

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT
DISTRICT**

March 4, 2024

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA
LETTER**

Lake Powell Residential Golf Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-Free: (877) 276-0889

February 26, 2024

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors

Lake Powell Residential Golf Community Development District

Dear Board Members:

The Board of Supervisors of the Lake Powell Residential Golf Community Development District will hold a Regular Meeting on March 4, 2024 at 2:00 p.m. (Central Time), at First Baptist Church - Sunnyside, 21321 Panama City Beach Pkwy, Panama City Beach, FL 32413. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Update: Gatehouse Report
4. District Engineer: Discussion/Consideration/Update
 - A. Proposals for 4-Way Stop Signs and Stop Ahead Signs
5. District Counsel: Discussion/Consideration/Update
 - A. Stormwater Facility Management Services Agreement (*CDD approved, POA voted not to enter into Agreement.*)
 - B. POA Maintenance Agreement (*CDD approved, POA voted not to enter into Agreement.*)
 - Landscape Standards
 - C. Possible Land Swap with the POA for Gate Installation at Wild Heron Way and Pinfish
 - D. Discussion with Joe Brown Regarding Bridge and Cost Share
6. District Ecologist: Discussion/Consideration/Update
 - A. Conservation Easement Swap Proposals
 - B. Conservation Easement Encroachments
 - C. Hog Program

- D. Cogon Grass
- 7. Consideration of New Leaf Service Proposals
 - Marsh Point Lane Near Fenced in Equipment Area (\$800)
- 8. Acceptance of Unaudited Financial Statements as of January 31, 2024
- 9. Approval of February 5, 2024 Regular Meeting Minutes
- 10. 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*
 - I. Form 1 Disclosure Filing for Calendar Year 2024
 - II. Meeting Location for Fiscal Year 2025
 - III. NEXT MEETING DATE: April 1, 2024 at 2:00 PM (Central Time)

○ QUORUM CHECK

SEAT 1	DAVID HOLT	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	DAVID DEAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	THOMAS BALDUF	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	JERRY ROBINSON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	FRANK SELF	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 11. Board Member Comments
- 12. Public Comment
- 13. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Jamie Sanchez (561) 512-9027.

Sincerely,

Cindy Cerbone

Cindy Cerbone
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

**CALL-IN NUMBER: 1-888-354-0094
 PARTICIPANT PASSCODE: 131 733 0895**

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

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DATE	INCIDENT	OFFICER	RESOLUTION
10/13/2023	GATEHOUSE WENT BACK TO USING HALF SHEET PASSES WITHOUT AUTHORIZATION, FULL SHEET PASSES ARE REQUIRED FOR LEGIBILITY	UNSURE, INITIAL COMMUNICATION WAS 10/12/23 @ 8:46PM W/ NO RESPONSE	POA OFFICE WILL BE PRE-PRINTING THE PASSES TO ENSURE PROPER TRACKING OF MATERIALS AND THAT PASS PROCEDURE IS BEING FOLLOWED.
12/20/2023	VICKIE REPORTED ISSUES WITH GATE ARM FUNCTIONALITY. PAID QUALITY GATES TO COME INSPECT EQUIPMENT FOR DAMAGES, NOTHING WRONG WAS FOUND WITH FUNCTIONALITY.	VICKIE GOODMAN	POA OFFICE MEMBER OR MAINTENANCE TECH SHOULD INSPECT EQUIPMENT AFTER ISSUES ARE REPORTED TO VERIFY THE CLAIM
1/23/2024	SHARK'S TOOTH MEMBER WAS TURNED AWAY DUE TO THE INABILITY TO PRODUCE PROOF OF MEMBERSHIP AND HAD NO ACCESS CREDENTIALS	TIA LARKIN?	GUARDS SHOULD FIRST CALL CLUB TO VERIFY MEMBER, THEN POA OFFICE WITH OTHER ISSUES. MEMBERS ARE TO BE ISSUED A VISITORS PASS AND ADVISED TO REGISTER THEIR VEHICLE AT THE GOLF CLUB.
2/12/2024	HOMEOWNER REPORTED RUDE BEHAVIOR FROM VICKIE GOODMAN; SAID ESSENTIALLY THEY WERE GIVEN A HARD TIME ABOUT NOT HAVING A PASS. THE OWNER CAME THROUGH THE VISITOR GATE IN THEIR FAMILY MEMBERS VEHICLE (NOT REGISTERED IN OUR SYSTEM. RECEIVED A REPORT FROM VICKIE ON THE INCIDENT AS WELL; ACCORDING TO VIDEO FOOTAGE AND DETAIL COMPARISON, IT APPEARS SHE WAS JUST FOLLOWING POST ORDERS.	VICKIE GOODMAN	NO RESOLUTION AT THIS TIME; REPORTS FILED.

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

6B

From: [Mike Burke](#)
To: [Joseph A. Brown](#)
Cc: [Nicole Eubanks](#); [Bethany Womack](#); [Cindy Cerbone](#); [Jamie Sanchez](#)
Subject: Encroachments/Potential Violations of Lake Powell CDD Conservation Easement
Attachments: [IMAGE 5.jpeg](#)
[Restoration Measures for CE Encroachments.pdf](#)

Dear Joe:

As you are likely aware, the Lake Powell Residential Golf Community Development District (the "District") owns certain areas within the District that are subject to a Conservation Easement in favor of the Board of Trustees of the Internal Improvement Trust Fund which incorporates FDEP Permit No. 03-0168338-011-DF and U.S. Army Corps of Engineers Permit No. 19902613(IP-GAH) ("Conservation Easement"). A recent field survey of the Conservation Easement by District Staff has revealed encroachments and or potential violations of the Conservation Easement which appear to have been caused by St Joe, its agents or employees.

I have attached to this email a memo prepared by the District's Environmental Engineer, Bethany Womack, that describes the violations and the remedial measures that need to be taken.

The District requires that St. Joe provide a response and detailed plan of corrective activities and proposed timeline for completion of the remedial measures to the District by no later than March 15, 2024. The response should be sent to me at mburke@burkeblue.com.

Thank you in advance for your prompt attention to this important matter.

Mike

Michael S. Burke, Esq.



**16215 Panama City Beach Pkwy.
Panama City Beach, FL 32413
(850) 249-3452
(850) 236-4444
(850) 236-1313 Fax**

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Conservation Easement Encroachments

The following impacts to the FDEP / USACE Conservation Easement area have been identified:

1) CE No. 47 located between the golf course maintenance area and Salamander Road

The east side of this conservation easement area has been impacted by two pathways that appear to have been created as a result of golf course maintenance equipment using these areas as shortcuts. Additionally, the northwest and southwest corners of the conservation easement area has been impacted by stockpiling / storage of construction materials or vehicle parking.

2) CE No. 48 located adjacent to the maintenance area access road from Wild Heron Way

The south end of this conservation easement area has been impacted by a pathway that appears to have been created as a result of golf course maintenance equipment using this area as a shortcut. Additionally, the east side of the conservation easement area has been impacted by stockpiling / storage of construction materials.

Condition No. 1 of the conservation easement prohibits the “Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground.”

Condition No. 2 of the conservation easement prohibits the “Dumping or placing of soil or other substances or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.”

Condition No. 5 of the conservation easement prohibits the “Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition.”

To bring the above referenced conservation easement areas back into compliance with the conditions of the conservation easement, the following restorative measures should be taken:

For CE No. 47:

- 1) Remove all material located / stored within the conservation easement area and do not allow vehicle to park in conservation easement area, identified in white on the attached drawing.
- 2) Cease use of the pathway identified in dark blue on the attached drawing and allow it to revegetate naturally.
- 3) Cease use of the pathway identified in light blue (0.047 acres) on the attached drawing. Till / aerate compacted soils and seed with natural wetland seed mix such as Roundstone – Mix 129 or Ernst Seed - ERNMX-122 at a rate of 4lbs / acre.
- 4) Cease use of the pathway identified in yellow (0.007 acres) on the attached drawing. Till / aerate compacted soils and seed with natural coastal plain upland meadow / pine understory mix such as Roundstone – Mix 126 or Ernst Seed - ERNMX-300 at a rate of 4lbs / acre.

For CE No. 48:

- 1) Remove all material located within the conservation easement area, identified in white on the attached drawing.
- 2) Cease use of the pathway identified in purple (0.045 acres) on the attached drawing. Till / aerate compacted soils and seed with natural coastal plain upland meadow / pine understory mix such as Roundstone – Mix 126 or Ernst Seed - ERNMX-300 at a rate of 4lbs / acre.

FDEP / USACE Conservation Easement Encroachment Areas



**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

7

Scope of Work

Marsh Point Lane near fenced in equipment area.

- Lower bushes approximately 4'6" to create visibility for roadway
- One sand pine cut to ground level. Tree is hanging over road and blocking view of traffic, pedestrians and cars exiting driveways.
- All debris removed and taken to dumping facility

\$800 Due Upon Completion

Thank you,
Mark Dragonette
New Leaf Tree Service

Thank you,

Jamie

Jamie Sanchez
District Manager

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JANUARY 31, 2024**

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JANUARY 31, 2024**

	General Fund	Debt Service Fund Series 2012	Total Funds
ASSETS			
Operating accounts			
BB&T	\$ 156,446	\$ -	\$ 156,446
Wells Fargo - operating 9486	46,820	-	46,820
Wells Fargo - operating 2941	796,515	-	796,515
Centennial Bank	259,427	-	259,427
FineMark			
Designated - stormwater compliance	127,064	-	127,064
Undesignated	122,889	-	122,889
FineMark - ICS	347,635	-	347,635
Designated for stormwater compliance**			
Investments			
Revenue	-	361,587	361,587
Reserve	-	219,431	219,431
Prepayment A	-	4,626	4,626
Due from governmental funds			
General fund	-	45,250	45,250
Other governments*	-	-	-
Due from other	10,207	-	10,207
Deposits	2,445	-	2,445
Total assets	<u>\$ 1,869,448</u>	<u>\$ 630,894</u>	<u>\$ 2,500,342</u>
LIABILITIES & FUND BALANCES			
Liabilities:			
Due to governmental funds			
Debt service	45,250	-	45,250
Total liabilities	<u>45,250</u>	<u>-</u>	<u>45,250</u>
Fund balances:			
Committed			
Disaster	250,000	-	250,000
District bridge projects	25,000	-	25,000
Road projects	100,000	-	100,000
Stormwater system upgrades	50,000	-	50,000
Restricted for:			
Debt service	-	630,894	630,894
Assigned to:			
3 months working capital	260,646	-	260,646
Unassigned	1,138,552	-	1,138,552
Total fund balances	<u>1,824,198</u>	<u>630,894</u>	<u>2,455,092</u>
Total liabilities and fund balances	<u>\$ 1,869,448</u>	<u>\$ 630,894</u>	<u>\$ 2,500,342</u>

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JANUARY 31, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ -	\$ 771,530	\$ 1,017,039	76%
Interest & miscellaneous	-	7,163	1,000	716%
Total revenues	<u>-</u>	<u>778,693</u>	<u>1,018,039</u>	76%
EXPENDITURES				
Administrative				
Supervisors	-	2,153	8,612	25%
Management	2,596	10,384	31,153	33%
Accounting	917	3,671	11,012	33%
Assessment roll prep	1,209	4,837	14,510	33%
Audit	-	-	7,800	0%
Legal	-	1,620	12,000	14%
Engineering	-	-	13,280	0%
Postage	-	18	1,775	1%
Telephone	90	350	1,050	33%
Meeting room rental	-	-	4,000	0%
Website maintenance	-	-	750	0%
ADA website compliance	-	-	210	0%
Insurance	-	7,765	8,182	95%
Printing and binding	125	500	1,500	33%
Legal advertising	-	-	2,500	0%
Other current charges	-	114	1,200	10%
Office supplies	-	-	500	0%
Special district annual fee	-	175	175	100%
Trustee	-	-	7,431	0%
Arbitrage	-	-	1,200	0%
Dissemination agent	83	333	1,000	33%
Total administrative	<u>5,020</u>	<u>31,920</u>	<u>129,840</u>	25%

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JANUARY 31, 2024**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Security				
Security management services	8,910	50,962	210,931	24%
Total security	<u>8,910</u>	<u>50,962</u>	<u>210,931</u>	24%
Lake wetland & upland monitoring				
Mitigation and monitoring				
Prescribed fires and gyro mulching	-	8,900	46,050	19%
Ecologist	-	-	57,980	0%
Signage	-	-	5,400	0%
Total lake wetland & upland monitoring	<u>-</u>	<u>8,900</u>	<u>109,430</u>	8%
Roadway services				
Bridge repairs and maintenance	-	-	50,000	0%
Roadway repairs and maintenance	-	-	50,000	0%
Roadway resurfacing 98 to guard house	-	-	325,000	0%
Road restriping, painting, other projects	2,756	19,499	30,000	65%
Total roadway services	<u>2,756</u>	<u>19,499</u>	<u>455,000</u>	4%
Stormwater management				
Operations	-	-	17,250	0%
Pond aeration	1,622	2,656	5,000	53%
Electricity - lift stations	-	54	900	6%
Stormwater system repairs	-	214	18,000	1%
Total stormwater management	<u>1,622</u>	<u>2,924</u>	<u>41,150</u>	7%
Other charges				
Feral swine removal	-	-	500	0%
Cost share-amenity area	-	-	50,000	0%
Tax collector	-	15,431	21,188	73%
Street lighting	-	659	-	N/A
Total other charges	<u>-</u>	<u>16,090</u>	<u>71,688</u>	22%
Total expenditures	<u>18,308</u>	<u>130,295</u>	<u>1,018,039</u>	13%
Excess/(deficiency) of revenues over/(under) expenditures	(18,308)	648,398	-	
Fund balances - beginning	1,842,506	1,175,800	1,206,448	
Fund balances - ending				
Committed				
Disaster	250,000	250,000	250,000	
District bridge projects	25,000	25,000	25,000	
Road projects	100,000	100,000	100,000	
Storm system upgrades	50,000	50,000	50,000	
Assigned				
3 months working capital	260,646	260,646	260,646	
Unassigned	1,138,552	1,138,552	520,802	
Fund balances - ending	<u>\$1,824,198</u>	<u>\$1,824,198</u>	<u>\$1,206,448</u>	

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2012
FOR THE PERIOD ENDED JANUARY 31, 2024**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy	\$ -	\$ 322,699	\$ 425,394	76%
Interest	1,688	7,995	-	N/A
Assessment prepayments	-	1,817	-	N/A
Total revenues	<u>1,688</u>	<u>332,511</u>	<u>427,069</u>	78%
Debt service				
Principal	-	230,000	230,000	100%
Interest	-	78,775	150,938	52%
Total debt service	<u>-</u>	<u>308,775</u>	<u>380,938</u>	81%
Other charges				
Tax collector	-	6,454	8,862	73%
Total other charges	<u>-</u>	<u>6,454</u>	<u>8,862</u>	73%
Total expenditures	<u>-</u>	<u>315,229</u>	<u>389,800</u>	81%
Excess/(deficiency) of revenues over/(under) expenditures	1,688	17,282	37,269	
Fund balance - beginning	629,206	613,612	589,271	
Fund balance - ending	<u>\$ 630,894</u>	<u>\$ 630,894</u>	<u>\$ 626,540</u>	

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
AMORTIZATION SCHEDULE - SERIES 2012
\$5,160,000**

Date	Principal	Interest Rate	Interest	Total Principal & Interest
11/01/2023	235,000.00	5.750%	81,362.50	316,362.50
05/01/2024	-	-	74,606.25	74,606.25
11/01/2024	250,000.00	5.750%	74,606.25	324,606.25
05/01/2025	-	-	67,418.75	67,418.75
11/01/2025	265,000.00	5.750%	67,418.75	332,418.75
05/01/2026	-	-	59,800.00	59,800.00
11/01/2026	280,000.00	5.750%	59,800.00	339,800.00
05/01/2027	-	-	51,750.00	51,750.00
11/01/2027	300,000.00	5.750%	51,750.00	351,750.00
05/01/2028	-	-	43,125.00	43,125.00
11/01/2028	315,000.00	5.750%	43,125.00	358,125.00
05/01/2029	-	-	34,068.75	34,068.75
11/01/2029	330,000.00	5.750%	34,068.75	364,068.75
05/01/2030	-	-	24,581.25	24,581.25
11/01/2030	355,000.00	5.750%	24,581.25	379,581.25
05/01/2031	-	-	14,375.00	14,375.00
11/01/2031	370,000.00	5.750%	14,375.00	384,375.00
05/01/2032	-	-	3,737.50	3,737.50
11/01/2032	130,000.00	5.750%	3,737.50	133,737.50
Total	\$ 2,830,000.00		\$ 828,287.50	\$ 3,658,287.50

**LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT
RECONCILIATION OF STORMWATER COMPLIANCE MONIES
JANUARY 31, 2024**

Beginning balance		\$ 218,317.74
Kossen		
Invoice #54115	(8,040.75)	
Invoice #55223	(8,040.75)	
Invoice #55961	(8,040.75)	
Invoice #55964	<u>(3,233.00)</u>	(27,355.25)
Panhandle Engineering		
Invoice #60503-1/19	(1,450.00)	
Invoice #60503-1/20	(2,900.00)	
Invoice #60521/01	(1,800.00)	
Invoice #60521/02	(500)	
Invoice #60521/03	(1,000)	
Invoice #60521/04	(500)	
Invoice #60521/07	(3,500)	
Invoice #60521/08	(8,835)	
30-Apr-22	(39,289)	
Invoice #60521/11	<u>(2,000)</u>	(61,774.00)
The Service House		
Invoice #60396	(291.69)	
Invoice #60397	<u>(291.69)</u>	(583.38)
Shark's Tooth Golf Club		
Invoice #60947	(3,180.00)	
Credit memo #63609	<u>908.46</u>	(2,271.54)
Interest income	848.51	
Bank charges	<u>(118.34)</u>	730.17
Remaining available monies		<u><u>\$ 127,063.74</u></u>

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

DRAFT
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 February 5, 2024 at 2:00 p.m. (Central Time), at First Baptist Church - Sunnyside, 21321 Panama City Beach Pkwy, Panama City Beach, FL 32413.

Present were:

David Holt	Chair
David Dean	Vice Chair
Jerry Robinson	Assistant Secretary
Thomas Balduf	Assistant Secretary
Frank Self (via telephone)	Assistant Secretary

Also present:

Jamie Sanchez	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC (WHA)
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Courtney Bolla	POA Manager

Residents present:

Ken Black	Terry Olson	Paul Pishal	Jennifer Ross	Patti Undercoffer
Chris Dig	Tom Kerins	Chris Brown	Eddie Levick	Steven Undercoffer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 2:00 p.m.

Supervisors Holt, Dean, Robinson and Balduf were present. Supervisor Self attended via telephone.

Ms. Sanchez distributed a revised agenda letter and stated that some Orders of Business will be presented out of order.

SECOND ORDER OF BUSINESS

Public Comments

Ms. Sanchez explained the protocols for public comments.

43 Resident Terry Olson noted that, due to wildfires last fall, he and two nearby residents
44 are concerned about overgrown conservation lots. He asked if the CDD or POA will initiate a
45 Firewise Program to treat the area once or twice a year.

46 Resident Steven Undercoffer submitted a comment card and chose to defer his comments
47 later in the meeting.

48 As to Mr. Olson’s earlier comment, Ms. Womack stated that various subdivisions have
49 allowed the CDD to include conservation areas with structures as part of the CDD’s Firewise
50 Program or part of the mitigation permit. Firewise cutting is scheduled for this week for the
51 vacant lots on the POA side and the wetland mitigation zones, like the one behind Little Hawk
52 Lane, are scheduled for April. The environmental permit allows some hand cutting in the
53 vegetative natural buffers on Landowner property but that is only approved on a case-by-case
54 basis.

55 Ms. Womack will inspect the areas in question with Mr. Olson and report her findings at
56 the next meeting.

57

58 **THIRD ORDER OF BUSINESS**

Update: Gatehouse Report

59

60 This item was presented following the Seventh Order of Business.

61

62 **FOURTH ORDER OF BUSINESS**

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

63

64

65 Mr. Burke stated he has no updates on Items 4A, 4B and 4C.

66 **A. Stormwater Facility Management Services Agreement (CDD approved, awaiting POA
67 approval)**

68 **B. POA Maintenance Agreement (CDD approved, awaiting POA approval)**

- 69 • **Landscape Standards**

70 **C. Possible Land Swap with the POA for Gate Installation at Wild Heron Way and Pinfish**

71 Board Members discussed Sherri commenting about POA Counsel’s recommendation on
72 whether to execute documents for Items 4A and 4B.

73 It was determined that Staff must confirm that these items can be removed from future
74 agendas. POA Board Member Mr. Olsen will have the POA contact Mr. Burke if there are any legal

75 questions and, if not, send a formal email to the District Manager’s office indicating that no
76 further action is needed on these matters.

77

78	FIFTH ORDER OF BUSINESS	District	Ecologist:	Discussion/
79		Consideration/	Update	

81 **A. Perimeter Fencing Behind the Courts**

82 Ms. Womack will email the color-coded map she prepared showing gaps in the fencing.

83 Discussion ensued regarding a suggestion to implement a hog program instead of
84 installing a fence, which is cost prohibitive and likely not as effective in preventing damage to
85 CDD property.

86 This item will be removed from future agendas.

87 Mr. Holt would obtain proposals to implement a hog program for the next meeting.

88 **B. Conservation Easement Swap Proposals**

89 Ms. Womack stated that the delay submitting a proposal is because the Surveyor is having
90 difficulty obtaining the Computer-Aided Design and Drafting (CADD) files but he hopes to submit
91 it by the end of the week. This item will remain on the agenda.

92 **C. The Lake Doctors, Inc. October Inspection Report**

93 The January 2024 Lake Doctors Report for Pond Management indicates most of the ponds
94 look good. Ms. Womack responded to questions on the following matters:

95 ➤ Regarding cattail, the areas will be monitored and treated in this quarter or the next, as
96 needed, since they must be kept under control, per the stormwater permit.

97 ➤ Regarding Florida Power & Light (FPL), she will check with the Engineer on the status, as
98 she sent them the County’s permits several times.

99 ➤ Regarding aerators, several are being repaired due to wear and tear; the aerators are still
100 under the five-year warranty period.

101 ➤ Regarding cogon grass, Ms. Womak identified a few other CDD areas last week that
102 BrightView will need to treat, as well as some on the golf course.

103 Ms. Womack stated that she expects the shadowboxes for the solar speed signs to be
104 installed by the end of next week.

105 Discussion ensued regarding tracking vehicles, the best way to address speeding and
106 visibility issues, installing a stop sign at the golf course crossing, additional stop signs, hiring police

107 patrols and Officer Murphy providing the Security Committee with four suggestions for
108 Salamander Trail to install speed humps, radar and speed signs.

109 Ms. Cerbone noted that, in certain Counties, it is easier to obtain approval for speed tables
110 than for speed humps, as that requires a traffic study.

111 Mr. Carroll was asked to obtain proposals for four-way stop signs at the circle and golf
112 course entrance and "Stop ahead" signs for before the golf course crossings.

113

114 **SIXTH ORDER OF BUSINESS**

**Discussion: St. Joe's Response Regarding
115 Joint Meeting with Counsel**

116

117

This item was presented following the Ninth Order of Business.

118

119 **SEVENTH ORDER OF BUSINESS**

**Consideration: of New Leaf Service
120 Proposals**

121

122

Mr. Holt stated that, due to safety concerns, the following proposals were obtained:

- 123 • **1511 March Point lane (\$475)**

124 Mr. Robinson offered to cut up the trees for free, once they are cut down, and donate the
125 logs to the CDD for firewood. The Board declined Mr. Robinson's offer due to liability concerns.

126

127 **On MOTION by Mr. Holt and seconded by Mr. Balduf, with all in favor, the New**
128 **Leaf Tree Service Proposal to cut down and dispose two Sand Pine trees at 1511**
129 **March Point Lane, in a not-to-exceed amount of \$475, was approved.**

130

131

132 Mr. Burke advised Mr. Self that he can participate in the discussions via telephone but his
133 vote can only count if his absence is due to a medical condition. Mr. Burke stated that he
134 confirmed with Mr. Holt, prior to the meeting, that his absence is due to a medical condition. Ms.
135 Sanchez confirmed that Mr. Self's vote is in favor of the proposal.

- 136 • **Marsh Point Lane Near Fenced in Equipment Area (\$800)**

137 Mr. Holt motioned to approve the proposal. The motion died due to lack of a second.

138 This item was tabled so the Board Members can individually inspect the area.

- 139 ▪ **New Leaf Service Proposal - 1610 Sharks Tooth Trail**

140 **This item was an addition to the agenda.**

141 Ms. Womack obtained this proposal after notification of a dead pine tree in the retention
142 area at 1610 Sharks Tooth Trail.

143

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the New Leaf Tree Service email Proposal to cut down and dispose of a tall 48” dead pine tree at 1610 Sharks Tooth Trail, in a not-to-exceed amount of \$1,250, was approved.

148

149

150 ▪ **Update: Gatehouse Report**

151 **This item, previously the Third Order of Business, was presented out of order.**

152 This item was included for informational purposes.

153 Ms. Cerbone explained why the Sixth, Eighth Order and Ninth Orders of Business are
154 directly and indirectly related to this agenda item.

155 A Board Member voiced their opinion that, as it is a public road, Security should have
156 allowed access to a visitor who had a tee time, instead of turning them away. A Board Member
157 asked that Jennifer make sure the Post Orders include Ms. Cerbone’s suggestion about ensuring
158 new Security personnel are told to ask for information and then allow visitors access.

159 Mr. Dean discussed an issue of contractors leaving workers behind and spending the
160 night.

161 Mr. Dean read the letter distributed in the meeting, from Security Captain Vicky Whitman,
162 about her resignation from the CDD security post, returning and then resigning again at the end
163 of December 2023, as well as other security personnel leaving, due to being disrespected and
164 harassed by POA staff.

165

166 **EIGHTH ORDER OF BUSINESS**

**Discussion: Terminate Letter of Agreement
Regarding POA Managing the Entry
Welcome Center**

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170 Mr. Dean motioned to terminate the Letter Agreement with the POA for the POA to
171 manage the entry Welcome Center. The motion died due to lack of a second.

172 Ms. Cerbone suggested proceeding with the other related agenda items and readdressing
173 this item later in the meeting, if warranted.

174

175 **NINTH ORDER OF BUSINESS**

176 **Discussion: Feasibility of O&M**
177 **Methodology Update Regarding Properties**
178 **Currently Within District Boundaries (no**
179 **outside impacts)**

180 Mr. Burke suggested proceeding with discussion of a Feasibility Study as St. Joe will not
181 participate in the Agreement until and if they decide to issue an Assessment Methodology
182 Report.

183 Mr. Holt stated that he heard rumors of building another golf course because members
184 are unable to get tee times. He thinks that the CDD should work with the POA on the Post Orders
185 and ask St. Joe to pay its fair share towards CDD infrastructure, which includes roadways, bridges
186 and security.

187 Since St. Joe owns land on both sides of the road to the front gate, Mr. Holt wants St. Joe
188 to execute a 50% shared maintenance agreement for Covington Bridge and provide \$350,000,
189 which is about half the cost to repave the road from Highway 98 to the front gate. He noted that
190 the CDD spent \$125,000 on the bridge. He suggested engaging an Architect specializing in roads
191 to redesign the front gate to allow for more traffic.

192 A Board Member expressed their opinion that the CDD should bring the assessment levels
193 up to 2024 standards.

194 Discussion ensued regarding St. Joe changing its position to make contributions based on
195 whether or not the CDD proceeds with a Feasibility Study.

196 It was noted that the CDD might be successful if it does not take an adversarial approach.

197 Ms. Cerbone stated that St. Joe's Operation and Maintenance(O&M) assessments are 7.4
198 times more than CDD homeowners' assessments. Using the same methodology the Developer
199 used to validate the bond debt might result in a significant assessment increase to the CDD
200 homeowners.

201 **Mr. Self left the meeting momentarily and returned shortly thereafter; he was not**
202 **present for the following vote.**

203

204 **On MOTION by Mr. Holt and seconded by Mr. Balduf, with Mr. Holt, Mr. Balduf**
205 **and Mr. Robinson in favor and Mr. Dean dissenting, removing agenda item**
206 **"Discussion of Feasibility of O&M Methodology Update Regarding Properties**
207 **Currently Within District Boundaries" from future agendas, was approved.**
208 **[Motion passed 3-1]**

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▪ **Discussion: St. Joe’s Response Regarding Joint Meeting with Counsel**

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

Mr. Burke presented St. Joe’s response outlining items discussed in the joint meeting with Counsel.

Mr. Carroll was asked to research the amount spent over the life of the bridge.

Mr. Holt suggested the CDD and POA appoint one spokesperson to discuss the CDD’s request for a bridge agreement and money for the road and the POA’s needs, with St. Joe.

Discussion ensued regarding St. Joe using the RFID reader and determining the amount to put in reserves for future bridge maintenance.

Ms. Womack asked if the CDD will still be able to assess the property if St. Joe contributes \$100,000 to the CDD and then decides to develop the surrounding property. Mr. Burke stated accepting St. Joe’s contribution will not exclude the CDD from assessing them for connecting to CDD infrastructure. The POA has more leverage with St. Joe than the CDD.

Mr. Burke presented photographs of St. Joe encroaching in various conservation areas. Ms. Womack noted that most of the areas encroached upon will re-vegetate naturally once the material is removed; however, they will need to implement a restoration plan for one side of Salamander Trail.

On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, directing District Counsel to inform St. Joe of its encroachment violations and provide a plan for restoration, was approved.

On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, directing District Counsel to pursue St. Joe to have St. Joes pay an additional 50% over the life of Covington Bridge so the CDD can place the funds in the reserves for future bridge maintenance and ask St. Joe to contribute \$350,000, versus \$100,000, to the CDD to pave Wild Heron Way, was approved.

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TENTH ORDER OF BUSINESS

Consideration of Resolution 2024-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Bay County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting forth the Terms of Office; Authorizing Notice of

the Qualifying Period; and Providing for
Severability and an Effective Date

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Ms. Sanchez presented Resolution 2024-01. Seats 1, 3 and 4, currently held by Mr. Holt, Mr. Balduf and Mr. Robinson, respectively, will be up for election at the November 2024 General Election. She reviewed the candidate qualification process. Candidates must qualify to run for election during the candidate qualifying period, which runs from noon, June 10, 2024 to noon, June 14, 2024.

On MOTION by Mr. Robinson and seconded by Mr. Dean, with all in favor, Resolution 2024-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Bay County Supervisor of Elections Begin Conducting the District's General Elections; Providing for Compensation; Setting forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

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ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-02, Approving a Spending Threshold; Authorizing the District Manager and the Chairman of the Board of Supervisors to Approve Expenditures; Providing a Severability Clause; and Providing an Effective Date

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Ms. Sanchez presented Resolution 2024-02.

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The Board Members discussed reducing the routine spending limit threshold from \$10,000 to \$5,000.

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Ms. Cerbone gave examples considered routine O&M and emergency repairs. Mr. Self dissented approving the Resolution because it did not describe what constitutes emergency repairs.

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The following change was made to Resolution 2024-02:

6th Whereas Clause and throughout: Change "District Manager or the District Chairman" to "District Manager and the District Chairman"

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Page 2, Section 2, Item a: Change "Ten Thousand Dollars (\$10,000.00)" to "Five Thousand Dollars (\$5,000.00)"

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On MOTION by Mr. Balduf and seconded by Mr. Dean, with Mr. Balduf, Mr. Dean, Mr. Holt and Mr. Robinson in favor and Mr. Self dissenting, Resolution 2024-02, as amended, Approving a Spending Threshold; Authorizing the District Manager and the Chairman of the Board of Supervisors to Approve Expenditures; Providing a Severability Clause; and Providing an Effective Date, was adopted. [Motion passed 4-1]

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TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2024-03, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date

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Ms. Sanchez presented Resolution 2024-03. Ms. Cerbone stated this Budget Amendment is necessary because some expenditures exceeded budget; this action will avoid a finding in the annual audit. Reserve funds are being used to offset the overages.

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Mr. Holt asked if the CDD will be replace the reserves in Fiscal Year 2024 for the money spent on the road in Fiscal Year 2023. Ms. Cerbone stated it depends on the direction of the Board when preparing the proposed Fiscal Year 2025 budget. Mr. Holt asked if there are sufficient funds to pave the road from the gate to Highway 98. Ms. Cerbone replied affirmatively; she will explain funding during the next agenda item.

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On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, Resolution 2024-03, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date, was adopted.

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THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2023

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Regarding funding to pave the entire roadway, Ms. Cerbone stated that to do so, the Board could deplete funds from the "Roadway resurfacing 98 to guard house" and the "Committed fund balances" budget lines items.

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The Board directed Ms. Womack and Mr. Carroll to close the road and build a fence to seize and desist.

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On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, Unaudited Financial Statements as of December 31, 2023, were accepted.

FOURTEENTH ORDER OF BUSINESS

Approval of December 4, 2023 Regular Meeting Minutes

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On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, the December 4, 2023 Regular Meeting Minutes, as presented, were approved.

FIFTEENTH ORDER OF BUSINESS**Staff Reports**

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

There was nothing further to report.

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B. District Counsel: Burke Blue

338

• Memo Regarding State Mandated Ethics Training for CDD Supervisors

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Mr. Burke highlighted key information in the Memorandum regarding what Board Members must do to fulfill the required ethics training requirement. The Memorandum includes a link to a recommended four-hour online course and information about reporting it on Form 1.

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Ms. Cerbone reviewed the new process for Supervisors to fulfill the ethics training requirement and electronically filing Form 1 with the Commission on Ethics instead of with the local Supervisor of Elections office.

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C. District Engineer: McNeil Carroll Engineering, Inc.

There was no report.

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

348

• NEXT MEETING DATE: March 4, 2024 at 2:00 PM (Central Time)

349

○ QUORUM CHECK

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SIXTEENTH ORDER OF BUSINESS**Board Member Comments**

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A Board Member asked about the status of determining who owns the fence at the front gate. Mr. Robinson recalled that the POA pressure washed the fence and stated he heard St. Joe was repairing a dilapidated section of the fence.

354
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Mr. Self asked Mr. Carroll the status of his request for the boring sample results. Mr. Carroll will respond to him today.

357

358 Regarding the ethics training requirement, Ms. Cerbone stated that Supervisors should
359 expect an email from Ethicsfdmsinfo@maildisclosure.floridaethics.gov, no later than February,
360 which will provide instructions on registering with the Commission on Ethics. She reiterated the
361 new process of electronically filing all Financial Disclosure Forms, such as Form 1, with the
362 Commission on Ethics instead of with the local Supervisor of Elections office.

363

364 SEVENTEENTH ORDER OF BUSINESS

Public Comments

365

366 Resident Ken Black stated that, after extensive research, vendors implementing new
367 technology that would control access and simplify the Post Orders has been narrowed down to
368 two; proposals will be presented to the Board.

369 Resident Eddie Levick stated he prefers the church meeting location to Sharks Tooth. He
370 expressed concerns about safety and discussed his belief that a traffic light is needed at Wild
371 Heron Way and Highway 98. He thanked the Board for extensively discussing security, which is a
372 major concern to him and his wife, due to recent vagrants and reported theft in the area.

373 Ms. Cerbone emailed the Board regarding ethics training and filing Form 1, the latter, for
374 calendar year 2024, will be included on the next agenda. Regarding the meeting location, she
375 asked Mr. Dean to discuss with the Pastor the ability to conduct CDD meetings at the church,
376 since the St. Joe Amenity Center is being renovated.

377

378 **On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, authorizing**
379 **Ms. Cerbone, Ms. Sanchez and Mr. Dean to work with the Pastor on scheduling**
380 **CDD meetings at the church and paying First Baptist Church at Sunnyside a**
381 **payment amount not-to-exceed \$500 per meeting, was approved.**

382

383

384 EIGHTEENTH ORDER OF BUSINESS

Adjournment

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387 **On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, the**
388 **meeting adjourned at 5:29 p.m., Central Time.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS
DI**

2023 Form 1 - Statement of Financial Interests

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

Real Property

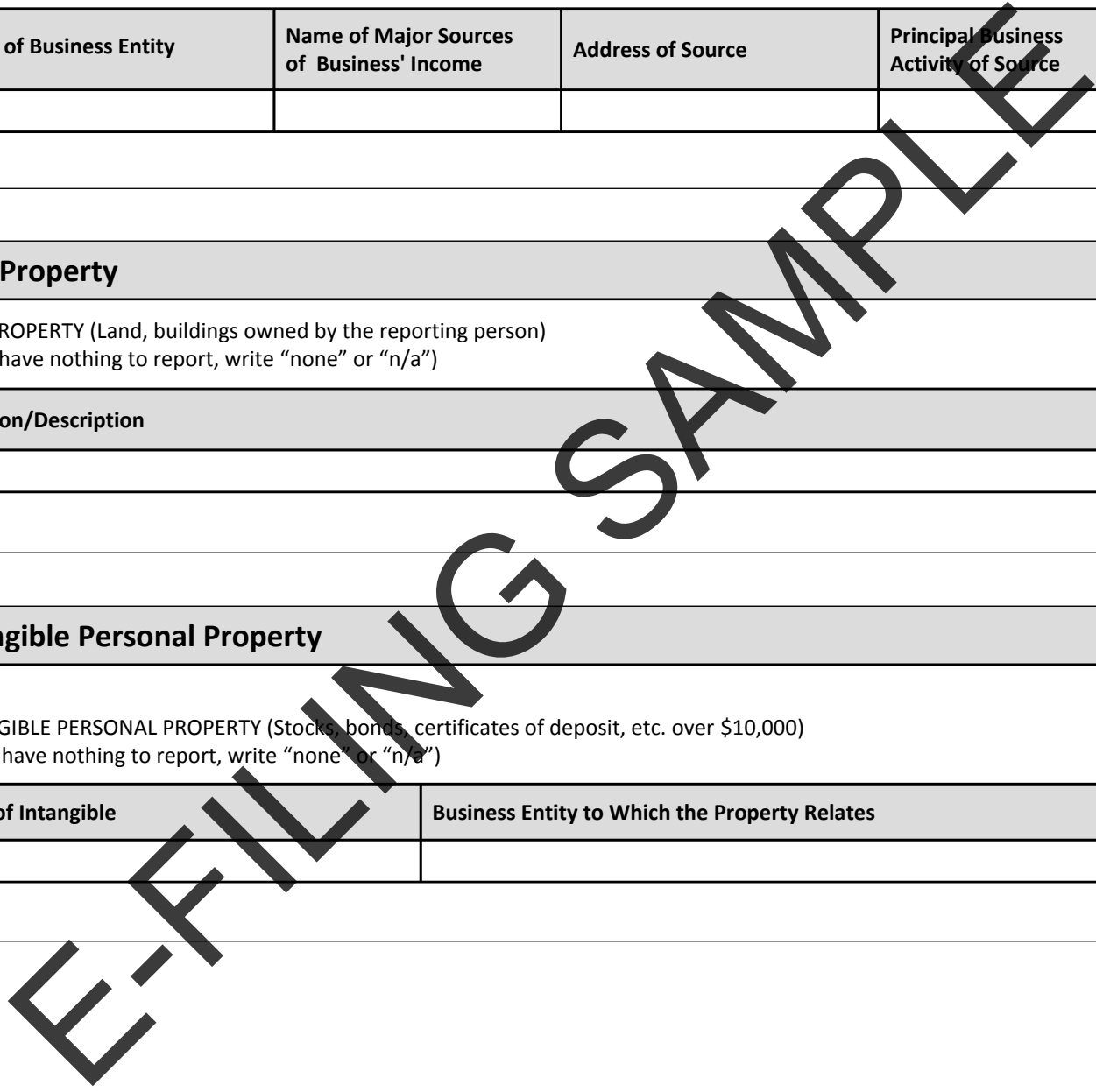
REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/Description

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates



2023 Form 1 - Statement of Financial Interests

Liabilities

LIABILITIES (Major debts valued over \$10,000):
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

E-FILING SAMPLE

Signature of Filer

Digitally signed:

Filed with COE:

E-FILING SAMPLE

2023 Form 1 - Statement of Financial Interests

Filed with COE: 01/05/2024

General Information

Name: Mr Thomas Dean Zimmerman

Address: 6233 Dolostone Drive, Lakeland, FL 33811

PID 305031

County: Polk

AGENCY INFORMATION

Organization	Suborganization	Title
Towne Park Community Development District	Board of Supervisors	Assistant Secretary

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity
DFAS	8899 E 56th Street, Indianapolis, IN	Military Retired Pay
Social Security Administration	550 Commerce Dr., Lakeland FL 33813	Social Security Retired Pay

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source
N/A			

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/Description
N/A

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates
Mutual Funds	Edward Jones
401K	General Dynamics Information Technology

Liabilities

LIABILITIES (Major debts valued over \$10,000):
 (If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor
Lakeview Flagstar Bank	PO Box 619063, Dallas, TX 75261-9063

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
 (If you have nothing to report, write "none" or "n/a")

Business Entity # 1
N/A

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Filer

Thomas Dean Zimmerman

Digitally signed: 01/05/2024

Filed with COE: 01/05/2024

**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS
DII**









**LAKE POWELL
RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS
DIII**

LAKE POWELL RESIDENTIAL GOLF COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE

LOCATION

Shark's Tooth Clubhouse, 2003 Wild Heron Way, Panama City Beach, Florida 32413

¹First Baptist Church - Sunnyside, 21321 Panama City Beach Parkway, Panama City Beach, Florida 32413

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 2, 2023	Regular Meeting	2:00 PM (Central Time)
December 4, 2023	Regular Meeting	2:00 PM (Central Time)
February 5, 2024¹	Regular Meeting	2:00 PM (Central Time)
March 4, 2024¹	Regular Meeting	2:00 PM (Central Time)
April 1, 2024¹	Regular Meeting	2:00 PM (Central Time)
May 6, 2024¹	Regular Meeting	2:00 PM (Central Time)
June 3, 2024¹	Regular Meeting	2:00 PM (Central Time)
August 5, 2024¹	Public Hearing and Regular Meeting	2:00 PM (Central Time)