

**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, **August 6, 2024** at 10:04 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairperson
Emily Cassidy	Assistant Secretary
Kevin Chinoy <i>via Zoom</i>	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Savannah Hancock	District Counsel, Kilinski Van Wyk
Marshall Tindall	Field Manager, GMS
Ashley Hilyard	GMS

The following is a summary of the discussions and actions taken at the August 6, 2024 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 at 10:06 a.m. and called the roll. Three Board members were in attendance, and one joined by Zoom constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns opened the public comment period on any agenda items. Comments regarding the budget would need to be held until that specific public hearing. There is a public comment period at the end of the meeting for items not on the agenda.

- Resident – Questioned the traffic control agreement. Ms. Burns noted Florida Statute requires certain items to be on the website such as minutes, agendas, budgets, audits. Any document is available by request from the District Managers office.

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- Resident (Deborah) – asked about the Tiny Flower parking discussion. Ms. Burns noted discussion is about updating the policy to remove a portion of an area on Tiny Flower where parking is allowed, received several resident requests.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the May 7, 2024
Board of Supervisors Meeting**

Ms. Burns presented the minutes from the May 7, 2024 and asked for any questions, comments, or corrections. The Board had no changes to the minutes.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Minutes of the May 7, 2024 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Adoption of the Fiscal Year 2024/2025 Budget

Ms. Burns stated this public hearing has been advertised in the paper and a mailed notice was sent to all property owners within the community. She asked for a motion to open the public hearing.

On MOTION by Mr. Heath, seconded by Ms. Schwenk with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated there is a proposed increase this year. There has not been an increase in the last couple of years. The current assessment is \$707.45 for platted lots and the proposed rate annually based on this budget is \$863.66 so it's a \$156.21 increase. The line items with the biggest increases include landscape maintenance, streetlights, and general repairs and maintenance. More phases have come online this year that need to be accounted for in this budget. There is an increase to property insurance. Janitorial was increased, hog trapping added and holiday décor at entryways.

- Vanna – Curious about increased budget. Mr. Burns noted landscaping, streetlights, general repairs/maintenance to new phases, property insurance, janitorial, hog trapping and holiday decorations.
- Alex, President of Forest Creek HOA – Asked if the holiday decoration can be removed from CDD and let HOA handle it as they have a budget for it. State of Florida will catch hogs for free. Ms. Burns stated if the HOA wants to do some phases that is fine but there is more than one HOA within the community. Phases 1 & 2 have an HOA and then phase 3 has an HOA. If holiday décor was taken out of the budget today it would decrease the assessment by \$3.09 a

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lot. Leave it in this year and next year address it through the HOA. Mr. Tindall noted typically hogs are less active this time of year. Currently they are very active on the South boundary on most of the community Phases 1-3. They want trapping because of the significant damage to the banks in Phase 3. It is less than \$3.00/homeowner to add the hog trapping in the budget.

- Caleb (551 Jet Lane) – Asked what the front of the neighborhood at Forest Creek fall under as far as general repairs and maintenance/lawn maintenance. Asked to put an emphasis on the front of the neighborhood. Mr. Tindall noted two things, the well went down and an issue with private fences that damaged the irrigation system. Some fences went 16 ft. past the boundary. Letters have been sent to residents to remove the fences.
- Resident – Landscape maintenance – A lot of grass and dead flowers on Gina Lane that needs to be cleaned up. It will be taken into account. Most plantings are done at the end of the fiscal year.
- Resident – Is enclosing the playground in Forest Creek Phase 1 area part of the budget? Ms. Burns noted the Board looked at a proposal but it was deferred. If the Board wanted to do it, it can be worked into this existing budget. Will get a proposal.
- Resident – area with Powerline Rd, will there be a retaining wall behind it? Ms. Burns noted the expansion of Powerline Rd. is through the county so contact the county for specifics on that.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, Closing the Public Hearing, was approved.

i. Consideration of Resolution 2024-08 Adopting the District’s Fiscal Year 2024/2025 Budget and Appropriating Funds

Ms. Burns asked for any questions, comments or changes to this budget. Hearing none. She asked for a motion to approve Resolution 2024-08.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2024-08 Adopting the District’s Fiscal Year 2024/2025 Budget and Appropriating Funds, was approved.

B. Public Hearing on the Imposition of Operations and Maintenance Special Assessments

Ms. Burns stated this public hearing has been advertised in the paper and asked for a motion to open?

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On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated this public hearing levies the assessments for collection on the Polk County tax bill based on the budget just approved. She asked for any public comments. Hearing none.

On MOTION by Ms. Schwenk, seconded by Ms. Cassidy, with all in favor, Closing the Public Hearing, was approved.

i. Consideration of Resolution 2024-09 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Burns offered to answer any Board questions on Resolution 2024-09.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2024-09 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-10 Declaring Vacancy (Seat #5)

Ms. Burns noted two seats are turning over to residents or qualified electors in November. The Board previously announced the dates and times for residents and information was posted on the web site. Alex who spoke earlier qualified for one of the seats. Nobody expressed interest for seat #5. This resolution declares a vacancy. Daniel Arnette would be held over until a resident comes forward after the election to qualify, the second Tuesday after the election in November.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, Resolution 2024-10 Declaring Vacancy (Seat #5) was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-11 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2024/2025

Ms. Burns stated this schedule is the fourth Wednesday at 10:00.

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On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, Resolution 2024-11 Designation of Regular Monthly Meeting on the Fourth Wednesday at 10:00 a.m., Same Location, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of the Adoption of Goals and Objectives for the District

Ms. Burns stated there was a change in Florida Statute that requires CDD Boards to adopt annual goals and objectives. GMS has put together a set of goals and objectives for the Board to consider that would comply with the statutory requirement.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Adoption of Goals and Objectives for the District, was approved.

EIGHTH ORDER OF BUSINESS

Presentation of Fiscal Year 2023 Audit Report

Ms. Burns noted on page 32 is the report to management which summarizes the audit. It is an independent audit. There were no instances of noncompliance. It was a clean audit.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Fiscal Year 2023 Audit Report, was accepted.

NINTH ORDER OF BUSINESS

Ratification of Traffic Control Jurisdiction Agreement with the City of Davenport

Ms. Burns stated the CDD roads in the community are public. District Counsel and GMS staff, everybody is in agreement that no agreement is required for the police department to enforce rules and traffic laws within the community on public roads. The City of Davenport has started to request we put an agreement in place with them so we were happy to do so. This is the agreement they asked the CDD to put into place to formalize the fact that they can enforce traffic laws.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Traffic Control Jurisdiction Agreement with city of Davenport, was ratified.

TENTH ORDER OF BUSINESS

Discussion Regarding Parking on Tiny Flower Road

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Ms. Burns stated on Tiny Flower, lots 182 and 181 parking is allowed in that area. There is a lot of congestion. At the entrance they moved the sign down a little bit to get the parking away from the corner to see how that helped. Residents felt it didn't fix the issue. They want to remove parking by lots 182 and 181. It dramatically reduces the amount of parking available for all of those homes in that area. It is at the entrance where there is a lot of traffic. Notify towing vendor of new map.

On MOTION by Ms. Schwenk, seconded by Ms. Cassidy, with all in favor, to Remove Parking at End of Lots 182 & 181, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Hancock had nothing to report.

B. Engineer

Ms. Burns noted the District Engineer is not present today.

C. Field Manager's Report

Mr. Tindall presented the Field Managers Report on page 132 of the agenda.

i. Consideration of Proposal for Speed Limit Signs (*proposal to be provided under separate cover*)

Mr. Tindall presented the proposal for speed limit signs.

On MOTION by Ms. Schwenk, seconded by Ms. Cassidy, with all in favor, the Proposal for Speed Limit Signs, was approved.

ii. Consideration of Proposal for Pond Plantings

Mr. Tindall presented a proposal for pond plantings for long term stabilization and to preserve the shoreline for \$1,800.

On MOTION by Mr. Heath, seconded by Ms. Schwenk with all in favor, the Proposal for Pond Plantings, was approved.

iii. Consideration of Proposal for Pool Plaster Repair

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Mr. Tindall noted the pool has a small crack but is not leaking right now. He presented a proposal from Davenport Post Pools for repair of superficial crack for \$3,949. Will schedule repair for November.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Proposal from DPP for Pool Plaster Repair and Authorize Staff to Schedule, was approved.

D. District Manager’s Report

i. Approval of Check Register

Ms. Burns presented the check register to the Board for approval. She asked for any questions? Hearing none.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Check Register, was approved.

ii. Balance Sheet & Income Statement

Ms. Burns presented the financials for the Board’s review. There is no action necessary.

TWELFTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS Supervisors Requests and Audience Comments

- Resident (Deborah) noted the whole Tiny Flower area is a safety hazard.
- Mel White recommended Tiny Flower remove parking. Chief of police stated he cannot legally enforce a speed limit less than 25 MPH. Ms. Burns noted they will move forward with signage at the entrances but will work with the chief and look at the existing signage and traffic plan with the District Engineer to determine if they need to be switched to 25.
- Jeri White commented on expectation of the speed limit at 15 MPH is ridiculous.
- Resident – Entryway section on North Blvd has only one stop sign. Mr. Tindall and the District Engineer will review this area.

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- Justin (344 Gina Lane) commented dodging traffic to not hit trash cans on the street for trash day on Tiny Flower. The street is so small with all the parking on the street. Suggested removing all parking from Tiny Flower.
- Alex – Urged everyone on Tiny Flower to park their cars in their driveway or garage and just leave it for guest parking. No one listens. There are over 30 renters in the community which is the issue. Street parking decreases value of homes. Need to address speeding in the community. Ms. Burns reiterated the CDD does not have police powers. The entity responsible for enforcing speeding and traffic laws in the community is the local police dept. and encouraged residents to contact them directly.

FOURTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the meeting was adjourned.

Jill Burns

Secretary / Assistant Secretary

Signed by:

Rennie Heath

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Chairman / Vice Chairman