

**MINUTES OF MEETING
NORTH POWERLINE ROAD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the North Powerline Road Community Development District was held on Tuesday, **December 6, 2022** at 10:32 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk <i>by Zoom</i>	Vice Chairperson
Kevin Chinoy	Assistant Secretary
Daniel Arnette	Assistant Secretary
Emily Cassidy	Assistant Secretary

Also present were:

Jill Burns <i>by Zoom</i>	District Manager/GMS
Lauren Gentry	KE Law
Marshall Tindall	GMS

The following is a summary of the discussions and actions taken at the December 6, 2022 North Powerline Road Community Development District's Regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Three Board members were present, constituting a quorum, and one Board member joined via Zoom. She noted that all three Supervisors were sworn in prior to the meeting.

SECOND ORDER OF BUSINESS

Public Comment Period

No members of the public were present via Zoom or in person.

THIRD ORDER OF BUSINESS

Organizational Matters

- A. Swearing in of Appointed Supervisor Emily Cassidy (Appointed at November 1, 2022 Meeting)**

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Ms. Burns stated that Ms. Emily Cassidy was appointed at the meeting on November 1, 2022.

B. Administration of Oaths of Office to Newly Elected Board Members Appointed at November 17, 2022 Landowners’ Meeting (Rennie Heath, Kevin Chinoy, and Daniel Arnette)

Ms. Burns stated that they held a Landowners’ election on November 17, 2022, which was when Mr. Heath, Mr. Chinoy, and Mr. Arnette were all re-elected. She noted that all except Mr. Heath had been sworn in and that Mr. Heath would be sworn in at a later time.

C. Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners’ Election

Ms. Burns stated that this resolution was included in the agenda package. She noted that they had a Landowners’ meeting on November 17th, 2022 and the results of that were outlined in the resolution.

On MOTION by Mr. Chinoy, seconded by Mr. Arnette, with all in favor, Resolution 2023-01 Canvassing and Certifying the Results of the Landowners’ Election, was approved.

D. Election of Officers

Ms. Burns stated that they are required to reelect officers after a Landowners’ election.

E. Consideration of Resolution 2023-02 Electing Officers

Ms. Burns stated that previously Mr. Heath was the Chair, Ms. Schwenk was the Vice Chair, the other three Supervisors were Assistant Secretaries, along with George Flint, and Ms. Burns was Secretary. She asked if they wanted to keep that the same and the Board agreed to keep the same.

On MOTION by Mr. Arnette, seconded by Mr. Chinoy, with all in favor, Resolution 2023-02 Electing Officers as slated above, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the November 1, 2022 Board of Supervisors and Audit

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Committee Meetings and the November 17, 2022 Landowners' Meeting

Ms. Burns presented the November 1, 2022 Board of Supervisors and Audit Committee meeting minutes as well as the November 17, 2022 Landowners' meeting minutes. She asked for any comments, corrections, or changes. The Board had no changes to the minutes.

On MOTION by Mr. Chinoy, seconded by Mr. Arnette, with all in favor, the November 1, 2022 Board of Supervisors and Audit Committee Meeting Minutes and the November 17, 2022 Landowners' Meeting Minutes, were approved.

FIFTH ORDER OF BUSINESS

Acceptance of Rankings of the Audit Committee and Authorizing Staff to Send Notice of Intent to Award

Ms. Burns stated that they held the Audit Committee meeting just prior to this meeting at which time they ranked DiBartolomeo, McBee, Hartley & Barnes as #1 and Grau & Associates as #2.

On MOTION by Mr. Chinoy, seconded by Mr. Arnette, with all in favor, Accepting the Rankings of the Audit Committee, Authorizing Staff to Send the Notice of Intent to Award, and Authorizing the Chair to Sign the Agreement Letter with DiBartolomeo, McBee, Hartley & Barnes, was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry stated that she had nothing to report.

B. Engineer

There being none, the next item followed.

C. Field Manager's Report

i. Consideration of Request from Aquagenix for Increase in Pond Maintenance

Mr. Tindall reviewed the field management report starting with Hurricane Nicole stating that it was relatively not impactful and there was no notable damage to the CDD areas. The next item he reviewed was the landscaping & ponds, which he stated the landscaping and ponds looked

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good. He noted a minor area to the left side of the main entrance that was being overlooked and the pond vendor was not treating it. He discussed that the annuals were installed at the entrance and the palms were just trimmed and were looking good. He noted that Aquagenix had asked for a 4% increase on their contract for pond maintenance. He stated that the amenity was doing well overall. He noted that the restroom flush valve was fixed, and a small area of coping was being repaired by the original builder under warranty. He discussed the approved sod for the Phase 1 area and was executed by Stewart and it all looked good. He noted that after talking with Stewart, they agreed with the weather patterns right now and that it was suitable for it to establish well, even with the incoming cold season. He noted a hog incident at the east side of Tract B, but they were monitoring it.

Mr. Tindall discussed the Hurricane repairs stating that the landscapers had come through and cleaned up the trees around the common area. He noted that the street sign replacements were being scheduled in Phase 2. He explained that some residents had noted that there were some gators in the area. He stated that they were reported to FWC for removal. He also stated that the CDD placed warning signs along the pond bank across from the amenity center. He asked the Board if a fence around the playground would be something that they would be interested in. Ms. Burns noted that there was a couple of residents that had reached out and asked about a fence because they had concerns with the gator's proximity to the playground. After brief Board discussion, it was decided to get some quotes to fence in the area. Ms. Burns stated that they would bring prices back to the next meeting. Mr. Tindall noted that the pool furniture would be scheduled for cleaning in the off season. He also noted that the broken table frame would be replaced.

Mr. Tindall brought the discussion on Aquagenix back to the Board's attention stating that they were looking for a 4% increase to cover overhead. He explained that they had a 2% fuel charge that was being run through most of the very high gas run. He noted that they did remove that, but they were still looking for a 4% increase to cover the labor, fuel expenses, etc. He also noted that should decline to cover with the amenity contingency. He stated that it would run \$420,288 annually to cover the increase and \$35,024 a month.

On MOTION by Mr. Chinoy, seconded by Ms. Cassidy, with all in favor, the Aquagenix 4% Increase for Pond Maintenance, was approved.
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D. District Manager's Report

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Ms. Burns noted that one item that came up after the agenda went out was a request from a resident to hold some fitness classes at the amenity facility. She further explained that this resident was licensed and certified to do these fitness classes. She also noted that this resident was looking to use the pool deck or the grass in that area, not the actual pool. Ms. Burns explained that residents were not allowed to reserve the pool deck for a party; however, they allow swim lessons at other Districts, and this would be a request along those lines and would be open to residents only. She added that the time this resident was requesting to hold these classes was 8:00 a.m. on Tuesdays and Thursdays. She noted that there would be a charge for residents, which was proposed to be prepaid \$15 for both classes Tuesdays and Thursdays and \$10 for drop-in on an individual class. She added that this resident estimated 20 people at a class and that she could provide certificate of insurance and her CPR certification. After Board discussion, they agreed to allow Denise Edmonds to host fitness classes for residents of North Powerline Road within certain parameters and if the License Agreement is executed by Ms. Edmonds.

On MOTION by Mr. Arnette, seconded by Mr. Chinoy, with all in favor, Accepting the Request for Denise Edmonds to Host Fitness Classes for Residents of North Powerline Road CDD on Tuesdays and Thursdays with the Time to be Worked Out with Staff Based on the Time that the Facility Opens at a Fee of \$25 Per Week, was approved.

Ms. Burns stated that she would get with Ms. Edmonds to get that drafted up and would bring the agreement back to be ratified by the Board.

i. Approval of Check Register

Ms. Burns presented the check register that was in the agenda package for review.

On MOTION by Mr. Chinoy, seconded by Mr. Arnette, with all in favor, the Check Register, was approved.

ii. Balance Sheet & Income Statement

Ms. Burns presented the financials, asking if there were any questions. Hearing none, the next item followed.

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SEVENTH ORDER OF BUSINESS

Other Business

Ms. Burns asked if there was any other business. Mr. Tindall noted that the Aquagenix contract was one year and was on page 84 of the agenda package.

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Adjournment

Ms. Burns asked for a motion to adjourn the meeting.

On MOTION by Mr. Arnette, seconded by Mr. Chinoy, with all in favor, the meeting was adjourned.

Jill Burns

Secretary / Assistant Secretary

Rennie Heath

Chairman / Vice Chairman