

MINUTES OF MEETING  
BONNET CREEK RESORT  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bonnet Creek Resort Community Development District was held Thursday, February 2, 2023 at 2:00 p.m. at the JW Marriot Orlando Bonnet Creek Resort, 14900 Chelonia Parkway, Orlando, Florida.

Present and constituting a quorum were:

Randall Greene	Chairman
Herb Von Kluge	Assistant Secretary
Becky Frasier	Assistant Secretary

Also Present were:

George Flint	District Manager
Jan Carpenter	District Counsel
Jim Nugent	District Engineer
Clayton Smith	Field Manager

*The following is a summary of the discussions and actions taken at the February 2, 2023 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order, called the roll and stated I administered the oath of office to Mr. Von Kluge before the meeting.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oath of Office to Newly Elected Supervisor**

This item was taken before the meeting started.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the November 3, 2022 Meeting and Acceptance of the Landowners' Meeting Minutes**

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor the minutes of the November 3, 2022 Board of Supervisors meeting were approved as presented and the November 3, 2022 landowner meeting minutes were accepted.

**FIFTH ORDER OF BUSINESS**

**Ratification of Engagement Letter and Attorney Authorization from Gray-Robinson**

Ms. Carpenter stated we had talked about this a couple years ago with potential taking of some property on the very edge of the CDD. We recommended retaining Gray- Robinson, Kent Hipp does eminent domain and he has done all the paperwork. We signed the letter and we are asking the Board to ratify the engagement of Gray-Robinson to help us on eminent domain. We don't have to pay them; the dollars come out of any settlement by statute.

Mr. Flint stated this is a wetland parcel at the end of the cul-de-sac behind the JW Marriott that runs along I-4. Apparently, DOT has given notice that they may take some or all of that parcel.

Mr. Nugent stated what they are taking is the utility easement that the District provided to Duke, that provides all the power to all the properties inside of Bonnet Creek.

Mr. Greene stated we just did a taking with them and they didn't actually take the land, we gave them an easement. We can do the same thing.

Ms. Carpenter stated it depends on what they want it for, we will find out.

Ms. Frasier stated this is the area they are trying to expand the cable. There is a micro cable they can't get across and they asked us for this. We actually got a letter about this and this is the exact area on the drawing they sent to us.

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor execution of the Engagement Letter and Attorney Authorization with Gray-Robinson was ratified.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04  
Authorizing the Use of Electronic Documents  
and Signatures**

Mr. Flint stated Resolution 2023-04 authorizes us to use electronic document software for executing the District's documents. Some will continue to need signatures but there are many documents like the minutes and the Board's resolutions and other documents that we can use DocuSign instead of having wet signatures. After the meeting we can send a DocuSign to the chair and vice chair and they can execute the documents that way. This resolution gives us the ability to do that. We are doing it in other Districts.

On MOTION by Mr. Greene seconded by Ms. Frasier with all in favor Resolution 2023-04 Authorizing the Use of Electronic Documents and Signatures was approved.

**SEVENTH ORDER OF BUSINESS**

**Sign Construction Update**

- A. Engineer Update on Sign Construction**
- B. Status of Remedial Activities**

Mr. Nugent stated I spoke with Mike Dennis with BDA and he told me they were going to be handling the notification to the Corps for the impact and including it in their long-term program. He informed me that technically the impact is already approved because they have a bank of mitigation that has already been approved by the Corps and this small impact will be charged against those two ledgers. He did tell me that Disney was not going to charge for the mitigation. I have previously corresponded with Sam Dues at Reedy Creek because he is our contact for the sign permitting and asked him will he confirm he has no more comments on the revised plans they requested and how can we get it moving forward. He said they will review the plans but can't issue a permit until the Corp issues their permit.

I opened a discussion with Katherine Lutzo about our offsite signage because we will need to pull right of way permit(s) for installing those signs. I'm sure everything that I staked out for Kate to look at last year has been destroyed.

Mr. Flint stated we will need to rebid the signs too.

Ms. Carpenter stated on the big sign we also need to get our costs wrapped up as quickly as we can so we can talk to Jim Weatherall and finish up discussions to see if we can see some reimbursement. He has been open to listening to us, so we just need to get some numbers to him.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer**

Mr. Nugent stated I have been in contact with Jay Caspera at Terracon about evaluating the Crosby Island Marsh Berm, but the water is still too high to get out there.

There are two temporary construction bridges that were put in as part of the Hilton expansion that spanned on 5W, between the Hilton and the Waldorf. They are now trying to permit the addition of an event lawn on the south side of the Hilton expansion where the 18<sup>th</sup> green used to be and as part of that they want to leave the two construction bridges in place for access, although the Orange County fire said they wouldn't require it but they would appreciate it so they can get emergency vehicles over to the golf course side and back to the event lawn because there is no other good path to get there. They also wanted to have it available, at least the bridge to the south for pedestrian egress from the event lawn so that they had enough travel area for the patrons that would be using it combined with the building that they had a place to go. Those bridges staying in place and the event lawn right now are getting ready to go through permitting with Orange County. I have been talking to Reedy Creek because it affects our stormwater permit and they have to give us approval before we can submit for a permit modification to the water management district. They are aware of it and didn't see a problem with it.

Ms. Carpenter stated I'm trying to see how we can tie the Hilton into some type of agreement. We only have an easement, but they own the pond.

Mr. Nugent stated we have an easement on the pond the maintenance responsibility for it, but is there an agreement with the golf course operations team at the Waldorf and Hilton to maintain that pond since it is an integral part of their play area?

Mr. Flint stated they have been maintaining it.

Ms. Carpenter stated I don't think there is any formal agreement. We had an agreement with the contractor for the work, but we don't have an agreement directly. We probably should if they are going to stay there permanently.

Mr. Nugent stated they are going to need to be responsible for the maintenance of the bridges as well as whatever potential effects they may have on the stormwater pond.

**C. District Manager’s Report**

**i. Consideration of Check Registers**

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor the check registers were approved.

**ii. Balance Sheet and Income Statement**

A copy of the balance sheet and income statement were included in the agenda package.

**iii. Presentation of Arbitrage Rebate Calculation Report**

On MOTION by Mr. Greene seconded by Ms. Frasier with all in favor the arbitrage rebate calculation report for the series 2016 bonds was accepted.

**D. Field Manager’s Report**

**i. Consideration of Aquatic Weed Control Renewals**

Mr. Smith stated we have some renewals for the onsite aquatic weed control for one pond by the maintenance facility. The first one is for Crosby Island Marsh for three times a year treatment for a total of \$7,500. The second one is going to be for our berms all around this site and that is a total of \$15,246.00. There is no increase for either one and we get good service from this company, and I recommend we continue with them and their services.

On MOTION by Mr. Von Kluge seconded by Mr. Greene with all in favor the agreements with Aquatic Weed Control, Inc. were approved.

Mr. Smith gave an overview of the field manager’s report, copy of which was included in the agenda package.

**NINTH ORDER OF BUSINESS**

**Supervisor’s Requests**

There being none, the next item followed.

**TENTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Greene seconded by Ms. Frasier with all in favor the meeting adjourned at 2:38 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman