discussions about homeowner assessments, noting that, for a number of years, bungalow, condo and single-family owners have been assessed the same O&M amount, and the golf course inside the CDD boundaries has paid 7.4 times that amount. The question of whether the golf course should pay more was raised, along with the tennis courts, driving range, restaurant and golf course adjacent to the CDD, which could impact the CDD. The Board directed Staff to gather information and prepare reports that the Board can consider in determining whether there is an opportunity to reevaluate assessments. The main purpose today is to adopt the Fiscal Year 2026 budget. She presented several scenarios for doing so, given the information to be considered, reports to be generated, additional information needed and timeframes for each.

A. Adopt Budget “as is”

- **Trip Generation Study (ITE)**
- **District Engineer’s Operations and Maintenance Report (O&M)**
- **O&M Assessment Methodology Applicable for FY27 Budget**

Ms. Cerbone stated, under Option A, the proposed Fiscal Year 2026 budget would be adopted as presented, with the understanding that, if there are any changes to the O&M Assessment Methodology, it would begin with Fiscal Year 2027.

B. Adopt Budget “as is”

- **Trip Generation Study (ITE)**
- **District Engineer’s Report O&M**
- **O&M Assessment Methodology, Issue Off-Roll Assessment(s) in FY26 to Applicable Parties with Credits Applied to Applicable Parties on FY27 Tax Roll**

Ms. Cerbone stated, under Option B, based on Reports received, the proposed Fiscal Year 2026 budget would be adopted as presented. If there is an opportunity to adjust assessments so the golf course pays more than it currently does and/or so that residential unit adjustments are adjusted, District Management would take all statutorily required actions and then create off-roll assessments or direct invoices to be mailed to all underassessed parties. Any savings for residential units would be recognized as a credit for their Fiscal Year 2027 debt. If savings are calculated, a decision could also be made to postpone collection, at the Board’s direction.

C. Adopt Budget “as amended”

- **Move O&M Assessments for FY26 to Off-Roll (Direct Collect)**

- **Trip Generation Study (ITE)**
- **District Engineer's Report O&M**
- **O&M Assessment Methodology**

Ms. Cerbone stated, with Option C, if the Reports are anticipated to show residential units should pay less and the golf course should pay more, the proposed Fiscal Year 2026 budget would be adopted so the Property Appraiser only collects the Debt portion of the assessments, not the Operation & Maintenance (O&M) portion. The O&M assessments would not be on the tax bill and District Management would wait to direct bill O&M assessments until all Reports are submitted, all Public Hearings held, Mailed Notices are sent, and the budget is amended.

Ms. Cerbone stated District Management does not believe Option C is in the CDD's best financial interests due to the delay in receiving revenue, but will provide this service if the Board wishes. For a fee of \$5,000, District Management would provide two Mailed Notices to property owners and compare the address on the Property Appraiser's website to the address on file with the POA. If payment is not received within 30 days of the second invoice, with Board approval, District Management would confer with District Counsel to begin foreclosure on the property. To implement Option C, a quorum will be needed when the Reports are presented for review and approval. She estimates that the aforementioned steps could be completed and direct invoices sent by the end of January 2026. In this case, the CDD's cash would be limited to what is currently in the bank. In the event of a natural disaster, Staff would work with approved vendors to negotiate terms and a one-time assessment could be levied, if a bank loan is not approved.

Asked the difference between Option B and Option C, Ms. Cerbone stated that Option 2C leaves the CDD without revenues/cash for a period of time. Historically, assessments paid via property taxes begin arriving in November and are approximately 75% collected by January.

THIRD ORDER OF BUSINESS

Public Comments

Resident Terry Olson expressed support for Option A and not proceeding haphazardly and avoiding a lawsuit that could cause issues for landowners and residents.

A member of the public agreed with Mr. Olson and voiced his opinion that a settlement would be beneficial as there are no guarantees that a lawsuit would be successful.

A member of the public agreed with Mr. Olson and asked for the Board's recommendation. Ms. Cerbone stated the Board will discuss the options during the meeting.

Resident Jeff Mills agreed with previous commenters. He does not support Option C.

Resident Dan Walker supports Option A and believes Option C is reckless.

Resident David Fleet stated that he and Ms. Ferris sent the marketing to Ms. Cerbone to emphasize that St. Joe is building its commercial operation and marketing it. He and Ms. Ferris would like it to be properly assessed for Fiscal Year 2026. He stated that a legal Demand Letter was put on the CDD, and he and Ms. Ferris are okay with Option B or Option C. He believes that if Option B reveals a significant credit exists, St. Joe cannot be charged more and it would need to have appropriate proportions. He stated the Request for Proposals (RFP) asks for four subject matter experts and he and Ms. Ferris are willing to volunteer in that regard.

Ms. Cerbone stated that Options A and B continue placing all assessments on the tax bill. Option C would remove the residential O&M assessment from the tax bills and the rates would be adjusted according to the study, after legal requirements are met, including holding Public Hearings, sending Mailed Notices, amending the budget, etc.

Asked if she is confident that the requirements for Option C can occur before the end of January 2026, Ms. Cerbone stated she cannot speak for the other professionals. While there is no guarantee, if everything falls into place and as long as no additional work is needed, she thinks the legal requirements could be met and invoices could be sent by late January 2026.

Mr. Black discussed the complexity of the issues and need for documentation of the basis for the golf course 7.4 ERU. He prefers a Traffic Count. He understands the ITE manual is accepted but, while he appreciates the Artificial Intelligence (AI) analysis, he thinks the Board must validate any data used and ensure adequacy of budgets in case of an emergency and to cover legal fees, etc. He believes St. Joe will fight an increase. In his opinion the Board needs to commit to moving forward, conduct the analysis, take time to do it right, and approve the budget today.

Mr. Dean recalled that the Methodology was established on December 1, 2000. He believes that, at that time, the golf course rate was 10 ERUs, the commercial property was 4 ERUs, and other units were 1 ERU. At the time, there was no golf course, golf club or tennis courts; that model was used for 25 years and, in the meantime, improvements that could have a significant impact were made. He thinks Option B would constitute a delay and keep the same assessment. He thinks the O&M assessments can be collected off roll in Fiscal Year 2026 and be placed on roll next year, if necessary. He thinks the Methodology can be changed every year and asked why that has not happened. Mr. Holt stated that nothing changed until recent years.

Ms. Cerbone suggested focusing on determining what to do moving forward. The Board has taken two steps toward adjusting assessments. The proposed Fiscal Year 2026 budget was adjusted to approve reimbursing the POA and a Traffic Consultant was engaged to review the ITE manual and a customized ITE manual for the CDD.

Mr. Burke recalled that, as Mr. Dean pointed out, the CDD was using an approved Methodology that was validated in court and is perfectly legal for imposing assessments. Whether the Board decided to assess the SJGC at the full 10 ERUs or at a lesser amount was the Board's discretion. He expects that the ERUs went from 10 to 7.4 around 2003 or 2004, when the full platted subdivision was created and the Methodology was redone to adjust for the fact that some predictions turned out to be false. Nothing that was done was inappropriate. He believes the Board decided to wait to do a study, which could cost \$50,000 to \$60,000, and begin with a Traffic Study or a Traffic Count. When the Traffic Count justifies proceeding with a Methodology, it will proceed. He stated that the Board did its due diligence taking steps to ensure that funds are spent appropriately. Unfortunately, the Methodology was not done this June, through no fault of the Board. He stated it does not make much sense to change the established Methodology when the facts are unchanged. The golf course and the restaurant were built as anticipated, and the Clubhouse and Pro Shop were built, which was likely a substantial change from what the original Methodology set forth.

Discussion ensued regarding the changes in the CDD, options presented, missing paperwork related to the Methodology, previous District Manager and records custodian, Severn Trent and Burke Blue's previous role as a local records office but not the records custodian.

Ms. Cerbone reiterated her suggestion that the Board remain forward-looking and noted that Mr. Fleet spoke with the previous District Manager Jim Ward but was unsuccessful in getting the information as well.

FOURTH ORDER OF BUSINESS**Consideration of Halff Associates, Inc.
Agreement for the Provision of Limited
Professional Services**

Ms. Cerbone recalled Mr. Carroll's recommendation that the CDD engage Mr. Muntean. She noted that the proposal is not meant to be rigid; Staff and Mr. Muntean's team corresponded at length to clarify that the information about stop signs might not be valid, that only one golf

course is within CDD boundaries, etc. Additional information will be forwarded to Mr. Halff, should the proposal be approved today, and Staff will work with Mr. Muntean as necessary.

Mr. Muntean presented the Halff Associates, Inc. Agreement for the Provision of Limited Professional Services. He discussed why his firm does not propose to complete traffic counts; use of ITE Trip Manual data, CDD's buildout scenario, focusing on the CDD's buildout and the strategy of gathering the best estimates possible, then taking actual measurements approximately one year after successful buildout is completed, and then making adjustments as applicable.

Ms. Cerbone stated she and/or Mr. Carroll will forward information that Board Members provided. The Licensed, Certified professional will provide the applicable reports. If any data provided by Staff results in a change to the cost quoted, Mr. Muntean will submit a Change Order.

Mr. Muntean stated the only assistance needed is for the District Manager to ensure that the percentages will be assessed to the correct types of components of CDD property.

Ms. Cerbone gave Mr. Muntean preliminary information, such as information from the Property Appraiser but she cannot attest to the validity of the data on Bay County's website.

Discussion ensued about deliverables, contract terms, presenting report results at a CDD meeting, additional reports to be presented by the District Engineer and District Manager, etc.

On MOTION by Mr. Holt and seconded by Mr. Black, with all in favor, the Halff Associates, Inc. Agreement for the Provision of Limited Professional Services, was approved.

Ms. Cerbone asked when to expect the initial draft Report for Staff review before a final Report is presented to the Board. Mr. Muntean estimated a Report can be provided within three weeks if he, Ms. Cerbone and Mr. Carroll confer early next week and confirm the components.

FIFTH ORDER OF BUSINESS**Public Hearing on Adoption of Fiscal Year
2025/2026 Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2025-12, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2025-12. She reviewed the proposed Fiscal Year 2026 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2025

budget, and explained the reasons for any changes. The Consulting Engineer fee that was just approved is not included in the budget; however, reserves are available to cover the expense. Unassigned funds are available to provide for outside counsel, should litigation occur.

On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, the Public Hearing was opened.

Mr. Fleet preserved his and Ms. Ferris's objection to the assessments, per their Demand Letter, and stated, if the Board votes for Option B or C, either would satisfy their objection.

On MOTION by Mr. Dean and seconded by Mr. Black, with all in favor, the Public Hearing was closed.

Ms. Cerbone stated the next steps the Board may take with the ITE Study, the District Engineer's Report and the Methodology could lead to amending the Fiscal Year 2026 budget and could lead to direct billing the impacted parties. Today's motions will approve the Fiscal Year 2026 budget only; the Halff Associates, Inc., Agreement was already approved. Until an Engineer's Report and an Assessment Methodology are provided, there can be no guarantee that an amended budget and off-roll assessments will be done. Today's motion and second will approve the Fiscal Year 2026 budget as presented, and the tax bills will include both the debt and O&M assessments. The options presented today were meant for the Board to understand and give direction to Staff regarding what must be done above and beyond adopting the budget.

Ms. Cerbone presented Resolution 2025-12 and read the title, as amended.

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, Resolution 2025-12, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026, as amended clarifying and moving \$100,000 out of Unassigned Fund Balance into a line item titled "Outside Counsel"; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2025-13, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the

Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2025-13. This Resolution takes into consideration the budget that was just adopted and the assessment levels contained therein, directs Staff to prepare a lien roll and transmit the lien roll to the Tax Collector for placement of the assessments on the property tax bill. She reviewed Section 3, which provides for future collection methods.

On MOTION by Mr. Black and seconded by Mr. Dean, with all in favor, Resolution 2025-13, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS**Update/Report: Guardhouse**

There was no report. There were no questions or issues for Ms. Bolla.

EIGHTH ORDER OF BUSINESS**District Engineer: Discussion/ Consideration /Update/Ratification****A. Status of Road Resurfacing and Related Items**

Mr. Carroll stated the final invoice was approved.

B. Easement for LiveOak Fiber at Turtle Cove

Mr. Carroll stated the Easement was approved and as-builts were provided. They will need to call 811 for locates; everything will be within the right-of-way (ROW). Warnings were given regarding water, sewer, etc.

C. Speed Limit Sign Feedback from County on WHW

Mr. Carroll stated there were no objections to installing the sign on the curb ahead. The location is the main curb by the last bridge. Mr. Carroll will coordinate with Ms. Womack.

Discussion ensued regarding production of signs, transitioning that portion of roadway to the County in the future and the sign to be ordered.

On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, the purchase and installation of two speed limit signs, in a not-to-exceed amount of \$2,000, was approved.

NINTH ORDER OF BUSINESS

District Counsel: Discussion/ Consideration
/Update/Ratification

A. Update: Waterway Signage (No Wake, Speeding)

Mr. Burke will confirm by Monday if this was permitted.

B. Discussion: Potential turnover of Wild Heron Way, Guard House to 98

Mr. Burke stated that a survey and a legal description of the area will be needed for turnover to the County. He will request a proposal to be presented at the next meeting.

C. Discussions with St. Joe

Mr. Burke stated, per Mr. Brown, St. Joe owes a response to the POA. St. Joe is treating the CDD and the POA as one. If St. Joe specifies a dollar amount to be paid, he thinks the CDD will need to negotiate with the POA. Ms. Cerbone stated the CDD is not a party to the Agreement.

St. Joe will build a back gate at its expense, with no impact to the Agreement.

Discussion ensued regarding fencing projects.

Ms. Cerbone stated this does not involve CDD property; the property is owned by the POA on one side and the golf course on the other side, and Florida Power & Light (FPL) has a utility easement. It is not a direct CDD issue but it can indirectly affect the CDD working with the POA.

Mr. Olson stated a short-term solution involves the golf cart path connecting the back gate to Orchard. Once Bay County approves sewer, water and utility locations, etc., a roadway will be installed to connect Watersound Parkway to 98. Ms. Cerbone asked if the road to be built is anticipated to change the ITE information in the future. These items will remain on the agenda.

TENTH ORDER OF BUSINESS

District Ecologist:
Consideration/Update

Discussion/

A. Discussion: Unmanaged Conservation Lands in Wild Heron**B. Update: Conservation Easement Swap - Survey & Legal Status****I. Walking Trails****II. Walking Trails Map****C. FPL Line/Tree Trimming and Other Applicable Fire Wise Protocol****D. Update: The Lake Doctors, Inc. Inspection Report**

These items were deferred.

Mr. Holt expressed concern about speeding and suggested engaging the Sheriff's Department for traffic enforcement. Ms. Cerbone stated that Mr. Conti will provide information to Ms. Sanchez, who worked with the Bay County Sheriff. Mr. Burke, Mr. Carroll and Ms. Cerbone will be copied on the email correspondence. This item will be included on the next agenda.

TWELFTH ORDER OF BUSINESS

Staff Reports

- A. Ecologist/Operations: Cypress Environmental of Bay County, LLC**
- B. District Counsel: Burke Blue**

There were no reports from the Ecologist or District Counsel.

- C. District Engineer: McNeil Carroll Engineering, Inc.**

- **Discussion: City of Panama Beach Utility Work and Related Damages**

This item will be removed from future agendas.

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

- **Consideration of Tire Damage Repairs**

- **Joe Sweeney**

Ms. Cerbone stated Mr. Sweeney must sign a release. The insurance carrier stated a check can be cut and they can investigate and potentially reimburse the CDD. The Board directed payment upon receipt of an executed Release; insurance reimbursement will not be pursued.

- **Bryce Mullen**

Mr. Mullen has not responded to calls. This item will remain on the agenda.

- **Property Insurance on Vertical Assets**
- **Form 1 Submission and Ethics Training**

Ms. Cerbone reminded the Board Members to complete the four hours of ethics training by December 31, 2025. Links will be re-sent to the Board Members.

- **NEXT MEETING DATE: October 1, 2025 at 2:00 PM (Central Time)**

- **QUORUM CHECK**

On MOTION by Mr. Dean and seconded by Mr. Black, with all in favor, rescheduling the October 1, 2025 meeting to October 8, 2025 at 10:00 a.m., was approved.

- **Discussion: Towing Rules/Agreement on CDD Roads**

This item was deferred.

FOURTEENTH ORDER OF BUSINESS

Public Comment

Ms. Cerbone stated the budget options were already discussed. The Board directed adopted budget “as is” and data will be presented later to consider changes, if appropriate.

Discussion ensued regarding a resident who asked about installation of a traffic light at the intersection of Wild Heron Way and 98, speeding on Wild Heron Way, etc.

A resident stated that an issue exists with the new wildlife signs. Ms. Cerbone asked for an email to be sent to Ms. Womack.

A resident asked the Board to make a motion for Option 2 which was presented.

Ms. Cerbone stated that a resident was misinformed that a traffic signal was approved.

The Board directed Mr. Carroll to obtain the latest Traffic Study for the signal at 98 and Wild Heron Way.

Regarding recent events, Ms. Cerbone stated the Board previously approved the District Engineer preparing an Engineer’s Report upon receipt of information about the traffic and impact on Wild Heron Way and throughout the CDD. Today the Board approved an Agreement with Halff Associates to be used as the basis for the Engineer’s Report. The Board previously approved District Management to prepare an Assessment Methodology upon receipt of two Reports. The Fiscal Year 2026 budget was adopted today, with assessments on the property tax bills.

Mr. Burke stated the question is what action the Board will take. The Board now has the option to come back in January and implement Option B.

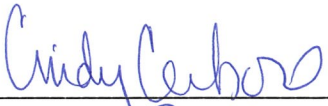
Mr. Fleet voiced his opinion stated that a Resolution is needed now to leave the window open for the Board to revise the Assessment Methodology for Fiscal Year 2026, and to apply credits for the 2026 budget in the Fiscal Year 2027 budget, based on information in the Reports.

Mr. Burke stated that both Resolutions 2025-12 and 2025-13 do exactly that.

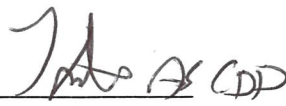
FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Holt and seconded by Mr. Black, with all in favor, the meeting adjourned at 12:22 p.m., Central Time.
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Secretary/Assistant Secretary


Chair/Vice Chair


CHAIR