

**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 Continued Public Hearing and Regular Meeting on March 4, 2026 at 2:00 p.m. (Central Time), at the POA Community Activity Room, 1110 Prospect Promenade, Panama City Beach 32413.

**Present:**

David Holt  
David Dean  
Kenneth Black  
Thomas Balduf  
Joel Stephens

Chair  
Vice Chair  
Assistant Secretary  
Assistant Secretary  
Assistant Secretary

**Also present:**

Cindy Cerbone  
Chris Conti  
Mike Burke  
Robert Carroll  
Courtney Bolla  
Chris Brown

District Manager  
Wrathell, Hunt and Associates, LLC (WHA)  
District Counsel  
District Engineer  
POA Community Association Manager  
Resident/Architectural Review Board (ARB)

**Members of the public present:**

Paul Fox	Terry Olson	Sandra Olson	Greg Dubs	Rebecca Ferris
Jeff Mills	David Fleet	Gaynelle Kahn	Paul Pishal	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 2:02 p.m., Central Time.

All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Ms. Cerbone announced that Ms. Womack is on leave. Emails were sent to the POA and the CDD advising that, until further notice, she and Mr. Carroll will both serve as points of contact.

Ms. Cerbone explained why Shark's Tooth representative Joe Brown was given additional time to voice his comments at previous meetings, and stated, in today's meeting, residents who request it, may be granted more than the allotted three minutes to make their public comments.

Resident Rebecca Ferris reminded the Board hiring an ITE Trip Engineer to count the number of trips coming into the Shark's Tooth property, was prompted because their business model changed from a small 18-hole golf course to an operation hub with multiple activities. She discussed the Traffic Engineer's findings and voiced her opinion that ignoring some of those trips and assessing homeowners for the benefit St. Joe is receiving is a breach of the Board's fiduciary duty. She asked the Board to re-evaluate assessing homeowners for trips that they are not making and to assess St. Joe since they have an operation hub and expanded their parking lot, golf cart paths, buildings and their maintenance facility.

Resident Terry Olson stated the POA started two environmental projects with an outside environmentalist. A bridge repair project that is underway had a few setbacks and the POA Board advised him to proceed with another environmentalist, which is underway. A progress meeting is slated for next week and that environmentalist will handle the DEP filings for a ruling, which would allow repairs to both bridges. Tree and vine clearing projects are underway and the environmentalist was asked to provide his opinion on those. In response to a question about the environmentalist, Mr. Olson stated the POA has not hired the environmentalist yet; he will submit a written proposal to handle environmental recommendations on POA property.

Resident Greg Dubs thinks it seems like a study was done with two golf courses and a bigger operation. He thinks that, at the last meeting, the Board started to back off and opted to go with one golf course due to a fear of lawsuits. He asked for District Counsel's opinion on the risks of opting to go with a different option.

Mr. Dean believes Ms. Ferris' comment is valid that, if the Board defers or puts the responsibility back on the homeowners for the \$68,000 difference between Options 1 and 2, that is certainly not fair and proportional.

Mr. Balduf stated the Board examined this several different ways and, at the prior meeting, there was mention of St. Joe benefitting from the second golf course, called "The Third," in a different county. He discussed changing the Operation and Maintenance (O&M) and the

threat of lawsuits from homeowners and from St. Joe and his hope that the Board does the right thing for all of parties involved.

Mr. Dean stated O&M assessments have nothing to do with lawsuits. The Board must fulfill its fiduciary duty in the most fair and proportional way in accordance with Florida Statutes and within its authority by Chapter 190.

Mr. Holt stated, per District Counsel, the Board has done its due diligence to fulfill its fiduciary duty. The Board is awaiting additional information from St Joe and once received, it will be evaluated, compared with the CDD's numbers, and a final determination will be made.

**THIRD ORDER OF BUSINESS**

**Continued Public Hearing on Adoption of Fiscal Year 2025/2026 Amended Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2026-05, 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 recalled that, at the last meeting, the Board approved an O&M Methodology using one golf course as the basis for updating the assessments for all property owners within the boundaries of the CDD and that methodology is effective, contingent upon the adoption of the amended budget. Also, at the last meeting, the Board granted St. Joe 60 days to report back with any applicable information that might be valid for consideration. As of today, nothing has been received but it has only been 29 days.

Mr. Burke stated Mr. Brown advised that his team is still gathering information, that he will review the data with his clients and discuss whether to share it with the Board, and then follow up with Mr. Burke with an answer by next week. Mr. Burke stated there is no urgency to adopt the amended budget today because of the off-roll assessments. Depending on the final number, Staff will retroactively bill St. Joe and issue a refund to all homeowners who are owed a refund, and/or credit their taxes in the next fiscal year. Ms. Cerbone stated no refunds will be issued unless there is cash from St. Joe.

Discussion ensued regarding what was approved at the last meeting, St. Joe's position, the Option 1 methodology, a successful outcome in the lawsuit, St. Joe challenging the CDD's ITE/Trip Study, amenities outside of the CDD, public records requests, the private golf course versus the public golf course, whether to open the public hearing and the next steps.

**On MOTION by Mr. Dean and seconded by Mr. Black, with Mr. Dean, Mr. Black and Mr. Stephens in favor, and Mr. Holt and Mr. Balduf dissenting, the Public Hearing was opened. (Motion passed 3-2)**

Ms. Cerbone stated this public comment section is limited to the amended budget and its components; the main components being the ITE Report that led to the District Engineer's Report, which led to the methodology.

Ms. Ferris stated she recently submitted a public records request to the Supervisor of Elections and, using the data she received, she was able to determine that the CDD is considered as an over-55 community because 72% of residents are over 55 and 57.9% are over 62 years old. She voiced her belief that, according to the Federal Highway Administration (FHWA), who provides guidance to the ITE/Trip Engineers and the ITE Manual, the CDD could be considered a senior community and, under that evaluation, she would no longer have 9.3 trips for her home size. For that reason, she thinks resident trips should be reduced by 40% to 60%. She asked the Board to allow homeowners/residents to self-report information like it allowed St. Joe, so that residential data can be re-evaluated and the trips can be reduced.

Resident David Fleet referenced a handout and stated, since 2007, St. Joe has paid 1.2% but it changed when the golf course went public. He thinks CDDs must evaluate their assessment methodologies annually but it did not occur until a third golf course was under construction, which was the catalyst for homeowners filing a lawsuit against the CDD. He thinks Option 2 illegally and indefensibly shifts commercial costs to homeowners. He expressed opposition to the "Option 2" O&M assessment methodology, 7.4.1 ERU ratio, trip count, ancillary roads, Option 1 versus Option 2 allocation comparison, traffic impact for residents and St. Joe, ITE/Trip data, infrastructure usage cost allocation, changing the Assessment Methodology, and the mathematical basis for the charts. He voiced his opinion that, if the Board knowingly assessed

homeowners for the benefit received by commercial owners, it breached its fiduciary by making an arbitrary assessment and ignoring data. He thinks the Board should do what the data supports.

Ms. Cerbone stated the Board can either close the public hearing and go to vote or continue the hearing to the next meeting, which is set for April 1, 2026.

Mr. Balduf asked if the data regarding the CDD being considered a senior community is based off voter registration or homeowner lots. Ms. Ferris replied by voter registration.

Discussion ensued regarding the ITE Trip Manual, the number of registered voters residing within the boundaries of the CDD, the number of vacant lots, and the Board consensus to allow St. Joe 60 days to present additional data at the previous meeting.

**On MOTION by Mr. Balduf and seconded by Mr. Black with all in favor, continuing the Amended Budget Public Hearing to April 1, 2026 at 2:00 p.m. (Central Time), at the POA Community Activity Room, 1110 Prospect Promenade, Panama City Beach 32413, was approved.**

**FOURTH ORDER OF BUSINESS**

**Update/Report: Guardhouse**

The March 4, 2026 Guardhouse Report was included for informational purposes.

Discussion ensued regarding the Report, if the POA provides the same information to St. Joe, the Post Orders, the daily log sheet and resident/owner QR codes.

**FIFTH ORDER OF BUSINESS**

**Update: Security Services**

Mr. Cerbone stated the POA currently handles security services.

Discussion ensued regarding the Request for Proposals (RFP) package, contacting credible established bidders, the bidding process, a pending agreement for reimbursement, which entity determines the percentage and how best to bifurcate the security services costs.

Mr. Burke will confer with Ms. Bolla about the RFP package after the meeting.

**SIXTH ORDER OF BUSINESS**

**Update: Walking Trails and Map**

Ms. Cerbone stated the walking trails map is on the agenda as a placeholder. This item will be explored further at upcoming meetings. Staff will need assistance from Ms. Womack as to how much to budget for the walking trails in Fiscal Year 2027.

**SEVENTH ORDER OF BUSINESS**

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

**A. Discussion: Exploring Cost Share for Engineering Red Light at Hwy 98/WHW**

Discussion ensued regarding the bridge repairs, a sinkhole on the approach to the bridge, and the boring on WHW.

Staff will add "Covington Bridge/Roadway Repair" as a discussion item on future agendas.

The Board and Staff discussed whether to keep the cost share for the red light at Highway 98/WHW on the agenda, the need for a new POA point person/liason for this item, the County, and re-engaging a property owner who previously agreed to contribute to the red light.

Mr. Carroll will contact the resident to see if he still wishes to participate in a cost-share related to the traffic signal.

This item will remain on the agenda.

**B. Update: Hydrant Reflectors**

This item will be removed from future agendas.

**EIGHTH ORDER OF BUSINESS**

**District Counsel: Discussion/Consideration  
/Update/Ratification**

**A. Discussion: Potential Turnover of Wild Heron Way, Guard House to 98**

Mr. Burke stated the survey is pending.

**B. Update: Cease-and-Desist Letter to Homeowner Regarding Conservation Easement Violation**

Mr. Burke stated there has been no response from the homeowner and he has also not been advised that they did anything to violate the conservation easement.

**C. Status of Agreement with POA and Bay County Sheriff's Office**

Mr. Burke is awaiting direction from the County Attorney's office.

Discussion ensued regarding a Sheriff Corporal, the County Commission, a turnover to the County, and Statutory requirements.

**NINTH ORDER OF BUSINESS**

**District Ecologist: Discussion/  
Consideration/Update**

Mr. Carroll received an email from Ms. Womack and provided the following updates:

**A. Discussion: Unmanaged Conservation Lands in Wild Heron**

**B. Update: Conservation Easement Swap - Survey & Legal Status**

DEP confirmation of the title commitment amounts is pending.

**C. FPL Line/Tree Trimming and Other Applicable Fire Wise Protocol**

New Leaf completed trimming along the nature trail.

**D. Update: North Zone One Road**

Ms. Womack will meet with New Leaf to obtain a bid for the trimming of vines encroaching into WHW right-of-way (ROW).

**E. Mitigation Zone Maintenance Status**

Ms. Womack sent information on mitigation cutting to the POA contractor and advised him to send a proposal on February 17, 2026, which is pending.

Discussion ensued regarding the POA Board, the conservation area, the Firewise contractor and clearing fire breaks.

Mr. Carroll will follow up with Ms. Womack and provide an update at the next meeting.

**F. Water Quality Report**

The Report is satisfactory with no issues worth noting. The February 24, 2026 Water Quality Monitoring Report, was included for informational purposes.

**TENTH ORDER OF BUSINESS**

**Consideration of Request to USPS Adopt  
Alternate Town Name Wild Heron**

Sandra Olson presented the request for the USPS to add “Wild Heron” as an acceptable place/town name for Wild Heron. She stated Wild Heron has a unique culture, has defined properties and commented that property values would increase by having a “vanity” name. It is

a way to identify the location as distinct from the broader Panama City Beach location. To be considered, the request must come from elected officials responsible for a municipality, such as the CDD Board.

Discussion ensued regarding whether there will be a cost to make digital changes, the logo, the CDD and the request letter.

Ms. Cerbone stated the request letter will be reviewed by District Counsel.

**On MOTION by Mr. Stephens and seconded by Mr. Black, with all in favor, asking the USPS adopt the alternate town name of Wild Heron, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Continued Discussion: Speeding on WHW**

Mr. Black reported that the POA proceeded with an agreement to purchase and install touring cameras with an AI add-on for CDD roads. As part of that, the POA could purchase another camera with solar and cellular features and install it near the radar signs.

Discussion ensued regarding notification of speed violations and speed limit enforcement.

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2026**

**On MOTION by Mr. Holt and seconded by Mr. Stephens, with all in favor, the Unaudited Financial Statements as of January 31, 2026, were accepted.**

**THIRTEENTH ORDER OF BUSINESS**

**Approval of February 4, 2026 Continued Public Hearings, Public Hearings and Regular Meeting Minutes**

The following changes were made:

Lines 33, 124 and 128: Change “Kerns” to “Kerins”

Lines 34 and 158: Change “Schumer” to “Scheuer”

Line 45: Change “Brian Cord” to “Bryan Corr”

**On MOTION by Mr. Black and seconded by Mr. Dean, with all in favor, the February 4, 2026 Continued Public Hearings, Public Hearings and 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 Ecologist/Operations, District Counsel or District Engineer reports.

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

- **UPCOMING MEETINGS:**
  - **April 1, 2026 at 2:00 PM (Central Time)**
  - **May 6, 2026 at 2:00 PM (Central Time) [Presentation of FY2027 Proposed Budget]**
  - **QUORUM CHECK**
- **Performance Measures/Standards & Annual Reporting Form: October 1, 2025 - September 30, 2026 (for informational purposes)**
- **Property Insurance on Vertical Assets**
- **Form 1 Submission and Ethics Training**

**FIFTEENTH ORDER OF BUSINESS**

**Board Member Comments**

- **Discussion: Additional Documents (Not Required Under FL Statutes) for CDD Website**
- **Discussion: Stormwater Pond and Landscape Maintenance**

These items will remain on the agenda.

**SIXTEENTH ORDER OF BUSINESS**

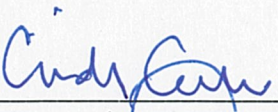
**Public Comment**

No members of the public spoke.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Balduf and seconded by Mr. Holt, with all in favor, the meeting adjourned at 4:07 p.m. (Central Time).**

  
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Secretary/Assistant Secretary

  
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Chair/Vice Chair

AS CDD  
CHAIR